

Salem, Oregon
January 5, 1971

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Commission Secretary

Commissioner Fred W. Hill was excused.

Also present were: Gordon A. Barker, Investment Manager, State Treasury Department; Howard A. Rankin, Bond Attorney; C. W. Head, Assistant Secretary; Victor D. Wolfe, Administrative Assistant; V. E. Skoog, Controller; John Earley, Information Officer; and E. S. Hunter, Administrative Engineer.

Chairman Jackson announced that bids would be opened and read for the sale of \$15,000,000 Oregon State Highway Bonds, Series 1971.

Mr. Barker read the following bids:

	<u>Net Interest Cost</u>	<u>Effective Interest Rate</u>
First National Bank of Chicago Account Manager		
In association with: Halsey, Stuart & Co., Inc. Smith, Barney & Co., Incorporated Merrill Lynch, Pierce, Fenner & Smith, Incorporated Continental Illinois National Bank and Trust Company of Chicago Account Managers		
By: Assistant Cashier The First National Bank of Chicago For the Managers	\$7,747,725.00	4.9191%
Salomon Brothers and Associates	\$7,592,707.50	4.820%

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(Tabulation of Bids Cont.)

Harris Trust and Savings Bank
First National Bank of Oregon
The Chase Manhattan Bank, N. A.
and Associates

In association with:
Bankers Trust Company
First National City Bank
Weeden & Co., Incorporated
and Associates

In association with:
Bank of America, N. T. & S. A.
and Associates


By: First National Bank of Oregon
Salem Branch

<u>Net Interest Cost</u>	<u>Effective Interest Rate</u>
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\$7,555,500.00	4.7971%
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After the bids were read, Mr. Barker and Mr. Rankin retired to another office to check the bids. At 9:22 Mr. Barker returned and stated that the bids had been checked and that the low bid was submitted by Harris Trust and Savings Bank and others at a net interest cost to the State of \$7,555,500 or an effective interest rate of 4.7971 percent. He recommended that the bid be accepted and the deposits submitted by the two high bidders be returned. The Commission accepted the bid. The deposits submitted by the two higher bidders were returned to their representatives.

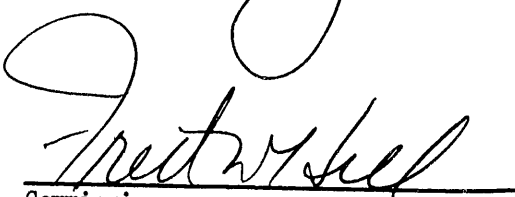
The meeting was adjourned by the Chairman at 9:25 a.m.




State Highway Engineer



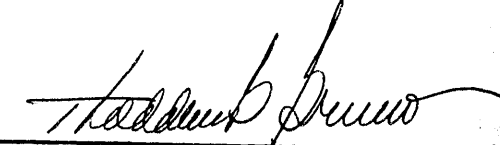
Chairman



Commissioner



Secretary



Commissioner

January 5, 1971

Salem, Oregon
January 7, 1971

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
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R. L. Porter, State Highway Engineer
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F. B. Klaboe, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Also present were R. E. Simpson, Division Engineer of the Federal Highway Administration; C. W. Head, Assistant Secretary; L. H. Young, Program and Planning Engineer; E. S. Hunter, Administrative Engineer; Victor D. Wolfe, Administrative Assistant; David G. Talbot, State Parks Superintendent; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; John R. Oakes, Assistant Right of Way Engineer; Kenneth A. Chatwood, Administrative Right of Way Agent; John J. Earley, Information Officer, and R. B. Sipprell, Liaison Engineer.

The Commission approved the minutes of the regular meetings held November 24, 1970 and January 5, 1971 and the special meeting held December 3, 1970.

The Right of Way Engineer presented a list of options, Pages 1 through 77, secured for acquisition of real property needed for State Highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 73," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from November 17, to December 23, 1970, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$4,506; land sales \$16,950; timber sales \$2,707.70. Rental receipts for November 1970 totaled \$34,466.31.

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A list of properties needed for highway and other uses was presented by the Right of Way Engineer. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2587," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the following report made by the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the institution of condemnation proceedings:

BEAVERTON-JAMIESON ROAD SECTION OF THE BEAVERTON-HILLSDALE HIGHWAY
WASHINGTON COUNTY

R-21968 - Virginia Cavens, et vir. 990 sq. ft. for right of way purposes. Offer \$2,000.00

BROOKINGS-WINCHUCK RIVER SECTION OF THE OREGON COAST HIGHWAY
CURRY COUNTY

R-44923 - Rena K. Potts. 0.08 acre for right of way purposes. Offer \$500.00

CHEMAWA ROAD-HAYESVILLE SECTION OF THE PACIFIC HIGHWAY EAST
MARION COUNTY

R-17594 - Leonard V. Ryan and Robert L. Smith. 0.24 acre for right of way purposes. Offer \$6,500.00.

COLUMBIA COUNTY LINE-BURLINGTON SECTION OF THE COLUMBIA RIVER HIGHWAY
MULTNOMAH COUNTY

R-43618 - Harold G. Smith, et ux. 0.1 acre for permanent easement. Offer \$50.00.

R-43629 - Kendall Lumber Mill. 4.0 acres for right of way purposes. Offer \$5,700.00.

R-43645 - The Vernon Co. Parcel No. 1: 5.8 acres for right of way purposes; Parcel No. 2: 0.6 acre for right of way purposes. Offer \$14,750.00.

R-43660 - Samuel C. Holbrook, et al. Parcel No. 1: 2.1 acres for right of way purposes; Parcel No. 2: 1.2 acres for perpetual easement. Offer \$5,150.00.

R-43664 - Eleanor Holbrook Conrad and Myra-Helen Clodfelter. 0.05 acre for right of way purposes. Offer \$225.00.

R-43916 - Mary Dea Carter. Parcel No. 1: 2.9 acres for right of way purposes; Parcel No. 2: 0.22 acre for permanent easement; Parcel No. 3: 2.4 acres for permanent easement; Parcel No. 4: 1.0 acre for permit of entry. Offer \$31,550.00.

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CRESWELL INTERCHANGE SECTION OF THE PACIFIC HIGHWAY - LANE COUNTY

R-43409 - Lane County Title Company, Trustee. 0.14 acre for right of way purposes. Offer \$2,500.00.

EAGLE CREEK-ESTACADA SECTION OF THE CLACKAMAS HIGHWAY - CLACKAMAS COUNTY

R-43788 - Frederick L. Carlson. 3.6 acres for right of way purposes. Offer \$4,525.00.

R-43791 - Cloyd A. Looney, et ux. 1.83 acres for right of way purposes. Offer \$2,200.00.

R-43792 - Lawrence D. Looney, et ux. Parcel No. 1: 1.75 acres for right of way purposes; Parcel No. 2: 0.15 acre for permanent easement. Offer \$2,115.00.

R-44186 - Richard H. Shoop, et al. 2.4 acres for right of way purposes. Offer \$2,900.00.

ELK RIVER-FORT ORFORD SECTION OF THE OREGON COAST HIGHWAY - CURRY COUNTY

R-42574 - Robert P. Pickett. 2.6 acres for right of way purposes. Offer \$2,600.00.

R-42601 - N. B. Marsh, et ux. Parcel No. 1: 2.5 acres for right of way purposes; Parcel No. 2: 0.62 acre for right of way purposes. Offer \$8,050.00.

LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC
HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - CLACKAMAS COUNTY

R-44511 - Bernard F. Vanderzander. 8,580 sq. ft. for right of way purposes. Offer \$3,750.00.

R-44512 - R. J. Frank, Jr., et al. 19,800 sq. ft. for right of way purposes. Offer \$11,250.00.

MEHAMA BRIDGE SECTION OF THE ALBANY-LYONS HIGHWAY - MARION COUNTY

R-44273 - Marvin Berry, et ux. 0.04 acre for right of way purposes. Offer \$2,250.00.

OLDS FERRY-ONTARIO SECTION OF THE OLD OREGON TRAIL - MALHEUR
COUNTY

R-41185 - Glenn E. Thayer. Parcel No. 1: 3.0 acres for permanent easement; Parcel No. 2: 0.5 acre for permanent easement. Offer \$1,525.00.

ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST
MULTNOMAH COUNTY

R-43140 - Southern Pacific Transportation Company. Parcel No. 1: 0.39 acre for right of way purposes; Parcel No. 2: 0.15 acre for permanent easement; Parcel No. 3: 0.14 acre for permit of entry. Offer \$2,550.00

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SILETZ RIVER (KERNVILLE) BRIDGE SECTION OF THE OREGON COAST HIGHWAY
LINCOLN COUNTY

R-4477 - Ella Duncan. 1.3 acres for right of way purposes.
 Offer \$5,800.00

SILVER POINT SCENIC STRIP - CLATSOP COUNTY

R-43709 - Robert J. Williams, et ux. 0.65 acre for scenic strip purposes. Offer \$1,000.00

R-43710 - Fredric F. Wolfer, et ux. 0.7 acre for scenic strip purposes. Offer \$750.00.

SUNSET BAY STATE PARK - COOS COUNTY

R-43876 - George Combs, et al. 0.2 acre for park purposes.
 Offer \$4,000.00.

Authority was requested by the Right of Way Engineer to make direct sale on two parcels of property which are no longer needed for highway purposes. Peculiarities of location of the properties precludes advertising for public sale. The Commission approved sale of the following properties and therefore adopted "Real Property Resolutions Nos. 544 and 545," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) 2,125 square feet of land (File 39552) located in Lot 4, Block 69, Reservation Addition to the City of Pendleton on S. E. 8th Street (Oregon - Washington Highway) about 150 feet south of Emigrant Street, in Pendleton, Umatilla County, to the Department of General Services for the sum of \$1,000. Signboard and junkyard exclusion clauses are to be included in the deed and no access is allowed to the Oregon-Washington Highway. Approval by the Federal Highway Administration is not required. (See "Real Property Resolution No. 544")
- (2) 0.45 acres of land, former maintenance station, (File M-21) located at Main and Cottonwood Street in the City of Paisley along the Fremont Highway in Lake County to the City of Paisley for the sum of \$6,000 which is the value placed by staff appraisal. Terms of the sales contract provide a down payment of \$1,000, a payment of \$2,000 on or near December 15, 1971 and a payment of \$3,000 on or near December 15, 1972. Interest is to be paid at 7½ percent. The sale is subject to a junkyard restriction clause. Approval by the Federal Highway Administration is not required. (See "Real Property Resolution No. 545").

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The Right of Way Engineer stated that in acquiring a piece of property from Mr. F. L. Kummer (File 18925) an error had been made in the property description. The original deed executed in April 1953 pertained to two parcels of land containing 6.07 acres and 69.54 acres on the Green Station-Canyonville Project of the Pacific Highway in Douglas County. The original property description transferred to the State 13.23 acres by error. He recommended that this land be quitclaimed back to Mr. Kummer. No consideration is involved. The Commission approved the transfer.

A Grant of Access to the LaGrande Fruit Company to accommodate a warehouse (File 17090) on the westerly side of the relocated Old Oregon Trail near the east city limits of LaGrande in Union County was brought up by the Right of Way Engineer. The Fruit Company has requested one unrestricted point of access of 35 feet wide and agrees to pay the State \$408 for the access. Following the Right of Way Engineer's favorable recommendation the Commission approved the access.

The modification of a demolition contract with Heard Construction Company on a section of the East Portland Freeway and the Columbia River Highway in Multnomah County was discussed. The Right of Way Engineer explained that the contract bore a completion date of December 6, 1970, but because of inclement weather it was impossible to complete the contract by that date and the Company has requested that \$250 be deducted from the contract payment in lieu of completing the final grading. The Right of Way Engineer stated that the request is reasonable and he recommended that it be granted. Provision will be made to complete the work in a later contract. The Commission approved the contract modification.

Indentures of Access pertaining to two ownerships were recommended by the Right of Way Engineer for changes in location and to correct the records as to location of points of access. The Commission approved the following Indentures of Access:

- (1) T. T. and Josephine E. Leonard property (File 20563) for a change in location and widening from 25 feet to 35 feet on one unrestricted point of access on the westerly side of the relocated Pacific Highway West approximately one mile south of Rickreall in Polk County. Approval by the Federal Highway Administration was given on December 8, 1970.
- (2) Raymond A. and Agnes Crabtree property (File 40313) to correct the record as to location of two unrestricted points of access 35 feet wide on the easterly and westerly sides of The Dalles-California Highway approximately five miles north of Maupin in Wasco County. Approval by the Federal Highway Administration is not required.

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The Chief Counsel presented a report concerning cases which have been tried in court since the last Commission meeting. The Commission accepted the report which is summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
E. J. Warner, et al. L-6201 R-42388	Baker	Old Oregon Trail	\$24,200	\$60,000	\$31,000
Jack W. Parker, et al. L-5857 R-36193	Clack.	East Portland Freeway	\$160,500	\$442,000	\$350,000*

*This verdict indicates the jury felt the property being acquired reflected a land value of approximately \$11,000 per acre. Subsequent sales and jury verdict in the case of State v. BCK Lumber Co. (different jury panel) further indicates this value is reflective of the market. Our land value approximated \$6,000 an acre for the 30 plus acres being acquired.

I am further of the opinion an appeal of the verdict is not indicated since I am convinced we were low in our estimate of the acreage value of the land being acquired.

Jack W. Parker, et al (BCK Lmbr. Co.) L-6067 R-41454	Clack.	East Portland Freeway	\$31,000	\$336,350	\$58,000
Unico, et al. L-6115 R-42682	Clack.	East Portland Freeway	\$27,750*	\$122,000	\$58,000

*Our high testimony at time of trial was \$37,000.

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(Condemnation Cases Tried Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
George O. Dodd, et al. L-6123 R-33030	Clack.	Mt. Hood Highway	\$22,500	\$42,000	\$25,000
Mary E. Osterholme, et al. L-5955 R-42031	Clatsop	Columbia River Highway	\$24,500	\$38,000	\$31,000
Gladys Pierce L-6237	Tillamook	Neskowin Beach Wayside	\$11,000	\$30,640	\$22,000

REPORT OF TRIAL

STATE BOARD OF HIGHER EDUCATION ACQUISITION

<u>Defendant</u>	<u>County</u>	<u>Legal Offer before filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
Edward A. Rosehill, et al. L-6219 H. E.-3	Jackson	\$88,500	\$155,000 (Answer)	\$100,000

(For additional details see Chief Counsel's letter dated January 4, 1971 concerning cases tried filed in the Salem Office General Files.)

A report was also made by the Chief Counsel concerning cases which have been settled out of court since the last Highway Commission meeting. The Commission accepted the report which is summarized as follows:

January 7, 1971

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Anna Wendt, et al. (Missouri Flat Grange) L-6208 R-42395	Baker	Old Oregon Trail	\$17,325	\$20,700	\$22,500
Roger D. Rode, et al. L-6239 R-42910	Baker	Old Oregon Trail	\$3,500	\$3,225	\$4,000
Walter W. Colton, et al. L-6350 R-42378	Baker	Old Oregon Trail	\$4,975	\$4,975	\$2,400* (exchange of parcels from R-42377 & R-42379)

*Settled pursuant to option dated November 20, 1970.

This settlement, which indicates a net increase to the landowner of \$1,300 is justified, in that an element of operational damage to the cattle ranch was not considered by our appraisers. This damage involved the trucking of cattle vs. driving cattle from one portion of ranch to the other after the taking.

Ronald E. Ferney L-6364 R-44877	Baker	Old Oregon Trail	\$150	\$150	\$600
Bruce Starker, et ux. L-6004 R-40603	Benton	Corvallis-Newport Highway	\$18,200	\$18,300	\$18,200

This settlement eliminates an item of damage which the trial attorney, based upon his professional judgment and opinion, felt was not considered by our appraisers, viz - access to remove timber located in an area not serviced by the two accesses originally reserved for defendant.

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(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Norman V. Stemler, et al. L-6191 R-32986	Clack.	Mt. Hood Highway	\$ 1,650	\$ 1,650	\$ 3,200
Increase involves an element of compensable damage not considered by the appraiser.					
Frankie D. Cannon, et al. L-6231 R-41642	Coos	Empire-Coos Bay Highway	\$ 6,700	\$ 6,700	\$ 8,000
Buddy L. Savage, et al. L-6306 R-44010	Curry	Oregon Coast Highway	\$ 2,150	\$ 4,050	\$ 4,650
Insubstantial increase of \$650 over reviewed amount.					
Mary E. Wolfe, et al. L-6331 R-44014	Curry	Oregon Coast Highway	\$ 2,500	\$ 2,500	\$ 3,500
Carol Lee Freeman L-6329 R-43859	Curry	Oregon Coast Highway	\$70,000	\$70,000 (entire taking)	\$26,000 (partial taking)
The taking was reduced to acquire only the residential part of the property involved. The settlement of \$26,000 involves an increase over our appraisal value of \$800, which is insubstantial.					
Stanley D. Colgrove L-6351 R-44076	Curry	Oregon Coast Highway	\$10,200	\$10,200	\$12,200

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(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
J. Katherine Darling, Lane et vir. L-6164 R-43584	Lane	Florence-Eugene Highway	\$ 8,000	\$ 8,700	\$ 9,700
Louise M. Hager, et vir. L-6206 R-39472	Marion	North Santiam Highway	\$ 1,850	\$ 1,850	\$ 2,550
Emil T. Ped and Al Ped L-6298 R-17597	Marion	Pacific Highway East	\$ 3,300	\$ 4,300	\$ 4,550

FOR RECORD ONLY. Submitted NOA at the November 24, 1970 Commission Meeting.

Max F. Blume, et al. L-5964 R-42217	Mult.	Columbia River Highway	\$ 1,500	\$ 2,070	\$ 2,000
Robert H. Gibson L-6361 R-44366	Mult.	Pacific Highway East	\$ 1,250	\$ 1,250	\$ 2,000

Increase is based upon interference with rights of access, not considered by appraiser.

Gerald P. Houston, et al. L-6180 R-43188	Mult.	Pacific Highway East	\$22,225	\$22,225	\$28,000
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This settlement reflects results of previous trials on this line. Additionally, land values applied do not conform with available market data, which indicates higher values. Remainder of 3750 square feet is to be conveyed to the State also.

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(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Fred Hellweg, et ux. L-6283 R-43938	Wash.	Sunset Highway	\$ 6,000	\$ 6,000	\$ 6,500
Stanley J. Sweeting, et al. L-6322 R-38012	Wash.	Beaverton Hillsdale Highway	\$ 3,200	\$ 3,200	\$ 3,500
Gerald Rowland, Jackson et al. L-5991		Medford-Provolt Highway	\$300	\$ 1,100	\$ 1,500

REPORT OF OTHER CASES SETTLED

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demand of Plaintiff</u>	<u>Settlement</u>
Charles Pategian L-6222 R-33934	State	Jackson	Inverse Condemnation	\$ 17,000	\$ 9,500 plus an extension of fence with a gate

Damages caused by failure of a berm or dike on State property, resulting in erosion of part of plaintiff's property and necessity of rip rapping of his remaining property abutting the Rogue River.

White Bros. Construction Co., Inc. L-6054	State	Marion	Claims for compensation arising out of performance of Contract No. 6942	\$199,785	\$ 60,000
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Claim in 17 parts, proposed settlement of which was recommended by the Claims Review Board and the Chief Counsel.

Jacob Jensen L-6301	State	Mult.	Inverse Condemnation	\$ 1,750 plus atty. fees and costs	\$ 1,666
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(For additional details, see Chief Counsel's letter dated January 4, 1971 concerning cases settled filed in the Salem Office General Files.)

Employment of Alan Johansen, Attorney, to complete the writing of appeal briefs in the case of State of Oregon v. DeLong on the Astoria Bridge Piers suit was recommended by the Chief Counsel. He explained that Mr. Johansen, who has resigned as Assistant Attorney General, acted as attorney for the State during the several months covered by the trial, and at the time of his resignation had completed approximately 80% of the writing of the briefs on appeal. He recommended that Mr. Johansen be employed to complete the briefs at a compensation of \$35 per hour requiring between 100 and 125 hours' time. The Commission approved the hiring of Mr. Johansen.

The Chairman inquired as to the status of the DeLong case, which involves the State's suit for collection of damages for construction of defective piers on the Astoria Bridge contract. The Chief Counsel replied that it is expected that the briefs will be filed by the State in about 30 days and that the reply brief would be made by the DeLong people in about 90 days.

He expected that action would be taken in court in approximately six months. He also mentioned that the amount awarded by the Court is drawing interest.

A report on the institution of legal proceedings involving the State Highway Division was presented by the Chief Counsel. The Commission accepted the report, summarized as follows:

- (1) Albert Macho v. R. P. Oliver, L-6388. This is a suit for personal injuries in the amount of \$42,500, arising out of an accident on 16th Avenue and N. W. Lovejoy in Portland, in Multnomah County, which occurred on December 19, 1968, involving a Highway Division employee who was driving a state-owned vehicle. The case has been referred to the State Insurance carrier for the defense of Mr. Oliver.
- (2) Sidney Brockley v. State, L-6400. This case arises out of an accident that occurred July 23, 1970 when Mr. Brockley drove over a movable sign reading "Road Work Ahead", which was laying on the Banfield Freeway in Portland, in Multnomah County and damaged his car in the amount of \$100.05. This matter has been referred to the State insurance carrier for defense of the Highway employees.

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The Engineer brought up the matter of payment of annual dues for membership in the National Association of State Outdoor Recreation Liaison Officers for Oregon in matters pertaining to the Land and Water Conservation Fund program. NASORLO performs a function in the recreation field similar to that of AASHO in Highway matters. He recommended that Oregon continue its membership in NASORLO by the payment of 1971 dues at \$150. The Commission approved the payment.

Consideration was given to a request made by Clackamas and Multnomah Counties for Federal Aid projects and the cancellation of a project in Clackamas County. The Engineer stated that the projects requested have been investigated and are eligible for use of FAS funds. Following his favorable recommendation, the Commission approved the two following projects and the cancellation of a project in Clackamas County and authorized the Secretary to sign routine construction agreements when prepared.

County	FAS	Section & Description	Programmed Amount	State Costs
CLACKAMAS	129	Hogan Road-Boring Section. Clackamas-Boring Road. Right of way project.	\$215,000	\$43,000
MULTNOMAH	646 & 954	N. E. 242nd Drive-S. E. Cochrane Road Section on S. E. Division Street and S. E. 257 Drive. Grade, curb and pave.	330,000	66,000
Total New Projects			\$545,000	\$109,000
Cancellation of Previously Approved Projects:				
CLACKAMAS	809	Barton Bridge Section. Structure only. (Grading portion to remain as an FAS-C project.) Transfer of \$9,440 to Federal funds for engineering costs.	\$500,000	
Total Cancellation			\$500,000	
TOTAL				\$45,000

Total Federal funds transferred \$9,440.
\$9,400 of Federal funds equals \$16,000 FAS funds.

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SUMMARY BY FISCAL YEARS

	1970	1971	TOTAL
Allocated Funds	\$5,089,000	\$5,067,000	\$10,156,000
Approved Projects (corrected to date)	<u>5,089,000</u>	<u>4,992,000</u>	<u>10,081,000</u>
Unprogrammed Balance	---	75,000	75,000
Projects Proposed, 1/5/71	---	-45,000	-45,000
Transferred FAS funds	---	-16,000	-16,000
Unprogrammed Balance	---	<u>\$ 14,000</u>	<u>\$ 14,000</u>

The next Highway Commission meeting date was set for Tuesday, February 16, 1971, in the Conference Room of the State Highway Building in Salem and a tentative date for the following meeting was set on March 30, 1971.

Attention was given to a request from contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

- (1) Coral Corporation, Contract No. 7348 for work on the Columbia River Highway and Capitol Highway Interchanges of the Pacific Highway in Multnomah County, requested an extension of 40 calendar days. The Commission approved an extension of 40 calendar days without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated December 7, 1970.
- (2) B & K Paving Company, Contract No. 7473 for paving in Nehalem Bay State Park in Tillamook County, requested that the completion date be extended to November 11, 1970. The Commission approved the extension without assessment of liquidated damages.
- (3) Waybo, Inc., Contract No. 7398 for rock production on the Ochoco Highway in Crook County, requested an extension of time. The Commission granted an extension to November 10, 1970, without assessment of liquidated damages.
- (4) Sunset Crushed Rock Company, Contract No. 7472 for paving in Fort Stevens State Park in Clatsop County, requested a 4-day extension of time to November 4, 1970. The Commission approved the extension without assessment of liquidated damages.

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- (5) All-City Landscape, Inc., Contract No. 7302 for roadside improvement on interchanges on the Pacific Highway in Douglas County, requested a 95-day extension of the early-phase contract time. The Commission approved an extension of time on the early-phase to April 2, 1970, and an extension of overall completion to June 3, 1970, without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated November 20, 1970.
- (6) Johnson Rock Products, Inc., Contract No. 7448 for paving in Jessie M. Honeyman and William M. Tugman State Parks in Lane, Douglas and Coos Counties, requested a 15-day extension of time. The Commission granted an extension of 7 days without assessment of liquidated damages.
- (7) Cascade Construction Company, Inc., Contract No. 7284 requested an extension of 99 days to complete work on FAS 940 in Multnomah County. The Commission granted an extension of 62 days without assessment of liquidated damages.
- (8) R. L. Coats, Contract No. 7265 for work on the Sage Hen Safety Rest Area on the Central Oregon Highway in Harney County, requested an extension of time from October 31, 1969, to June 25, 1970. The Commission approved the request without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated December 21, 1970.

The Engineer reported that Contract Nos. 7224, 7261, 7314, 7348, 7350, 7363, 7365, 7368, 7381, 7393, 7398, 7405, 7410, 7419, 7423, 7436, 7442, 7450, 7451, 7460, and 7485 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 190," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed verbal award of contracts made on December 10, 1970 on which bids had been received December 3, 1970, and authorized the Secretary to sign the contracts in their behalf:

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BIDS RECEIVED IN SALEM DECEMBER 3, 1970

Contract No. 7506 for grading, paving, and traffic signals on the N. W. Circle Boulevard-N. W. Spruce Avenue Section in Corvallis on Ninth Street in Benton County. Two bids were received. The Commission elected to accept the low bid of Corvallis Sand and Gravel Company, Corvallis, for \$49,667 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Corvallis is received and \$11,900 is deposited by the City.

Contract No. 7507 for traffic signals on Bryant Road-State Street Section in Lake Oswego in Clackamas County. Five bids were received. The Commission elected to accept the low bid of McCoy Electric Company, Portland, for \$70,758 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Lake Oswego is received and \$16,200 is deposited by the City.

Contract No. 7508 for roadside improvement on S. West Linn-Tualatin River Section of the East Portland Freeway in Clackamas County. Six bids were received. The Commission awarded the contract to the low bidder, Landscaping, Inc., Mountlake Terrace, Washington, for \$174,410.

Contract No. 7509 for roadside improvement on Tualatin River-Pacific Highway Section of the East Portland Freeway in Clackamas and Washington Counties. Eight bids were received. The Commission awarded the contract to the low bidder, Landscaping, Inc., Mountlake Terrace, Washington, for \$78,640.

Contract No. 7510 for grading, paving and structure on the Brookings-Winchuck River Section of the Oregon Coast Highway in Curry County. Seven bids were received. The Commission awarded the contract to the low bidder, Peter Kiewit Sons' Company, Omaha, Nebraska, for \$5,727,013.

Contract No. 7511 for extension of an overnight camp area in Harris Beach State Park on the Oregon Coast Highway in Curry County. Seven bids were received. The Commission awarded the contract to the low bidder, Mann Construction Company, Inc., Redmond, for \$161,105.90.

Contract No. 7512 for an overnight camp area in Valley of the Rogue State Park adjacent to the Pacific Highway in Jackson County. Ten bids were received. The Commission awarded the contract to the low bidder, Ausland Construction Company, Grants Pass, for \$122,751.

Contract No. 7513 for signing and illumination on Emigrant Hill Truck Scale Site of the Old Oregon Trail in Umatilla County. Four bids were received. The Commission awarded the contract to the low bidder, Stillwell Construction Company, Bellevue, Washington, for \$34,012.75.

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Contract No. 7514 for grading, paving, structures and signing on the North Powder-Powder River Section of the Old Oregon Trail in Union and Baker Counties. Eight bids were received. The Commission elected to accept the low bid of Peter Kiewit Sons' Company, Omaha, Nebraska, for \$4,863,833.70 and directed the State Highway Engineer to award the contract to said bidder as soon as necessary right of way is acquired and approval of the Federal Highway Administration is received.

Contract No. 7515 for grading, paving and structure on the Tualatin River (Schamberg) Bridge Section of FAS Route 950 in Washington County. Eight bids were received. The Commission elected to accept the low bid of Selby Bridge Company, Vancouver, Washington, for \$292,122 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Washington County is received and \$66,400 is deposited by the County.

The Commission confirmed the Engineer's award of the following contracts which had been referred to him to award when certain conditions were fulfilled:

- (1) N. W. Circle Boulevard-N. W. Spruce Avenue Section in Corvallis on N. W. 9th Street in Benton County. Bids received December 3, 1970. Contract No. 7506 awarded December 11, 1970, to Corvallis Sand and Gravel Company, Corvallis, low bidder.
- (2) Traffic signal installation on Bryant Road-State Street (Lake Oswego) Section on Boones Ferry Road, Country Club Road and "A" Avenue in Clackamas County. Bids received December 3, 1970. Contract No. 7507 awarded December 10, 1970, to McCoy Electric Company, Portland, low bidder.
- (3) Brookings-Winchuck River Section of the Oregon Coast Highway in Curry County. Bids received December 3, 1970. Contract No. 7510 awarded December 16, 1970, to Peter Kiewit Sons' Company, Vancouver, Washington, low bidder.
- (4) North Powder-Powder River Section of the Old Oregon Trail in Union and Baker Counties. Bids received December 3, 1970. Contract No. 7514 awarded December 16, 1970, to Peter Kiewit Sons' Company, Vancouver, Washington, low bidder.
- (5) Tualatin River (Schamberg) Bridge Section of FAS 950 in Washington County. Bids received December 3, 1970. Contract No. 7515 awarded December 11, 1970, to Selby Bridge Company, Vancouver, Washington, low bidder.

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Attention was given to a request from the City of Albany to annex to the City that portion of State-owned right-of-way northerly of the center line of the Willamette River so that the second bridge being constructed in Albany will be within the Albany city limits in Linn County. Following the Engineer's favorable recommendation, the Commission approved the annexation and authorized the Secretary to sign the annexation form in their behalf.

The Engineer reported that several changes have been made and approved by the Federal Highway Administration which affect the Oregon Manual on Uniform Traffic Control Devices. A printed copy of the Manual he said will not be available until about May 1, 1971, and he recommended that the following changes be approved and incorporated in the revised draft of the Manual:

- (1) The centerline on two-lane, two-way roadways shall be broken yellow in lieu of white as per current practice.
- (2) Median joggle bars are to be yellow in lieu of white.
- (3) Construction and maintenance warning signs are to be black legend on orange background in lieu of the current black legend on yellow background.

The Commission approved the revisions as presented. The Chairman inquired if there is any specified time as to when the changes in color are to be put into effect and if there is any requirement to repaint simply to change the color. The Engineer replied that it is contemplated that the change in color will be made when repainting of the original color would ordinarily have been done. He also mentioned that the yellow centerlining applies only to two-lane, two-way roadways and that the white line will continue to be used on multiple lane highways.

A report was submitted by the Engineer concerning property damage claims made and collected during the period from October 1970 through December 31, 1970. During this period he stated that \$66,502.47 had been collected. The Commission accepted the report.

The Engineer stated that the West Linn-Pacific Highway Section of the East Portland Freeway will soon be opened to traffic and it is desirable to establish a designated speed on this section. He recommended the establishment of a 70-mile-per-hour speed zone from the intersection with the Pacific Highway at M.P. 0.00 to the city limits of West Linn at M.P. 7.86 in Washington and Clackamas Counties. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 571," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Establishment of a speed zone on the Oswego Highway in the city of Lake Oswego by the State Speed Control Board requires that correlating action be taken by the State Highway Division. The Engineer recommended the establishment of a 45-mile-per-hour speed zone on the Oswego Highway from the south city limits of Lake Oswego at M.P. 7.13 to the west city limits of West Linn at M.P. 8.40 in Clackamas County. The Commission accepted the recommendation and thereupon adopted "Speed Zone Resolution No. 572," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer reported that excessive speeds have been noted on a new section of roadway in Nehalem Bay State Park in Tillamook County. He recommended that a 40-mile-per-hour speed zone be established on the main park road in Nehalem Bay State Park between 10th Street and the parking area. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 573," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Renewal of an agreement with the U. S. Coast and Geodetic Survey for establishment of horizontal control markers along Federal-aid Highways in Oregon was discussed. The Engineer advised that the budget for the fiscal year 1971 would allow \$2,000 to cover occasional work at the request of the State with the work to be performed by Coast and Geodetic Survey personnel. The Commission approved extension of the agreement for one year from August 15, 1970, and the expenditure not to exceed \$2,000.

Attention was given to an agreement with Cornell, Howland, Hayes and Merryfield for a study to determine the probable effect that noise created by I-305 (Salem Spur Section of the Pacific Highway) in Marion County will have on its surroundings. The Engineer commented that the maximum expenditure under the agreement is \$8,300 and the Federal Highway Administration has approved the use of Interstate Funds on this project. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Chairman Jackson inquired if it is determined that excessive noise will be created what action would be taken. The Engineer replied that plantings of trees and shrubs are effective in some instances and the construction of dirt mounds may also be used.

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The Chairman then inquired as to whether such work would not raise the cost of the project. The Engineer replied that if extensive work is required the cost could be considerable.

In response to a question from the Chairman as to what can be done on surface streets within cities, the Engineer replied that normally there are no solutions and the question resolves itself as to whether to build or not build.

Commissioner Bruno commented that there may be no reasonable solution on some projects and if a study conducted shows that there is no solution it would be valuable in being a statement of fact.

Commissioner Hill commented that in addition to the cost of constructing noise control devices, the cost of studying these projects could also amount to a considerable expenditure.

In the planting of trees and shrubbery for noise control, the Chairman also pointed out that the first cost is only the beginning and that maintenance would go on as long as the plantings are in existence. The Chairman then pointed out that the Highway Division should have at least one man qualified in noise control procedures and the Engineer was instructed to secure such a person.

Confirmation was requested by the Engineer for telephonic approval given by the Commission on December 1, 1970, on an agreement with the Port of Portland pertaining to acquisition of right-of-way for the Marine Drive-Union Pacific Railroad Overcrossing Section of the East Portland Freeway near the Portland International Airport in Multnomah County. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

A construction-abandonment agreement with Lane County pertaining to construction of the Elk Creek-Blue River Section of the McKenzie Highway was brought up by the Engineer. The Engineer stated that on this project the Federal Highway Administration is responsible for the design, award of contract and supervision of construction. It is the State's responsibility to acquire the necessary right-of-way and perform maintenance operations following completion of the project. The agreement provides also for the closure of certain county roads and provides for transfer to the County of approximately 1½ miles of the existing highway to be bypassed by new construction. He estimated cost to the State for right-of-way at \$385,000 and recommended that the agreement be approved. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered a construction abandonment agreement with Marion County concerning the North Santiam River (Mehama) Bridge Section of the Albany-Lyons Secondary Highway. The Engineer stated that under the agreement the State is to award and supervise the contract for construction. The County agrees to closure of certain streets and to cooperate in the relocation of utility facilities. When the construction is completed, the County also agrees to take over a short segment of the existing highway bypassed by the new alignment. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

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Consideration also was given to a throughway abandonment agreement with Hood River County pertaining to construction of the Willow Flat Road-Fikes Corner Section of the Mt. Hood Highway. Under this agreement, the Engineer stated that the State is to acquire right of way, supervise, perform construction and maintenance. The County agrees to cooperate in the relocation of utility facilities, to the closure of certain County roads and to accept jurisdiction of approximately one mile of the existing highway alignment which will be bypassed by the new construction. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement was considered with the City of Portland for revision of traffic signals at the intersection of the Beaverton-Hillsdale Highway and Sunset Boulevard. The Engineer recalled that a traffic signal installed in 1957 at this location has become obsolete. The agreement provides that the City shall perform the work of installing the modern equipment and provide for all future maintenance and power needs. The total estimated cost of the revision is estimated at \$9,150 and the State is to pay 50 percent not to exceed \$4,575 from State Construction Funds. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement in their behalf.

Confirmation was requested by the Engineer for Commission action taken on December 10, 1970, approving an agreement with Southern Pacific Transportation Company for installation of flashing light signals and crossing gates at the grade crossing of the Silver Creek Falls Highway in Shaw, in Marion County. The Engineer mentioned that the agreement provides that the Railroad and the State share the cost of the installation on a 50-50 basis. The total estimated cost of the project is \$23,460. The State's share will be \$11,730 which expenditure will be added to the current State Construction Program. The Railroad is to provide for all maintenance of the signals. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

Confirmation was also requested by the Engineer for verbal approval given by the Commission on December 14, 1970, of an agreement with Burlington Northern, Inc., and Spokane, Portland and Seattle Railway Company for work caused by a slide on the Lower Columbia River Highway near the community of Fern Hill in Clatsop County. The Engineer commented that a rather massive land slide had occurred in this area which has caused some damage to the Railroad. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

Confirmation was also requested for verbal approval given by the Commission on December 1, 1970, approving an Offer to Sell Real Property to the U. S. Corps of Engineers for the Lost Creek Reservoir Project on the Rogue River in Jackson County. In reviewing the matter, the Engineer commented that the right-of-way acquisition involved taking of five tracts of land totaling approximately 396 acres of which 50 percent is subject to Federal power withdrawal. The appraised value of the properties totals \$449,000 and the Corps of Engineers has agreed to pay \$450,000 for the property. The Commission confirmed the agreement.

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Extension of an agreement with DeLeuw, Cather and Company for conducting a preliminary study on I-80N at its westerly terminal with I-5 was considered. The Engineer stated that a delay in commencing the CRAG Transit Study, the Downtown Portland Parking and Circulation Studies, and other related studies had delayed completion of the DeLeuw study. They have requested that the agreement be extended for a period of three months. He recommended this extension with the understanding that no additional funds are involved. The Commission approved the extension of time.

Consideration was given to an agreement with Bonneville Power Administration pertaining to relocation of their facilities in construction of the Columbia County Line-Burlington Section of the Columbia River Highway in Multnomah County. The Engineer mentioned that the agreement provides for the erection of wood pole structures, conversion of wood pole structures and some other work. He estimated cost to the State at \$90,710 under Federal participation at the regular ABC rate. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission considered an Indenture from Southern Pacific Transportation Company granting to the State an easement to deposit slide material on the Oregon Coast Highway near M.P. 57.5 in Tillamook County. Under this Indenture the Engineer explained that the State is to bear the entire cost of work performed and is also to reimburse the Railroad for whatever expenses it may incur. He recommended approval of the agreement. The Commission approved the agreement.

An agreement with DeLeuw, Cather and Company to conduct a Circulation Study in the Portland Central Business District was discussed. The Engineer stated that a group of Portland businessmen are conducting a Downtown Development Study and the success of their plans is dependent on the ability of the street system within the Central Business District to handle the traffic. The agreement provides for a lump sum payment of \$60,000 to be financed by State Preliminary Engineering Funds. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

A resolution was presented by the Engineer pertaining to the use of Highway Bond Funds in the amount of \$30,000,000. The Commission approved the following resolution:

RESOLUTION

WHEREAS, there are State Highways, scheduled for future reconstruction and improvement, that are in need of reconstruction and improvement at this time, and

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WHEREAS, it is in the best interest of the traveling public that the reconstruction and improvement of these highways be accomplished as expeditiously as possible, and

WHEREAS, the State of Oregon, through its Highway Commission, issued general obligation Highway Bonds on August 18, 1970 and January 5, 1971, totaling 30 million dollars, and

WHEREAS, it is the wish of the Highway Commission to expend such funds in the reconstruction and improvement of such highways over and above the normal Federal-aid and State Construction programs that now exist.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the funds secured from the sale of the above Highway Bond issues be used exclusively to reconstruct and improve those highways now in need of reconstruction and improvement, but not presently programmed for such work, as solely State projects, and that no Federal-aid funds be diverted from the regular Federal-aid program to assist in these projects, and the Highway Engineer is hereby directed to so proceed.

Glenn L. Jackson, Chairman
State Highway Commission

Fred W. Hill, Commissioner
State Highway Commission

Thaddeus B. Bruno, Commissioner
State Highway Commission

Payment of membership dues in the American Association of State Highway Officials for the year 1971 was brought up by the Engineer. Membership in this association, he said, has been maintained for many years and he recommended that the dues be paid in the amount of \$2,279.25. The Commission approved the payment.

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The Chairman again brought up the matter of noise control on highway construction and he inquired if the State Highway Division had anyone who could provide reliable data on the cost of noise control. He also mentioned that a list should be prepared of projects which will require noise control of some sort in order to get some idea as to the cost of constructing noise control facilities. Commissioner Bruno inquired what agency determines as to whether a competent analysis has been made of the noise control problem. The Engineer replied that the Federal Highway Administration has to approve all consultants and agreements pertaining to noise control. The Chairman also mentioned that the noise control plans have to satisfy local planners. Mr. Simpson, Division Engineer of the Federal Highway Administration, mentioned that noise control is only one of several other problems which will have to be considered. More adequate information on what is required, he said, should be available after the matter has been discussed at higher levels.

Mr. Walter J. Widmer of Portland appeared before the Commission concerning damage to his house above the Vista Ridge Tunnels, which he alleged was caused by blasting during construction of the tunnels. He stated that he had lived in this particular house since 1953 and that the house is well-constructed with a concrete floor and inspection, he said, was made by Highway personnel in 1963 and pictures were taken. An earthquake in 1962 had caused some cracks. Tunnel blasting, he said, jarred the house for months causing a 5/32 inch crack in the floor, had damaged the metal lath and plaster walls to the extent that a covering of canvas would be required to repair them. In the bathroom, 29 tiles were cracked and several shingles had been jarred from the roof of the house. Highway Engineers he continued, had inspected the damage but indicated that it was not their place to initiate action. He urged the Commission to assume responsibility to see that the contractor who caused the damage provides justice. The Chairman inquired if he had attempted to collect from the contractor. Mr. Widmer replied that he had been referred to the contractor's surety who claimed that the damage to his house had been caused in construction of the pilot tunnel, which work was performed by another contractor. It was his opinion that the damage was not caused by blasting in the pilot tunnel.

Mr. Malcom Carter, 1694 Montgomery Drive, Portland, stated that he had been billed \$1,142.76 for a repaired sewer, which had functioned in good order for 40 years. It was the plumber's opinion, he said, that the damage had been caused by blasting in the tunnel. The Chairman then inquired if there had been other similar cases to which Mr. Carter replied that he knew of one instance where an expenditure of \$20,000 was necessary for sewer repairs. In response to the Chairman's inquiry as to whether he had received any encouragement in securing redress for damages, Mr. Carter replied that he had been discouraged. Chairman Jackson then stated that people who had suffered damage because of the tunnel blasting should not be made to suffer for it, and he instructed the Chief Counsel to take whatever action is necessary to insure justice.

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The Commission signed, or authorized the Secretary to sign, the following agreements, deeds, indentures, and other papers:

"Bargain and Sale Deed" to Harney County regarding Crane Maintenance Site on Burns-Crane Highway.

"Bargain and Sale Deed" to Fred Meyer Valley Company covering Cornell Road Interchange Section of Sunset Highway in Washington County.

"Land Sale Contract" to City of Paisley regarding 0.45 acre former maintenance site on Hunter Hill-Paisley Section of Fremont Highway in Lake County.

"Grant of Access" to La Grande Fruit Company regarding La Grande-Ladd Canyon Section of Old Oregon Trail in Union County.

"Indenture of Access" to T. T. and Josephine Leonard regarding Rickreall-Orr Corner Section of Pacific Highway West in Polk County.

"Indenture of Access" to Raymond A. and Agnes Crabtree covering Oak Springs Road-Wapinitia Jct. Section of The Dalles-California Highway in Wasco County.

"Agreement" with Cornell, Howland, Hayes & Merryfield to conduct a study to determine probable effect that noise created by I-305 traffic will have on its surroundings.

"Agreement" with Lane County regarding construction of Elk Creek-Blue River Section of McKenzie Highway.

"Agreement" with Marion County concerning North Santiam River (Mehama) Bridge Section of Albany-Lyons Highway.

"Agreement" with Hood River for construction of Willow Flat Road-Fides Corner Section of Mt. Hood Highway.

"Agreement" with City of Portland for revision of traffic signals at intersection of Beaverton-Hillsdale and Sunset Boulevard.

"Indenture" from Southern Pacific Transportation Company granting the State an easement to deposit slide material on the Oregon Coast Highway near M.P. 57.5 in Tillamook County.

"Trust Agreement" with Bonneville Power Administration covering relocation of their facilities which conflict with our construction on Columbia County Line-Burlington Section of Columbia River Highway in Multnomah County.

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As there was no further business to conduct, the Chairman adjourned the meeting at 10:20 a.m.

R. L. Porter
State Highway Engineer

Glenn L. Jackson
Chairman

Fred W. Hill
Commissioner

Floyd Query
Secretary

Thaddeus B. Bruno
Commissioner

Salem, Oregon
February 16, 1971

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
L. I. Linds, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Also present were R. E. Simpson, Division Engineer of the Federal Highway Administration; C. W. Head, Assistant Secretary; L. H. Young, Program and Planning Engineer; David G. Talbot, State Parks Superintendent; Victor D. Wolfe, Administrative Assistant; V. E. Skoog, Controller; E. S. Hunter, Administrative Engineer; John R. Oakes, Assistant Right of Way Engineer; Kenneth A. Chatwood, Administrative Right of Way Agent; and John J. Earley, Information Officer.

The Commission approved the minutes of the regular meeting held January 7, 1971.

The Right of Way Engineer presented a list of options, Pages 1 through 67, secured for acquisition of real property needed for State Highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 74," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from December 23, 1970, to February 9, 1971, was presented by the Right of Way Engineer and accepted by the Commission. During this period miscellaneous sales totaled \$10,007.50; land sales \$30,700; and timber sales \$6,826.20. Rental receipts for December 1970 were \$45,850.06 and for January 1971 \$36,544.45.

A list of properties needed for highway and other uses was presented by the Right of Way Engineer. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer

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to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2588," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the following report made by the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the institution of condemnation proceedings:

BROOKINGS-WINCHUCK RIVER SECTION OF THE OREGON COAST HIGHWAY (CURRY COUNTY)

R-43857 - George Leslie Woodriff and Alan Woodriff. Parcel 1: 0.15 acre for right of way purposes; Parcel 2: 0.11 acre for permanent easement. Offer \$2,275.00.

CHAMPOEG STATE PARK (MARION COUNTY)

R-19545 - Winston W. Ebmeyer et al. 38.0 acres for park purposes. Offer \$92,000.00.

R-37341 - Gerald C. Wood et ux. 13.0 acres for park purposes. Offer \$15,150.00.

R-44373 - Hal A. Lindsley et ux. 4.0 acres for park purposes. Offer \$9,525.00.

COLUMBIA COUNTY LINE-BURLINGTON SECTION OF THE COLUMBIA RIVER HIGHWAY (MULTNOMAH COUNTY)

R-43625 - Tom E. Whitham et ux. 0.21 acre for right of way purposes. Offer \$23,400.00.

COLUMBIA RIVER BRIDGE-N. E. SANDY BLVD. UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (MULTNOMAH COUNTY)

R-44218 - Charlotte A. Layman. 80,000 square feet for right of way purposes. Offer \$14,800.00.

R-44225 - Betty N. Montee. Parcel 1: 0.13 acre for right of way purposes; Parcel 2: 0.47 acre for right of way purposes. Offer \$11,250.00.

EAGLE CREEK-ESTACADA SECTION OF THE CLACKAMAS HIGHWAY (CLACKAMAS COUNTY)

R-44084 - Edward Huntington McLean. Parcel 1: 0.1 acre for right of way purposes; Parcel 2: 0.07 acre for permanent easement. Offer \$750.00.

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82ND AVENUE AT ABERNETHY ROAD SECTION OF THE CASCADE HIGHWAY (CLACKAMAS COUNTY)

R-44968 - Serge R. Perrin et ux. 300 square feet for right of way purposes. Offer \$675.00.

ELK RIVER-PORT ORFORD SECTION OF THE OREGON COAST HIGHWAY (CURRY COUNTY)

R-42582 - Claude D. Funk et ux. 0.78 acre for right of way purposes. Offer \$2,750.00.

R-42610 - Wilbur Jensen et ux. 435 square feet for right of way purposes. Offer \$100.00.

FOREST BOUNDARY-LITTLE BEECH CREEK SECTION OF THE PENDLETON-JOHN DAY HIGHWAY (GRANT COUNTY)

R-44769 - Robert Holland et ux. Parcel 1: 15.1 acres for right of way purposes; Parcel 2: 0.1 acre for permanent easement; Parcel 3: 0.05 acre for permanent easement; Parcel 4: 2.5 acres for temporary easement. Offer \$3,525.00.

LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (CLACKAMAS COUNTY)

R-44242 - Viola Diggins et al. 0.12 acre for right of way purposes. Offer \$400.00.

MEHAMA BRIDGE SECTION OF THE ALBANY-LYONS HIGHWAY (MARION COUNTY)

R-44273 - Marvin Berry et ux. 1,060 square feet for right of way purposes. Offer \$1,550.00.

MT. HOOD POST OFFICE-FIKES CORNER SECTION OF THE MT. HOOD HIGHWAY (HOOD RIVER COUNTY)

R-42281 - Mitsuo Takasumi et ux. 3.3 acres for right of way purposes. Offer \$3,450.00.

R-42286 - Georgia E. Peterson and John D. Scott. Parcel 1: 0.38 acre for right of way purposes; Parcel 2: 1.45 acres for right of way purposes. Offer \$3,050.00.

R-42287 - James D. Odell et ux. 0.25 acre for right of way purposes. Offer \$550.00.

R-42293 - John D. Scott. 4.6 acres for right of way purposes. Offer \$9,900.00.

R-42299 - Roy L. Kirby et ux. 2.5 acres for right of way purposes. Offer \$2,475.00.

R-43680 - Georgia E. Peterson. 1.3 acres for right of way purposes. Offer \$3,315.00.

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N. E. 60TH AVENUE-N. E. SANDY BOULEVARD SECTION OF THE N. E. PORTLAND HIGHWAY (MULTNOMAH COUNTY)

R-44149 - Martha Rapp. 600 square feet for right of way purposes. Offer \$500.00.

R-44159 - Robert A. Bitar and Frank A. Bitar. 3,700 square feet for right of way purposes. Offer \$6,800.00.

Authority was requested by the Right of Way Engineer to offer at public sale three parcels of property which are no longer needed for highway purposes. Minimum values he said have been determined by competent appraisers and access and other conditions of sale are consistent with those afforded to other properties in the vicinity. The Commission approved public sale of the following properties and thereupon adopted "Real Property Resolution No. 546," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) Two former stockpile sites, containing 1.33 acres, Files 2036 and 2037, on the Sixes-Elk River Section of the Oregon Coast Highway in Curry County, for not less than \$1,200. These parcels, the Right of Way Engineer stated, are located on the southwesterly side of the former route of the Oregon Coast Highway approximately 2.35 miles north of Port Orford. A junkyard exclusion clause is to be included in the deed. Approval by the Federal Highway Administration is not required. (See "Real Property Resolution No. 546.")
- (2) A former stockpile site consisting of 0.63 acre, File 12896, on the Dry Creek-Monument Section of the Kimberly-Long Creek Highway in Grant County, for not less than \$100. The property is located on the northerly side of the highway approximately three miles west of Monument. The State is to retain a 25-foot strip for right-of-way purposes and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required.
- (3) A former filler pit, File 7919, containing 0.69 acre on the northwesterly side of the Kimberly-Long Creek Highway east of Kimberly in Grant County, for not less than \$100. The sale is to be subject to signboard and junkyard exclusion clauses and approval by the Federal Highway Administration is not required.

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The Right of Way Engineer also requested authority to make a direct sale on a parcel of property which is no longer needed for highway purposes. Public sale of this property is not feasible because of geographical conditions which restrict saleability to a single party. The Commission approved the sale of 0.035 acre of land to H. T. Grimsley, the adjacent property owner, for the sum of \$300 which is the appraised value. The property is located in the northeast quadrant of the intersection of the John Day Highway with Canyon Creek in the city of John Day in Grant County. The State is to retain an easement to maintain a water channel, and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required.

Indentures of Access pertaining to eight parcels of property were recommended by the Right of Way Engineer for changes in location or to correct the records as to actual location. The Commission approved the following Indentures of Access:

- (1) Edward N. and Imogene R. Santilli property, File 42226, for a change in location for one 35-foot unrestricted point of access on the northerly side of the Fern Hill-Burnside relocated Section of the Columbia River Highway in Clatsop County. Approval by the Federal Highway Administration was received July 7, 1970.
- (2) Clarence L. and Ethel M. Swanson property, File 42018, for a change in location of one 35-foot unrestricted point of access on the southerly side of the relocated Columbia River Highway approximately eight miles east of Astoria in Clatsop County. Federal Highway Administration approval was given on September 4, 1970.
- (3) Winston W. and Marjorie P. Chambers property, File 20204 (2013), for a change in location and widening to 35 feet of one point of access on the westerly side of the relocated Oregon Coast Highway approximately 13 miles north of Gold Beach in Curry County. The access is to remain restricted to limited commercial access and farm crossing use. Approval by the Federal Highway Administration was given October 19, 1970.
- (4) William D. and Donna Jane Lyche and James E. and H. Beth Bussard property, File 19598, for removal of the use restriction on two 35-foot points of access on the westerly side of the relocated The Dalles-California Highway approximately 19 miles south of Bend in Deschutes County. As there will be no change in property value, no consideration

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is involved. The owners, however, will be required to pay the actual construction cost and furnish necessary right-of-way for new construction determined necessary by the State for the safety of the traveling public. Federal Highway Administration approval was received January 29, 1971.

- (5) Laurence B. and Joyce Rauschl and Robert E. and Ada L. Rice property, File 18874, for a change in location and widening to 35 feet for one point of access restricted to residential and agricultural products use on the southerly side of the relocated Elkton-Sutherlin Highway in Douglas County. Federal Highway Administration approval was given September 3, 1970.
- (6) Hood River Box and Veneer, Inc. property, File 28190, to correct the public record to show the actual location of one 35-foot unrestricted point of access on the westerly side of the relocated Mt. Hood Highway approximately six miles south of the Mt. Hood Post Office in Hood River County. Federal Highway Administration approval was given August 5, 1969.
- (7) Thurman Junior and Doris Elsie Dyer; Ronald L. and Joyce A. Rombalski; and Everett and Ada A. Miller property, File 28197, to correct the public record to show the actual location of one unrestricted point of access 35 feet wide on the easterly side of the relocated Mt. Hood Highway approximately one mile south of the Mt. Hood Post Office in Hood River County. Federal Highway Administration approval was given August 5, 1969.
- (8) Alta M. Thomas property, File 40312, to correct the public record to show the actual location of two 35-foot unrestricted points of access on the easterly side of The Dalles-California Highway approximately five miles north of Maupin in Wasco County. Federal Highway Administration approval is not required.

Two Grants of Access were recommended by the Right of Way Engineer. He commented that the requests had been carefully investigated and may be granted for the convenience of the property owners without detriment to the traveling public. The Commission approved the following Grants of Access:

- (1) To Tywama Saddle Club, Inc., File 34638, for one 35-foot unrestricted point of access on the Tygh Grade Summit-Butler Canyon Section of The Dalles-California Highway in Wasco County. This is an additional access to the club's property and will alleviate congestion which occurs during its annual all-Indian rodeo. No consideration is involved and approval was given by the Federal Highway Administration on June 29, 1970.
- (2) To Sisters of St. Mary, Inc., File 22813, for four points of unrestricted access 35 feet wide to serve two proposed service stations on the northerly side of the Tualatin Valley Highway at Murray Boulevard in Washington County. The Oil Companies are to install traffic control signing to regulate one way traffic into and away from each of the service stations. Federal Highway Administration approval was received January 27, 1971.

Confirmation of the award of a demolition contract to R. A. V. Wrecking Company was requested by the Right of Way Engineer. He mentioned that the low bid had been submitted by R. A. V. Wrecking Company in the amount of \$2,494 for removal of buildings on the East Portland Freeway and Mt. Hood Highway in Multnomah County. Three bids were received for this project. The Commission confirmed verbal approval given January 21, 1971, and confirmed the Secretary's authority to sign the contract in their behalf.

The Chief Counsel presented a report concerning cases which have been tried in court since the last Commission meeting. The Commission accepted the report which is summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	State's Offer Before Filing <u>Complaint</u>	Defend- ants' Lowest <u>Demand</u>	<u>Verdict</u>
Arthur E. Zerbe, et ux. L-6125 R-43182	Mult.	Pacific Highway East	\$15,800	\$30,000	\$21,500
Jennie Coffey L-6321 R-44132	Mult.	Crown Point State Park	\$ 8,500	None	Voluntary Nonsuit

(For additional details see Chief Counsel's letter dated February 10, 1971 concerning cases tried, in the Salem Office General Files.)

A report was also made by the Chief Counsel concerning cases which have been settled out of court since the last Highway Commission meeting. The Commission accepted the report which is summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
W. R. Rogers, et al. L-6199 R-42497	Baker	Old Oregon Trail	\$ 3,050	\$ 2,975	\$ 3,740
Frank Christensen, Jr., et ux. L-6152 R-33073	Clack.	Mt. Hood Highway	\$13,000	\$14,950	\$16,100*
*Insubstantial increase over reviewed figure of \$14,950. Within range of market value.					
Walter Lang, et ux. L-6159 R-43539	Clack.	Cascade Highway	\$ 300	\$ 300	\$ 750
Portland Traction Co., et al. L-6234 R-36197	Clack.	East Portland Freeway	\$12,500	\$12,500	\$12,500
Jesse Lee Cooper, et ux. L-6366 R-44370	Clack.	Mt. Hood Highway	\$ 210	\$ 1,000	\$ 1,150*
*The settlement amount of \$1,150 is an increase of only \$150 over our revised reviewed amount of \$1,000, and is insubstantial. Option secured by Right of Way.					
Sylvia B. Mohr L-6384 R-44290	Clatsop	Columbia River Highway	\$10,200	\$10,200	\$11,500*

*Increase is justified because of interference with access to the owner's remainder and potential cost to obtain access over abutting property.

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(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Maurice R. Holst, et al. L-6235 R-43878	Coos	Empire-Coos Bay Highway	\$24,100	\$24,100	\$26,100*
*Settlement based upon trial counsel's professional judgment. The offer of \$24,100 is extremely conservative and on the low side of the range of market value.					
William T. Bartels L-6346 R-43875	Coos	Sunset Bay State Park	\$ 5,800	\$ 5,800	\$ 7,500*
*Settlement amount is within range of the just compensation and also recommended by Right of Way, who obtained the option.					
Edward Wilson Freeman L-6308 R-43862	Curry	Oregon Coast Highway	\$ 175	\$ 175	\$ 700*
*Settled pursuant to option dated January 26, 1971, and recommended by Counsel and Right of Way. Increase, which is insubstantial, also involves a damage item not considered by the appraiser.					
Rena K. Potts, et al. L-6394 R-44923	Curry	Oregon Coast Highway	\$ 500	\$ 500	\$ 500
Clyde C. Holliday, et al. L-6370 R-44063	Grant	Clyde C. Holliday Wayside		\$ 8,600	Voluntary Non-suit
Oscar M. Tamura, et al. L-6316 R-42278	Hood River	Mt. Hood Highway	\$25,150	\$25,150	\$28,380*

*Recent sales indicate the just compensation to be the amount of the settlement.

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(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Lloyd G. Diamond, et al. L-6317 R-42298	Hood River	Mt. Hood Highway	\$ 8,800	\$ 9,000	\$10,750*

*Landowner's appraisal obtained in amount of \$11,536. Settlement is within range of market value and as such - increase is not substantial.

Mabel Stratton L-6326 R-42288	Hood River	Mt. Hood Highway	\$15,650	\$16,200	\$18,400*
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*Market data of sale in the vicinity indicates the settlement to be within the range of market value, in addition to being an insubstantial increase over the State's reviewed amount of \$16,200.

Gerald K. Rowland, et al. L-5991 R-42834	Jackson	Medford-Provolt Highway	\$ 300	\$ 1,100	\$ 1,500*
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*FOR RECORD ONLY. Submitted NOA at the January 7, 1971 Commission Meeting.

Louis Elia, et al. L-6209 R-43218	Lane	McKenzie Highway	\$69,225	\$68,425 + easement	\$76,000
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Minnie May Fox, et al. L-6141 R-43477	Linn	Albany-Corvallis Highway	\$16,250	\$16,250	\$17,500
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Mathew Miller, et ux. L-6356 R-44260	Mult.	East Portland Freeway	\$12,500	\$12,500	\$12,500
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(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
(David Sampson) L-6135 R-42500	Umatilla	Old Oregon Trail 4.2 acres of land	\$ 1,365	\$ 1,365	\$ 1,650
(Unknown Heirs of Henry Thomas) L-6136 R-42500	Umatilla	Old Oregon Trail 14.4 acres of land	\$ 360	\$ 350	\$ 360
(Richard Shillal) L-6137 R-42500	Umatilla	Old Oregon Trail 0.91 acre of land	\$ 275	\$ 275	\$ 300
GBC Co., Inc., et al. L-5926 R-39863	Wheeler	Painted Hills State Park	\$28,300	\$28,300	\$37,200

REPORT OF OTHER CASES SETTLED

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demand of Plaintiff</u>	<u>Settlement</u>
Clackamas County Service District L-6401	State	Clack.	Condemnation by County	Condemn certain realty	Dismissed * as to State

*State named as having an interest in the property sought by County. This was in error and action was dismissed as to the State.

(For additional details, see Chief Counsel's letter dated February 10, 1971 pertaining to cases settled, in the Salem Office General Files.)

The Chief Counsel presented a list of 14 claims against others which he recommended be abandoned as further collection efforts are not feasible. The total amount of these claims is \$6,638.99. The Commission approved abandonment of the following claims:

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CAO 69-147 - James M. Lewis - DOA 3-1-69 - Damage to McCord Creek Bridge - Amount \$945.82 - \$400.00 paid - Balance \$545.82. Subject has left the state and his whereabouts is unknown.

CAO 70-149 - Thomas Michael Carson - DOA 2-14-70 - 3 airforce men damaged numerous highway signs for a total cost of repair and replacement of \$859.44. Judge ordered the three men to pay \$800.00. Two of them paid \$266.97 each - the third man was discharged and went back to Illinois, address unknown. Amount of claim to abandon - \$325.50.

CAO 70-162 - James H. Smith, Jr. - DOA 3-7-70 - Guardrail Damage - Amount \$318.87 - Subject now lives in Nevada - Cost of Collection does not warrant further action.

CAO 70-259 - Ralph Foster, Jr. - DOA 12-25-69 - Damage to a large sign - Amount \$395.21. Subject killed in accident - Residence of California and Estate has rejected the claim. Cost of collection does not warrant further action.

CAO 70-293 - Rick Charles Olmstead - DOA 7-19-70 - Vehicle Damage - Amount \$1,526.95 - Subject lives in Washington but has moved from last known address - New address unknown - Subject was driving a 1958 Chevrolet at time of accident - Car totaled - Driver and owner uninsured. Although claim is fairly substantial, chance of collection is slim even if a judgment is obtained in Oregon and Washington, costs of pursuing further are not justified.

CAO 70-305 - John Coy - DOA 6-12-70 - Guardrail Damage - Amount \$459.71 - unable to determine ownership of car and unable to locate driver. Cost of further work is not justified.

CAO 70-299 - Far West Agriculture Co-op - DOA 7-7-70 - Spilled diesel oil on pavement - Amount \$258.03 - Subject is in California and cost of collection does not warrant further action.

CAO 70-222 - Clifford W. Brassfield - DOA 5-7-70 - Guardrail Damage - Amount \$299.57. Lives in Washington - Cost of collection does not warrant further action.

CAO 69-354 - John McLaughlin - DOA 8-9-69 - Handrail damage - Amount - \$161.70 - \$100.00 paid - Balance to February \$61.70. Subject lives in Washington and cost of collection not justified.

CAO 69-388 - Lee Milton Andros - DOA 10-5-69 - Guardrail damage - amount \$118.77 - \$40.00 paid - Balance to February \$78.77. Subject injured in December 1969 and still on Workmens Compensation payments - Unable to pay.

CAO 70-107 - Jerry R. Jerde - DOA 2-24-70 - Sign and Post Damage - Amount \$70.90 - Unable to locate subject - Small amount does not justify a lawsuit.

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CAO 70-245 - James Johnson - DOA 5-4-70 - Guardrail damage - Amount \$165.00 - Subject lives in Idaho. Cost of collection does not justify further time being spent on this file.

CAO 70-312 - Allen S. LaJimoderre - DOA 7-20-70 - Guardrail Damage - Amount \$127.83 - Unable to locate and small amount of claim does not justify cost of obtaining it.

CAO 70-322 - Jay James Vern - DOA 8-2-70 - Guardrail Damage - Amount \$209.02 - Lives in California and cost of collection does not warrant further action.

A report was made by the Chief Counsel and accepted by the Commission on legal proceedings which have been started since the last Commission meeting, summarized as follows:

- (1) The following law suits were filed in connection with an accident involving a state truck on the Lake of the Woods Highway at M.P. 49.98 in Klamath County, August 28, 1969.
 - (a) Darla R. Outcalt v. State, L-6387, Personal injury \$15,095.00.
 - (b) Gay L. Outcalt v. State, L-6402, Personal injury \$20,301.00.
 - (c) Karen R. Outcalt v. State, L-6403, Personal injury \$15,047.25.
 - (d) Lewis R. Outcalt v. State, L-6404, Personal injury \$7,565.00.
- (2) Equitable Savings & Loan Association v. Walter H. Jones and others including the State Highway Commission, L-6405. This suit was instituted in Jackson County to foreclose a mortgage on property near Medford involving, it is believed, an Imperial 400 Motel. A judgment was obtained in favor of the State in the amount of \$1,042.40 against Mr. Jones in a condemnation action which was appealed to the Supreme Court. The present action may provide for recovery of the unpaid judgment.
- (3) Roger Joe Tiedemann v. The State of Oregon, by and through State Highway Division; Calvin W. Penrod; G. D. Dennis & Sons, Inc.; G. L. Compton; J. C. Compton Co., Inc; John C. Compton; and Edward S. Waits, L-6416: Plaintiff seeks special damages in the amount of \$11,653.35 and general damages in the amount of \$250,000 due to an accident on the Mt. Hood Highway east of Sandy in Clackamas County where construction was in progress.

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The Chief Counsel reported that Paul McNulty with the law firm of King and King had forwarded to his office a check from the United States Government for \$565,103.05 in full settlement of the State's claim in connection with the washout of the John Day Bridge on the Columbia River Highway in Sherman County. The judgment on the case he said was entered without prejudice thereby allowing the State to obtain an additional payment not to exceed \$358,557.88 from the Federal Highway Administration under the Emergency Relief Act which amount has also been collected.

The Engineer requested and the Commission approved increases in project authorization on the following contracts:

- (1) Contract No. 7262 on the Columbia River Highway in Clatsop County for an increase of \$300,000 (13.9%). A major slide was given as the reason for the overrun.
- (2) Contract No. 7272 for work on the Oak Grove Safety Rest Area Project on the Pacific Highway in Lane County for an increase of \$50,141.68 (8.6%). Extra work including additions to the lawn area, to the sprinkling system, to the drinking water system and fencing were given as the principal reasons for the overrun.
- (3) Contract No. 7430 on the Sunset Safety Rest Area Project on the Sunset Highway in Clatsop County for an increase of \$45,205.95 (14.2%). A revision in the water collection system, addition of a left-turn refuge and an extensive subdrainage system were the principal causes of the overrun.

Confirmation was requested for telephonic approval given by the Chairman on February 1, 1971, on a request made by Peter and Cora Denhouting for Notification of Intent to Improve or Change Land Use on the bank of the Rogue River near Robertson Bridge in Josephine County. The Engineer stated that the proposed development consists of construction of a house and garage. An investigation was made by Mr. Robert Potter, Coordinator, Scenic Waterways System, who reported that the development is similar to other dwellings in the area. The Commission confirmed the Chairmans approval.

Confirmation was also requested for telephonic approval given by the Chairman on February 1, 1971, on a request made by Francis Russell of Agness on the Rogue River in Curry County concerning Notification of Intent to Improve or Change Land Use under the Scenic Waterways Act. The Engineer explained that the change entails cutting one evergreen tree which has been storm damaged and the addition of a 10' x 12' room to the Russell's house. The request has been carefully investigated and is worthy of approval. The Commission confirmed the Chairman's action.

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The Chairman inquired if these two requests had been approved by Mr. Potter, Scenic Waterways System Coordinator. The Engineer replied that Mr. Potter had approved the requests.

The Engineer reported that surveys have been completed on seven sections of State highways. Public hearings have been held as required and design approval has been received or requested from the Federal Highway Administration. The Commission approved the following surveys and thereupon adopted "Highway Corridor and Design Resolutions Nos. 367a and 388 through 393."

- (1) South Medford-South Ashland Section of the Pacific Highway in Jackson County. (See "Highway Corridor and Design Resolution No. 388.")
- (2) Milton Freewater-Washington State Line Section of the Oregon-Washington Highway in Umatilla County. (See "Highway Corridor and Design Resolution No. 389.")
- (3) Thornberry-Lamborn Road Section of the Sherman Highway in Sherman County. (See "Highway Corridor and Design Resolution No. 390.")
- (4) Hermiston Section of the Umatilla-Stanfield Highway in Umatilla County. (See "Highway Corridor and Design Resolution No. 391.")
- (5) Boones Ferry Road-Pacific Highway East Section of the Hillsboro-Silverton Highway in Marion County (See "Highway Corridor and Design Resolution No. 392.")
- (6) McKenzie Highway-Jasper Section of the Springfield-Creswell Highway in Lane County. (See "Highway Design Resolution No. 367a.")
- (7) La Grande-Interstate 80N Section of the Wallowa Lake Highway in Union County (See "Highway Corridor and Design Resolution No. 393.")

Apportionment to the counties of their quarterly share of 20% of State Highway Funds was brought up by the Engineer. The allocation amounts to \$5,636,102.50 from gas, tax and motor vehicle funds received during October, November and December 1970. The Commission confirmed Chairman Jackson's approval of January 20, 1971, covering the distribution.

The date for the next regular Highway Commission meeting was confirmed for Tuesday, March 30, 1971 in Room 122 of the State Highway Building in Salem. A tentative date of May 4, 1971, was set for the following meeting.

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The Commission considered requests from contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests have been carefully investigated and the results of the investigation have been reported to the Commission by letter. The Commission took action as follows:

- (1) Peter Kiewit Sons' Company Contract No. 7186 on the Sunset Highway in Multnomah County, requested an extension of time within which to complete the contract. The Commission granted an extension to February 15, 1971, thereby eliminating all liquidated damages on this contract.
- (2) Hughes and Dodd Company, Contract No. 7344 on the Pacific Highway in Douglas and Josephine Counties, requested a 31-day extension of time. The Commission approved the request without assessment of liquidated damages. Approval by the Federal Highway Administration was given in a letter dated January 6, 1971.
- (3) Lord Brothers Contractors, Inc., Contract No. 7438 on the N. E. Portland Highway in Multnomah County, requested an extension of time to complete the contract without assessment of liquidated damages. The Commission approved an extension of 18 days thereby eliminating all liquidated damages on this contract.
- (4) M. R. Holst and HellsGate Logging and Contracting Contract No. 7272 requested a 105-day extension of time on the Oak Grove Safety Rest Area Project on the Pacific Highway in Linn County. The Commission approved an extension of 83 days to November 19, 1970, without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated February 8, 1971.
- (5) Lord Bros. Contractors, Inc., and Lord Bros. Equipment Company, Contract No. 7128 on the Pacific Highway in Clackamas County, requested extensions of time to complete the contract. The Commission granted the following extensions without assessment of liquidated damages:

Unit A to March 23, 1970
 Unit B to March 28, 1970
 Unit C to March 21, 1971

Approval has been received from the Federal Highway Administration for the extensions shown above.

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The Engineer reported that Contract Nos. 7089, 7265, 7281, 7302, 7345, 7357, 7372, 7375, 7403, 7407, 7426, 7432, 7449, 7455, 7458, and 7472 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 191," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed verbal award of contracts made on February 1, 1971, on bids which were received January 28, 1971, and authorized the Secretary to sign the following contracts:

BIDS RECEIVED IN SALEM JANUARY 28, 1971

Contract No. 7516 for grading, paving, signing and structures (includes Baker Valley Safety Rest Area) on the Powder River-Baldock Slough Section of the Old Oregon Trail in Baker County. Seven bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, at \$5,041,769.

Grading, paving and traffic signals on 82nd Avenue at Abernethy Road in Oregon City in Clackamas County. Two bids were received. The Commission rejected all bids.

Contract No. 7518 for an overnight camp area in Milo McIver State Park in Clackamas County. Twelve bids were received. The Commission awarded the contract to the low bidder, Parker-Northwest Construction, Portland, at \$142,189.

Contract No. 7519 for grading, paving and structure on the Deschutes River (Tumalo) Bridge Section of FAS 946 in Deschutes County. Eleven bids were received. The Commission elected to accept the low bid of R. L. Coats, Bend, at \$113,107.80 and the State Highway Engineer was directed to award the contract to said bidder as soon as Deschutes County approves the project and deposits \$26,200.

Contract No. 7520 for grading, oiling and structure on the Forest Boundary-Little Beech Creek Section of the Pendleton-John Day Highway in Grant County. Seventeen bids were received. The Commission elected to accept the low bid of O'Neil-Dennis, Creswell, at \$1,306,786.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right of way is acquired.

Contract No. 7521 for grading, paving and structure on the Willow Flat Road-Fikes Corner Section of the Mt. Hood Highway in Hood River County. Ten bids were received. The Commission elected to accept the low bid of G. D. Dennis and Sons, Inc., Portland at \$1,149,640.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right-of-way is acquired.

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Grading, paving and structure on the South Gold Hill Interchange Section of the Pacific Highway in Jackson County. One bid was received. The Commission rejected the bid.

Contract No. 7523 for a traffic signal installation on South 6th Street at Austin Street in Klamath Falls on the Klamath Falls-Lakeview Highway in Klamath County. Five bids were received. The Commission elected to accept the low bid of General Service Electric, Bellevue, Washington, at \$24,750 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Klamath Falls deposits \$14,500.

Contract No. 7524 for grading and paving on Crane Creek Road-Cogswell Creek Section of the Fremont Highway in Lake County. Three bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, at \$861,785.

Contract No. 7525 for improvements and illumination on the Eugene (Blue Star) Safety Rest Area on the Pacific Highway West in Lane County. Six bids were received. The Commission awarded the contract to the low bidder, R. L. Divine, Vancouver, Washington, at \$42,459.13.

Contract No. 7526 for landscape improvement in the Jessie M. Honeyman State Park on the Oregon Coast Highway in Lane County. Nine bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland at \$27,570.

Contract No. 7527 for landscape improvement in South Beach State Park on the Oregon Coast Highway in Lincoln County. Seven bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, at \$39,275.

Ontario Safety Rest Area in Malheur County. This project was withdrawn from the letting.

Contract No. 7528 for grading and paving on the Wheatland Road-Trail Avenue Section of FAS 159 in Marion County. Three bids were received. The Commission elected to accept the low bid of Salem Road and Driveway, Salem, at \$246,909 and the State Highway Engineer was directed to award the contract to said bidder as soon as Marion County approves the project and deposits \$56,600.

Contract No. 7529 for concrete median barrier, concrete shoulder barrier, metal guardrail, impact attenuators and revision of existing signing and illumination on the N. Portland Blvd.-Capitol Highway Section of the Pacific and Stadium Freeway Highways in Portland, Multnomah County. Six bids were received. The Commission awarded the contract to the low bidder, Homer J. Olsen and Homer J. Olsen, Inc., Danville, California, at \$1,382,117.

Contract No. 7530 for grading and paving on N. Borthwick Avenue-N. Woolsey Avenue Section of FAS 940 (Columbia Boulevard) in Portland, Multnomah County. Three bids were received. The Commission elected to accept the low bid of Porter W. Yett Company, Portland, at \$473,600 and the State Highway Engineer was directed to award the contract to said bidder as soon as Multnomah County approves the project and deposits \$112,800.

Contract No. 7531 for roadside improvement on Vista Ridge Tunnel Section of Sunset Highway in Portland, Multnomah County. Four bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, at \$59,484.50.

Contract No. 7532 for six traffic signals on S. E. 67th Avenue-S. E. 92nd Avenue (Portland) Section on four city streets in Portland, Multnomah County. Five bids were received. The Commission elected to accept the low bid of W. R. Grasle Company, Portland, at \$43,139 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Portland approves the project and deposits \$10,550.

Contract No. 7533 for rock groin in Rooster Rock State Park in Multnomah County. Three bids were received. The Commission awarded the contract to the low bidder, Erwin J. Welding, Portland, at \$32,157.30.

Contract No. 7534 for the North Unit Main Canal (Lambert) Bridge of FAS 780 in Deschutes County. Eight bids were received. The Commission elected to accept the low bid of R. L. Coats, Bend, at \$31,560 and the State Highway Engineer was directed to award the contract to said bidder as soon as Deschutes County approves the project and deposits \$7,200.

Contract No. 7535 for grading, paving and facilities on Driftwood Beach State Wayside in Lincoln County. Six bids were received. The Commission awarded the contract to the low bidder, Berry Creek Construction, Florence, at \$59,480.40.

The Commission confirmed the Engineer's award of the following contracts which had been referred to him to award when certain conditions were fulfilled:

- (1) Forest Boundary-Little Beech Creek Section of Pendleton-John Day Highway in Grant County. Bids received January 28, 1971. Contract No. 7520 awarded February 8, 1971, to O'Neil-Dennis, Creswell, low bidder.
- (2) Wheatland Road-Trail Avenue Section of FAS 159 in Marion County. Bids received January 28, 1971. Contract No. 7528 awarded February 3, 1971, to Salem Road and Driveway, Salem, low bidder.

- (3) Deschutes River (Tumalo) Bridge Section of FAS 946 in Deschutes County. Bids received January 28, 1971. Contract No. 7519 awarded February 9, 1971, to R. L. Coats, Bend, low bidder.
- (4) North Unit Main Canal (Lambert) Bridge Section FAS 780 in Deschutes County. Bids received January 28, 1971. Contract No. 7534 awarded February 9, 1971, to R. L. Coats, Bend, low bidder.
- (5) Willow Flat Road-Fikes Corner Section of Mt. Hood Highway in Hood River County. Bids received January 28, 1971. Contract No. 7521 awarded February 11, 1971, to G. D. Dennis & Sons, Inc., Portland, low bidder.

Consideration was given to requests from the cities of Beaverton, Newport and Portland for Federal Aid TOPICS projects. The Engineer commented that the projects have been investigated and are eligible for funding under the TOPICS program, and he recommended approval. The Commission approved the following projects and authorized the Secretary to sign project agreements in their behalf.

City	Section	Programmed Amount	State Cost
Beaverton	S. W. Allen Blvd. at Western Ave.	\$ 55,000	\$ 11,000
Newport	Oregon Coast Highway at Olive St.	20,000	4,000
Portland	N.E. 21st Avenue-N.E. Broadway St. N.E. Weidler St. & N.E. 24th Ave.	75,000	15,000
Portland	Union Pacific Railroad Crossing on N. Swift Blvd. *(\$22,000 total cost.)	12,000	2,400

* (\$10,000 Railroad contribution)

SUMMARY BY FISCAL YEAR	1970	TOTAL
Allocated funds	\$2,743,000	\$2,743,000
Approved Projects (corrected to date)	1,804,800	1,804,800
Unprogrammed Balance	938,200	938,200
Proposed Projects, 2/16/71	162,000	162,000
Unprogrammed Balance	\$ 776,200	\$ 776,200

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A resolution was presented by the Engineer apportioning to the cities their share of motor vehicle revenues accrued in the last half of 1970 in the amount of \$6,907,034.37. The Commission approved the allocation and thereupon adopted "City Allocations of State Highway Funds Resolution No. 52," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Allocation of Federal-aid Secondary Funds to the counties for the fiscal year 1972 was brought up by the Engineer. He commented that the allocation has been computed in accordance with a formula developed by the Association of Oregon Counties using the official 1970 U. S. Census and the January 1, 1971 county road mileages. The Commission approved the following allocation of FAS Funds

FISCAL-YEAR 1972 FAS ALLOCATION TO COUNTIES		FEBRUARY, 1971
COUNTY	FEDERAL FUNDS	TOTAL FUNDS Including State's and Counties' Match Money (Rounded to Thousands)
Baker	\$ 44,731	\$ 75,000
Benton	58,347	97,000
Clackamas	224,148	374,000
Clatsop	53,943	90,000
Columbia	65,303	109,000
Coos	85,255	142,000
Crook	46,719	78,000
Curry	45,022	75,000
Deschutes	61,499	102,000
Douglas	130,001	217,000
Gilliam	32,566	54,000
Grant	40,058	67,000
Harney	47,983	80,000
Hood River	45,718	76,000
Jackson	122,409	204,000
Jefferson	44,785	75,000
Josephine	65,753	110,000
Klamath	89,864	150,000
Lake	43,830	73,000
Lane	209,518	349,000
Lincoln	60,126	100,000
Linn	114,776	191,000
Malheur	88,445	147,000
Marion	169,261	282,000
Morrow	45,372	76,000
Multnomah	297,041	495,000
Polk	59,347	99,000
Sherman	32,088	53,000
Tillamook	55,476	92,000
Umatilla	101,942	170,000
Union	46,228	77,000
Wallowa	41,978	70,000
Wasco	48,788	81,000
Washington	216,082	360,000
Wheeler	28,338	47,000
Yamhill	70,088	117,000
TOTAL	\$3,032,828	\$5,054,000

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SUMMARY. ENTIRE STATE FISCAL-YEAR 1972 COUNTY FAS FUNDS:Total Federal Funds for Construction

(50% of Oregon's apportionment less planning survey funds). \$3,033,000
 Plus estimated required match money State funds . 1,010,500
 County funds . 1,010,500
TOTAL COUNTY FAS FUND \$5,054,000

NOTE: Above funds allocated to individual counties on basis of formula (25% equally, 60% on rural population, and 15% on total county road mileage) proposed by Association of Oregon Counties and approved by Highway Commission. Federal funds are estimated to represent approximately 60% of total county road FAS fund with State and County funds estimated to be approximately 20% each.

Requests from Jackson and Wasco Counties for Federal-aid Secondary Projects were discussed. The Engineer stated that the projects have been investigated and are eligible for the use of FAS Funds and he recommended approval. The Commission approved the following projects and authorized the Secretary to sign routine construction projects in their behalf:

County	FAS	Section & Description	Programmed Amount	State Share
Jackson	15-500	Summit-Howard Prairie Access Road Section, Dead Indian Road. Paving. 4.4 miles.	\$220,000	\$44,000
Wasco	949	Juniper Flat Road Section. Base rock. 7.2 miles.	125,000	\$25,000

(NOTE: Commission approved grading project on this section at the August 18, 1970 meeting for \$100,000. The combined project is estimated at \$225,000.)

TOTAL	\$345,000	\$69,000
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SUMMARY BY FISCAL YEARS

	1971	1972	TOTAL
Allocated funds	\$5,067,000	\$5,054,000	\$10,121,000
Approved Projects (corrected to date)	5,067,000	942,000	6,009,000
Unprogrammed Balance	--	4,112,000	4,112,000
Projects Proposed	--	345,000	345,000
Unprogrammed Balance	\$--	\$3,767,000	\$3,767,000

A resolution establishing speed zones on the Sunset Highway in Clatsop, Tillamook, Washington and Multnomah Counties was presented by the Engineer. He pointed out that at the intersection with S. W. 185th Avenue the designated speed of 60 MPH is too fast for safe operation. He recommended that "Speed Zone Resolution No. 570" enacted November 24, 1970, be rescinded and a revised speed zone adopted to indicate an effective speed zone of 50 MPH between M.P. 64.09 and 64.49 covering the 185th Avenue Intersection. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 574," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution establishing speed zones on the N. E. Portland Highway was also presented by the Engineer. At the request of the Multnomah County Sheriff, the Engineer stated that a speed zone investigation was conducted on the N. E. Portland Highway between Parkrose and I-80N which indicated that speeds between 30 and 50 MPH are warranted. He recommended that "Speed Zone Resolution No. 88," adopted July 10, 1952; "Speed Zone Resolution No. 71a," adopted January 16, 1958; and "Speed Zone Resolution No. 533," adopted January 23, 1968 be rescinded and that certain speed zones for 30 MPH to 50 MPH be established from the east city limits of Portland to the eastbound connection to the Columbia River Highway. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 575," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

In a companion action to speed zoning enacted on the N. E. Portland Highway, the Engineer stated that it is necessary for public safety that a 35 MPH speed zone be established on the Sandy Boulevard Highway No. 59 between the east city limits of Portland and the N. E. Portland Highway in Multnomah County. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 576," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer stated that a request had been received from the District Traffic Engineer for the State of Washington to establish a designated speed on the Longview Bridge connection to the Lower Columbia River Highway near Rainier, in Columbia County. The State of Washington has a 35 MPH designated speed on the bridge and on the Washington approach. As the request appears to be in order, the Engineer recommended that a 35 MPH speed zone be established on the "LR" Line of the Longview Bridge Interchange between the south end of the Longview Bridge and the Lower Columbia River Highway in Columbia County. The Commission approved the recommendation and thereupon adopted "Speed Zone Resolution No. 578," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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An investigation, the Engineer stated, has indicated the need for a designated speed on the Jetty Access Road in Fort Stevens State Park in Clatsop County. Complaints had been received from park visitors of excessive speeds and he recommended the establishment of a reduced speed zone. The Commission approved a 40 MPH speed zone on that section of the Jetty Access Road between Battery Russell and the northerly end of the road, and thereupon adopted "Speed Zone Resolution No. 577," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to a request from Tri-Met for a bus layover zone on the Cascade Highway at King Road south of Portland in Clackamas County. The Engineer stated that the request is reasonable and to make it effective, he recommended that parking of vehicles (buses excepted) be prohibited on the west side of the Cascade Highway between the south curb line of King Road and a point 140 feet south of the south curb line of King Road. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 284," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer recalled that in November 1970 the Commission had adopted a resolution prohibiting parking on both sides of the State Street-Santiam Interchange Section of the Silver Creek Falls Highway east of Salem in Marion County. However, since that action was taken, petitions and protests have been received from property owners indicating that a great deal of inconvenience is being caused to them. The parking restriction, he continued, was originally imposed to provide for left-turn refuges. Following a study of the matter it appears that by adjusting the traffic signal cycles, turning movements can be accomplished for a few years without the left-turn refuges. He recommended that "No Parking Resolution No. 282," adopted November 24, 1970, be rescinded. The Commission accepted his recommendation by adopting "No Parking Resolution No. 282a," which resolution by this reference is made a part hereof and filed in the Secretary's Office. He also mentioned that this highway section is soon to be turned over to Marion County and the Marion County Court has approved removal of the parking restriction.

An abandonment resolution disposing of 1.1 mile of the old highway right-of-way and a portion of a stockpile site on the Murry New Bridge Road Section of the Baker-Copperfield Highway in Baker County was brought up by the Engineer. Following his favorable recommendation, the Commission approved the abandonment and thereupon adopted "Abandonment Resolution No. 519," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to an agreement with Central Lincoln People's Utility District to provide electrical power to the east end of the Knowles Creek Tunnel on the Florence-Eugene Highway in Lane County. The Engineer stated that under terms of the agreement the Utility District is to construct a power line to the tunnel at a cost of approximately \$29,000 to be paid by the District. The State guarantees a minimum payment of \$6,600 per year in power costs for a period of five years. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

A supplemental agreement with the City of Portland pertaining to right-of-way on the S. W. 14th Avenue-Washington County Line Unit of the Pacific Highway was discussed. The Engineer explained that the City had requested that agreements dated May 17, 1957, and November 12, 1968, be modified to reduce the amount of right-of-way originally to be conveyed to the City. Because of certain restrictions imposed on the City and because of maintenance problems, it is deemed advisable for the Highway Division to accept only a minimum portion needed for roadway purposes, and the agreements have been revised to reflect this principle. The remainder is to be disposed of by public sale later. Following the Engineer's favorable recommendation, the Commission approved the supplemental agreement and authorized the Secretary to sign it for them.

An agreement with Robert W. Hunt Company Engineers to inspect steel to be used in the new Willamette River Bridge at Albany on the Albany-Corvallis Highway in Benton and Linn Counties was considered. The Engineer explained that inspection of the fabrication of the steel members at the Seattle plant is necessary. The Hunt Company has agreed to perform the inspection services at a unit price of \$7.95 per ton with a total not to exceed \$7,500. He recalled that a similar agreement had been sent to the Hunt Company for signature in July 1970 but was lost. He recommended that the agreement presented at this time be approved with an effective date of July 21, 1970. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to a request from the City of Ontario for annexation to the City of 3 parcels of State Highway property including portions of right-of-way of the Old Oregon Trail and a portion of Highway No. 455 Spur in Malheur County. Annexation of the parcels, the Engineer said, makes it possible for the City of Ontario to furnish water and sewer services to the State Police and the Highway Division Offices as well as to the rest area east of I-80N. The annexation papers appear to be in order and he recommended that the Commission give their consent and authorize the Secretary to sign the consent for them. The Commission accepted his recommendation.

The Commission gave attention to a Memorandum of Understanding with the State Department of Agriculture concerning a cooperative clearinghouse on the use of pesticides. The plan is to place the cooperators in a position of leadership in protecting Oregon's environment relative to the use of pesticides. The Engineer commented that in his opinion the plan is worthy of participation and he recommended approval of the Memorandum of Understanding. The Commission approved the Memorandum and authorized the Secretary to sign it in their behalf.

An agreement with Linn County for the installation of a flashing beacon and luminaire units at the intersection of the Albany-Junction City Highway and Allen Lane in Linn County was considered. The Engineer commented that Allen Lane serves as the entrance to the

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new Linn-Benton Community College. Under the agreement, Linn County is to arrange for installation of the luminaire units and provide for future maintenance and power needs on both the luminaire units and the flashing beacon. The State is to install the flashing beacon at an estimated cost of \$650 from Minor Betterment Funds. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Commission also considered an agreement with the City of Dundee for installation of an overhead school crossing sign with flashing beacons at the intersection of the Pacific Highway West at 5th Street in Dundee, Yamhill County. The Engineer stated that under the agreement the State is to perform the installation at an estimated cost of \$1,200 from Minor Betterment Funds. The City is to provide for all maintenance including replacement of damaged parts or materials and pay for all power consumption. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission considered a revision in an agreement with Burlington Northern, Inc., covering slide corrective measures on the Lower Columbia River Highway in Fern Hill area east of Astoria in Clatsop County. The Engineer recalled that the original agreement was confirmed at the January 7, 1971, Commission meeting, however, since that time the slide has progressed in an easterly direction and he recommended a change in the agreement concerning milepost limits as follows:

On page 2 in paragraph 1 on the fourth line from the bottom change the sentence which reads from "M.P. 93.2 to M.P. 93.7" to "M.P. 91.5 to M.P. 93.7."

The Commission approved the change and authorized the Secretary to initial it.

In connection with the Fern Hill slide, the Chairman inquired as to the liability of the State Highway Division. The Engineer replied that the State is liable for costs incurred by the Railroad because of the slide which at present amounts to approximately \$50,000.

An agreement was considered with Southern Pacific Transportation Company for the installation of an additional grade crossing predictor unit at the crossing of the Corvallis-Lebanon Highway north of Tangent in Linn County. The Engineer stated that the installation is desirable as the predictor device will eliminate excessive delay to traffic caused at present by the operation of the crossing gates. The agreement provides that the State and Railroad share equally the cost which is estimated at \$6,400, the State's share of \$3,200 to be added to the State Construction Program. The Railroad is to perform the installation within one year and is to provide all the necessary maintenance. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with Southern Pacific Transportation Company providing for the installation of crossing gates at the Depot Street grade crossing in the town of Rogue River in Jackson County was also considered. The Engineer recalled that the Commission had approved the work in July 1971 as a FAS-G project to be financed by 90% Federal funds - 10% Railroad funds at an estimated total cost of \$22,600. The revised cost is now estimated at \$23,335 of which \$21,000 is to be taken from Jackson County's Federal-Aid Secondary apportionment, and \$2,335 to be paid by the Railroad. The agreement also provides that the State reimburse the Railroad for 90% of their costs on this project. He recommended that the agreement be approved. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was also given to an agreement with Southern Pacific Transportation Company for installation of crossing gates at the grade crossing of State Street on the Oswego Highway in Lake Oswego, in Clackamas County. The Engineer mentioned that the location was selected following a field inspection by the Railway-Highway Grade Crossing Diagnostic Team. The agreement provides that the installation be shared on a 50-50 basis between the State and the Railroad with the Railroad to provide for all maintenance. The total estimated cost, he continued, is \$31,510, with the State's share of \$15,755 to be added to the State Construction Program. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement in their behalf.

Attention was given to another agreement with Southern Pacific Transportation Company for the installation of crossing gates at grade crossings of 8th and Main Streets on the Jacksonville Highway in Medford, Jackson County. The Engineer commented that this installation was selected following a field inspection by the Railway-Highway Grade Crossing Diagnostic Team. He estimated the cost of the installation at \$86,000 to be shared equally between the State and the Railroad. The Railroad is to provide for all maintenance. The State's share of \$43,000 is to be added to the State Construction Program. The Commission approved the agreement and authorized the Secretary to sign the agreement in their behalf.

An agreement with Southern Pacific Transportation Company for the installation of crossing gates at the South First Street grade crossing in Hillsboro on the Hillsboro-Silverton Highway in Washington County was discussed. The Engineer stated that under the agreement the State and the Railroad are to share the cost of installation on a 50-50 basis. The Railroad is to improve the crossing surface and provide for all signal maintenance. He estimated the total cost at \$49,900 with the Railroad share being \$24,950. The City of Hillsboro has agreed to share the cost with the State so that the City and the State will each pay \$12,475. The State's share is to be added to the State Construction Program. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

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The Commission considered an agreement with Southern Pacific Transportation Company and the Federal Highway Administration pertaining to construction of the Hanson Creek-Saunders Creek Section of the Florence-Eugene Highway in Lane County. The Engineer explained that this is a U. S. Forest Highway project to be contracted by the Federal Highway Administration. The agreement requires the State to bear the cost of extraordinary maintenance on the relocated Railroad roadbed for the first two years it is in use. The State also is to bear the expense of extraordinary maintenance of the cut slope above the tracks for a period of five years. These obligations are necessary as the Federal Highway Administration cannot obligate money for this purpose. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

A letter-form agreement with the City of Ontario to furnish water and sanitary sewer services for the Ontario Safety Rest Area and Information Center in Malheur County was discussed. Under the agreement, the Engineer stated that the State's share of the cost is \$52,855 plus payment for services in accord with the City's established rate schedule. The City has agreed to have the facilities available for use by June 15, 1971. It is planned that bids will be received for construction of the rest area and information center sometime in 1971. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to a highway easement with Southern Pacific Transportation Company pertaining to the State's interest in the existing grade crossing of the Silver Creek Falls Highway in the town of Shaw in Marion County. The Engineer mentioned that the easement is a house-keeping measure formally granting the State an easement across the railroad tracks. The Commission approved the easement and authorized the Secretary to sign it in their behalf.

Consideration was given to an agreement with Bonneville Power Administration allowing a crossing of the South Unit, Wasco-Moro Section of the Sherman Highway over a Bonneville transmission line easement in Sherman County. The Commission approved the agreement following the Engineer's favorable recommendation.

The Commission considered an assignment agreement with Murphy Pacific Enterprises concerning payments for work on Contract No. 7276 for construction of the Fremont Bridge across the Willamette River on the Stadium Freeway in Portland. The Engineer explained that following the death of one of the principals in the company, the company with the consent of the sureties on the contract, established a trust account in the First Western Bank and Trust Company for the sole purpose of paying for labor and supplies furnished in performance of the contract. This arrangement, he continued, has been carefully checked by the Chief Counsel and he recommended that it be approved. The Commission approved the assignment and authorized the Secretary to sign it in their behalf.

The Commission considered adoption of the Succor Creek Route in Malheur County as a part of the State Secondary Highway System. The Engineer recalled that requests for this route had been made from time to time over a period of several years and careful consideration had been given as to the feasibility of the route. He recommended that the Commission add the approximately 32 mile Succor Creek Section to the 20.11 miles of the existing Nyssa-Adrian Secondary Highway and that the entire route be renamed "Succor Creek Secondary Highway No. 450". He mentioned that the northerly termini will be at the junction of the Central Oregon Highway in Nyssa and the southerly termini at the junction of the I. O. N. Highway near the Malloy Ranch. The Commission accepted his recommendation and thereupon adopted "Secondary Highway Designation Resolution No. 74," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Following the Engineer's favorable recommendation, the Commission approved transfer of 24 acres adjoining Pilot Butte on the Central Oregon Highway east of Bend, Deschutes County, to the Bend School District for the sum of \$250. The conveyance is to contain a public use clause.

Based on the Engineer's recommendation, the Commission approved retaining the firm of Shannon and Wilson of Portland to make a study and recommendation as to measures for control of the Fern Hill Slide on the Lower Columbia River Highway in Clatsop County.

Consideration was given to an agreement with Bolt, Beranek and Newman, Inc., of Cambridge, Massachusetts, to conduct a noise study on the East Portland Freeway from the Clackamas County line on the south to the Columbia River on the north. The Deputy Engineer mentioned that the study will cost about \$80,000 and, as it is an interstate project, the State's share will be approximately 8% of this amount. The Chairman inquired if noise is found to be above an acceptable level, what can be done about it. The Deputy replied that all of the answers are not known but earth berms seem to be effective, while screening with trees and shrubs has not proved so effective. He also mentioned that the construction above ground level as used in Medford has produced a quite reasonable noise level. The Chairman then inquired if any recommendations have been made by AASHO. The Engineer replied that none have been made to date as the field is relatively new and no definite guide lines have been set up. The Chairman commented that because of the lack of reliable outside information the State should move ahead on its own to determine what is needed to reduce the noise level on urban sections of highways. Contingent upon approval by the Federal Highway Administration the Commission approved the agreement and authorized the Secretary to sign it.

Mr. Al Reinertson, representing the Grant County Chamber of Commerce, came before the Commission regarding improvement of the Pendleton-John Day Highway north of Mt. Vernon and on the John Day Highway between Mitchell and Dayville in Wheeler and Grant Counties. He thanked the Commission for work performed immediately north of Mt. Vernon and specifically requested improvement on the John Day Highway

or what he referred to as Mitchell Mountain. He gave the Commission pictures of the section. Work is also needed in widening and shoulder paving on the section from Mt. Vernon to Dayville and from Dayville to Mitchell. He also mentioned the need for improvement on the John Day Highway at Brogan Hill in Malheur County.

Chairman Jackson stated that the Commission is aware of the deficiencies mentioned but lack of funds is delaying improvement. The Commission, he said, will keep on trying to find funds but any sizable amount of money will depend a great deal upon what the Federal Government does with the Interstate Trust Fund.

A delegation from Madras, Fossil, Condon and Antelope in Jefferson, Wasco, Gilliam and Wheeler Counties came before the Commission concerning construction of the Clarno-Porcupine Butte Section of the Shaniko-Fossil Highway in Wasco and Wheeler Counties. Those present were: Kelly McGreer, Antelope; Mr. and Mrs. James Underhill; Mr. and Mrs. Sid Van Schoiack, Madras; Ernie Fatland, Condon; Herb Wright and Jack Steiwer of Fossil.

Kelly McGreer introduced the members of the delegation and emphasized the need for a new bridge over the John Day River at Clarno and improvement to the unpaved highway section. He recalled that at the hearing held in Clarno December 10, 1970, some people, not residents in the area, had opposed both of the proposed corridor routes. He pointed out that residents of the area need the new bridge and highway section as a matter of their livelihood. He read a letter signed by Mr. Ron Denison pointing out that the School District has a policy that the school bus does not leave the paved highway. This ruling requires that a number of children who take the bus to school have to be transported to the end of the pavement. Grain farmers and others who haul produce to market, he said, are penalized severely by the poor highway and bridge.

Concerning construction of a bridge across the John Day River, he emphasized that the approaches should be so constructed as not to cause a damming effect or produce a change in the river current. As to the effect of this construction pertaining to the Scenic Rivers Law, he stated that the residents ask only for an adequate bridge and a road constructed in harmony with the environment.

Mr. Herb Wright gave to the Commission a letter from Wheeler County Judge Asher urging bridge and highway construction and mentioning the extremely washboard condition of the unpaved section. He pointed out that the residents of this area are united in favoring construction and are not vitally concerned as to which route is used as long as it becomes a year-round facility. He thanked the Commission for improvements made on Cummings Hill and said that the work is really appreciated.

Ernie Fatland emphasized that the construction of an adequate bridge and road would provide a much cheaper haul to market than is now possible and he mentioned an instance of a haul to California in which the hauler traveled an additional 82 miles in order to stay on an adequate road. A number of people in Eastern Oregon, he said, feel that government

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agencies have a tendency to ignore the needs of small communities. The maintaining and developing of industries is vital to these sparsely settled areas in order to keep young people in the county. He mentioned that governmental regulations had been instrumental in putting flour mills and slaughter houses out of business in Central Oregon.

Chairman Jackson stated that the Commission faces a difficult problem in constructing an adequate bridge across the river without damaging the environment.

As to the exact location of the bridge, Mr. Fatland stated that he did not feel competent to give an answer except that the bridge is badly needed. It was his opinion that placing the Scenic Rivers Bill under Highway Commission jurisdiction was a good move and would not have been placed in the law if the Commission wasn't considered competent to handle the matter.

James Underhill, representing Wasco County Court, stated the people in his area feel that they are entitled to a new bridge but are flexible as to its location.

Sid Van Schoiack stated that in his business of hauling cattle he could not use the road through Clarno at certain times of the year because his trucks would get stuck, and he mentioned that if he was able to use the road through Clarno that the haul to market would be much cheaper.

The Chairman stated that the project is programmed but the Commission has a problem in getting the work done without violating the intent of the Scenic Rivers Law. It is the Commission's hope, he said, that an answer will soon be found.

The Commission signed, or authorized the Secretary to sign, the following deeds, agreements, and other papers:

"Stipulation" with U. S. Department of Agriculture (US Forest Service) and Tillamook County regarding acquisition of an easement deed for right of way on the Sand Dunes Section of the Netarts-Sandlake County Road.

"Grant of Access" with Samuel F. and Grace B. Sprague covering Brookings-Winchuck River Section of the Oregon Coast Highway in Curry County.

"Bargain and Sale Deed" to The Homewood Corporation regarding Cedar Hills Boulevard Interchange Section of the Sunset Highway in Washington County.

"Relinquishment of Title" to Washington County regarding Cedar Hills Boulevard on Cornell Road-Barnes Road Section of the Sunset Highway.

"Quitclaim Deed" to F. L. Kummer regarding Green Station-Canyonville Section of the Pacific Highway in Douglas County.

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"Grant of Access" with Schnitzer Investment Corp. regarding Fremont Interchange-Sunset Interchange Section of Stadium Freeway in Multnomah County.

"Release of Access Restrictions" to Carl Christian Fredericksen regarding Hanson Creek-Saunders Creek Section of Florence-Eugene Highway in Lane County.

"Indenture of Access" to Hobart L. and Sandra B. Cross regarding Sage Hen Hill-Hines Section of Central Oregon Highway in Harney County.

"Indenture of Access" to Edward and Imogene Santilli on Fern Hill-Burnside Section of Columbia River Highway in Clatsop County.

"Indenture of Access" to Clarence and Ethel Swanson on Fern Hill-Burnside Section of Columbia River Highway in Clatsop County.

"Indenture of Access" to Winston and Marjorie Chambers on Rocky Point-Gold Beach Section of Oregon Coast Highway in Curry County.

"Indenture of Access" to William D. and Donna Jane Lyche and James E. and H. Beth Bussard on Bend-Lapine Section of The Dalles-California Highway in Deschutes County.

"Indenture of Access" to Laurence B. and Joyce Rauschl and Robert E. and Ada L. Rice on Calapooya Creek-Sutherlin Section of Elkton-Sutherlin Highway in Douglas County.

"Indenture of Access" to Hood River Box and Veneer, Inc., on Polallie Creek-Parkdale Road Section of Mt. Hood Highway in Hood River County.

"Indenture of Access" to Thurman Junior and Doris Elsie Dyer, Ronald L. and Joyce A. Rombalski and Everett and Ada A. Miller on Polallie Creek-Parkdale Road Section of Mt. Hood Highway in Hood River County.

"Indenture of Access" to Alda M. Thomas on Oak Springs Road-Wapinitia Junction Section of The Dalles-California Highway in Wasco County.

"Grant of Access" to Tywama Saddle Club, Inc. covering Tygh Grade Summit-Butler Canyon Section of The Dalles-California Highway in Wasco County.

"Grant of Access" to Sisters of St. Mary, Inc., covering Beaverton-Forest Grove Section of Tualatin Valley Highway in Washington County.

"Agreement" with Central Lincoln People's Utility District to provide power to east end of Knowles Creek Tunnel on Florence-Eugene Highway in Lane County.

"Supplemental agreement" with City of Portland pertaining to right-of-way on S. W. 14th Avenue-Washington County Line Unit of Harbor Drive-Barbur Boulevard Section of Pacific Highway.

"Agreement" with Robert W. Hunt Company to inspect steel for Willamette River (Albany) Bridge Section of Albany-Corvallis Highway in Benton and Linn Counties.

"Consent to Annexation" to the City of Ontario three parcels of State property including portions of rights-of-way on Old Oregon Trail and Highway No. 455 Spur.

"Memorandum of Understanding" with Department of Agriculture regarding State to participate in the Pesticide Use Clearing House.

"Agreement" with Linn County for installation of flashing beacon and two luminaire units at intersection of Albany-Junction City Highway and Allen Lane.

"Agreement" with City of Dundee for installation of an overhead school crossing sign with flashing beacons at intersection of Pacific Highway West at 5th Street in Dundee.

"Revised agreement" with Burlington Northern, Inc., covering slide corrective measures on Lower Columbia River Highway in Fern Hill area.

"Agreement" with Southern Pacific Transportation Company covering installation of an additional grade crossing predictor unit at grade crossing of Corvallis-Lebanon Highway in Linn County north of Tangent.

"Agreement" with Southern Pacific Transportation Company providing for installation of crossing gates at Depot Street grade crossing in town of Rogue River.

"Agreement" with Southern Pacific Transportation Company providing for installation of crossing gates at grade crossing of State Street in Lake Oswego.

"Agreement" with Southern Pacific Transportation Company providing for installation of crossing gates at grade crossings of 8th and Main Streets in Medford.

"Agreement" with Southern Pacific Transportation Company providing for installation of crossing gates at S. First Street grade crossing in Hillsboro.

"Agreement" with Southern Pacific Transportation Company and the Federal Highway Administration providing for construction of Hanson Creek-Saunders Creek Section of the Florence-Eugene Highway in Lane County.


"Letter-form agreement" with City of Ontario to furnish water and sanitary sewer service for Ontario Safety Rest Area and Information Center.

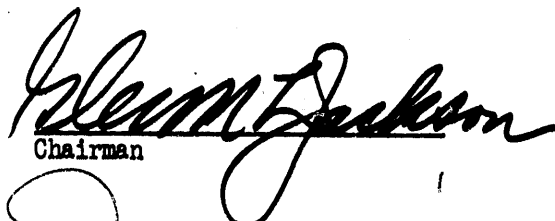
"Indenture" with Southern Pacific Transportation Company formalizing the State's interest in existing grade crossing on Hillsboro-Silverton Highway in Shaw.

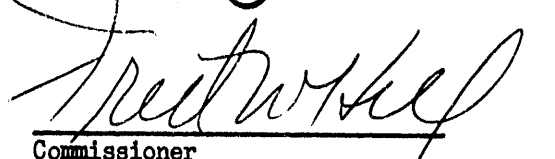
"Agreement" with Bonneville Power Administration covering crossing of South Unit, Wasco-Moro Section of Sherman Highway over Bonneville Power Administration's DeMoss-Fossil transmission line easement.

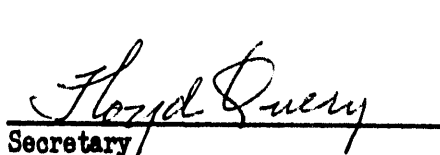
"Agreement" with Murphy Pacific Enterprises directing all payments for work on Contract 7276 for construction of Fremont Bridge be forwarded to contractor assigned to First Western Bank and Trust Company in San Francisco.

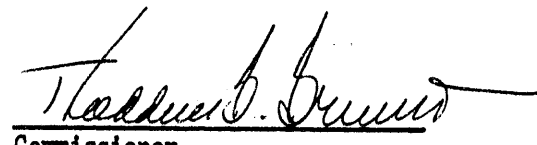
The meeting was adjourned by the Chairman at 10:55 a.m.


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

February 16, 1971

March 30, 1971
Salem, Oregon

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Also present were R. E. Simpson, Division Engineer of the Federal Highway Administration; C. W. Head, Assistant Secretary; E. S. Hunter, Administrative Engineer; David G. Talbot, Parks Superintendent; Victor D. Wolfe, Administrative Assistant; V. E. Skoog, Controller; L. H. Young, Program and Planning Engineer; John R. Oakes, Assistant Right of Way Engineer; and John J. Earley, Information Officer.

The Commission approved the minutes of the regular meeting held February 16, 1971.

The Right of Way Engineer presented a list of options, Pages 1 through 76 excluding Page 18, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 75," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was called to purchase of the Joseph N. Hughes Estate, File 44261, as shown on Page 56 of the Right of Way Resolution. The Right of Way Engineer mentioned that the purchase is in the amount of \$848,750 for 1,886 acres for park purposes on the Oregon Coast Highway in Curry County. The Chairman commented that in order to acquire land for park purposes in this area it was necessary to purchase the entire tract, not all of which will be used for park purposes. However, it is planned to sell excess acreage as soon as possible in order to get it back on the tax rolls.

Attention was given to the Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from February 10 to March 23, 1971. The Right of Way Engineer stated that during this period miscellaneous sales totaled \$47,830; land sales \$13,455; and timber sales \$13,377.91. Rental receipts for February 1971 amounted to \$40,291.41. The Commission accepted the report.

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A list of properties needed for highway and other uses was presented by the Right of Way Engineer. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2589," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the following report made by the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the institution of condemnation proceedings:

BEAVERTON-JAMIESON ROAD SECTION OF THE BEAVERTON-HILLSDALE HIGHWAY
WASHINGTON COUNTY

R-38040 - Gottlieb Deiss et ux. Parcel 1: 2,360 sq. ft. for right of way purposes; Parcel 2: 50 sq. ft. for right of way purposes. Offer \$4,250.00.

R-40008 - Winnifred N. Webster. 1,180 sq. ft. for right of way purposes. Offer \$2,100.00.

BROOKINGS-WINCHUCK RIVER SECTION OF THE OREGON COAST HIGHWAY
CURRY COUNTY

R-43859 - Carol Lee Freeman. 5.7 acres for right of way purposes. Offer \$48,800.00.

R-43987 - M. M. Jaklewicz et ux. 0.35 acre for right of way purposes. Offer \$300.00.

COLUMBIA COUNTY LINE-BURLINGTON SECTION OF THE COLUMBIA RIVER HIGHWAY
MULTNOMAH COUNTY

R-43617 - Rose Valley Pallet Service Inc. 3.2 acres for right of way purposes. Offer \$25,000.00.

R-43629 - Kendall Lumber Mill. 4.0 acres for right of way purposes. Offer \$7,750.00.

R-43631 - Gladys M. Yett and Porter W. Yett, Jr. 7.9 acres for right of way purposes. Offer \$25,000.00.

R-43661 - J. R. Shrawder et ux. Parcel 1: 2.9 acres for right of way purposes; Parcel 2: 0.01 acre for permanent easement; Parcel 3: 0.08 acre for permanent easement. Offer \$7,250.00.

R-44248 - Leo H. Kaptur et al. Parcel 1: 0.6 acre for right of way purposes; Parcel 2: 0.53 acre for permanent easement; Parcel 3: 0.2 acre for permanent easement. Offer March 12, 1971, \$5,425.00. Revised offer March 18, 1971, \$6,400.00.

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ELK RIVER-PORT ORFORD SECTION OF THE OREGON COAST HIGHWAY, CURRY COUNTY

R-42574 - Robert P. Pickett. 2.6 acres for right of way purposes. Offer \$4,450.00.

LA GRANDE-NORTH POWDER SECTION OF THE OLD OREGON TRAIL
UNION COUNTY

R-41040 - Edward U. Counsell et ux. Parcel 1: 19.3 acres; Parcel 2: 4.9 acres; Parcel 3: 0.9 acre all for right of way purposes; Parcel 4: 2.0 acres for permanent easement; Parcel 5: 0.06 acre for permanent easement. Offer \$3,150.00.

N. E. 60TH AVENUE-N. E. SANDY BOULEVARD SECTION OF THE NORTHWEST PORTLAND HIGHWAY, MULTNOMAH COUNTY

R-44158 - Gartners' Country Meat Market, Inc. 1,772 sq. ft. for right of way purposes. Offer \$71,750.00.

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL, BAKER COUNTY

R-42935 - Delmer G. Snyder et ux. Parcel 1: 7.5 acres for right of way purposes; Parcel 2: 1.5 acres for right of way purposes. Offer \$13,050.

RICKREALL-INDEPENDENCE JUNCTION SECTION OF THE WILLAMINA-SALEM HIGHWAY
POLK COUNTY

R-43115 - Rudy F. Calaba et ux. Parcel 1: 7.4 acres for right of way; Parcel 2: 0.37 acre for permit of entry. Offer \$10,000.00.

R-43229 - John W. Slevkoff et ux. Parcel 1: 15.1 acres for right of way purposes; Parcel 2: 4.12 acres; Parcel 3: 1.0 acre; and Parcel 4: 0.21 acre all for permanent easement purposes. Offer \$10,000.00.

SILETZ RIVER (KERNVILLE) BRIDGE SECTION OF THE OREGON COAST HIGHWAY
LINCOLN COUNTY

R-44383 - Elizabeth M. Pincha et vir. 2.9 acres for right of way purposes. Offer \$6,000.00.

Authority was requested by the Right of Way Engineer to offer at public sale two parcels of property which are no longer needed for highway purposes. Minimum values he said have been determined by competent appraisers and access and other conditions of sale are consistent with those afforded to other properties in the vicinity. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolutions Nos. 547 and 548," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

March 30, 1971

- (1) A parcel of land containing 0.15 acre, File 33199, located in the northeast corner of the intersection of The Dalles-California Highway and East Vail Avenue in the City of Bend, Deschutes County, for not less than \$2,500. No access is to be permitted to The Dalles-California Highway and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration was given on March 2, 1971. (See "Real Property Resolution No. 547").
- (2) A parcel of land containing 20.25 acres, File 22588, located on the northerly side of the North Santiam Highway west of the Aumsville Cemetery in Marion County, for not less than \$13,650. A strip of land is to be retained by the State for a future frontage road and no access is to be permitted to the North Santiam Highway. Purchaser of the property is to bear the cost of fence relocation and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required. (See "Real Property Resolution No. 548").

The Right of Way Engineer also requested authority to make direct sale on two parcels of property which are no longer needed for highway purposes. Public sale of these properties is not feasible because of conditions which restrict saleability to a single party. The Commission approved direct sale of the following properties:

- (1) An exhausted gravel pit, File Q 217, containing 3.2 acres on a county road approximately nine miles north of Ontario in Malheur County. The State will quitclaim its interest in the gravel pit to Malheur County which plans to use the site for a landfill. No consideration is involved.
- (2) An easement deed to the U. S. Forest Service, File 9473, on the Camas Creek Forest Wayside Section of the Pendleton-John Day Highway in Umatilla County. The easement covers a 66-foot wide and 3,150 foot long road to be known as Hinton Creek Road. No consideration is involved.

March 30, 1971

Indentures of Access pertaining to four parcels of property were recommended by the Right of Way Engineer for changes in location or to correct the records as to actual location. The Commission approved the following Indentures of Access:

- (1) John and Pearl Locke, Dichter Brothers and Crown Zellerbach Corporation property, File 43093, to correct the public record to show the actual location of one unrestricted point of access 35 feet wide on the southerly side of the relocated Sunset Highway approximately eleven miles east of the junction of the Oregon Coast Highway in Clatsop County. Federal Highway Administration approval was received May 14, 1970.
- (2) School District No. 2J and Franklin and Doris Nolan property, File 31816, for a change in location of one point of access widened to 35 feet on the northerly side of the relocated McKenzie Highway immediately west of Redmond in Deschutes County. The Right of Way Engineer explained that the original owner when selling a portion of his property to the School District inadvertently included one of the accesses which he needs for his farm operations. Federal Highway Administration approval was given June 8, 1970.
- (3) U. S. National Bank of Oregon (Agnes G. Schucking), Daniel and Pamela Bunn property, File 36000, for a change in location of one unrestricted point of access 35 feet wide on the northerly side of the relocated Willamina-Salem Highway in Polk County. Approval by the Federal Highway Administration was received December 2, 1970.
- (4) Henry J. and Mary M. Shumaker property, File 36834, to correct the public record to show the actual location of one unrestricted point of access 35 feet wide on the westerly side of the relocated Tualatin Valley Highway approximately 1½ miles south of Forest Grove in Washington County. Federal Highway Administration approval was given August 26, 1968.

March 30, 1971

A Grant of Access to George and Norma Esker, File 25518, on the Gold Beach-Cape Sebastian Section of the Oregon Coast Highway in Curry County was recommended by the Right of Way Engineer. He explained that originally five points of access were reserved to an estate which has been divided and sold. The last parcel to be sold does not have access to the Oregon Coast Highway. The requested access is on the easterly side of the highway south of Fifth Street in the City of Gold Beach and is to be 35 feet in width and unrestricted as to use. Staff appraisal of the value of the access was determined to be \$800 which is to be paid by the grantee. Federal Highway Administration approval was received March 2, 1971. The Commission approved the Grant of Access.

Confirmation was requested by the Right of Way Engineer for telephone approval given by Commissioner Bruno on February 24, 1971, for a 45-day extension of time on a demolition contract with Colhouer Construction Company. This contract involved removal of buildings on the East Portland Freeway and the Pacific Highway in Portland, Multnomah County. The original contract time expired February 19, 1971, and the extension of time is needed to complete the grading work which could not be accomplished within the specified time because of wet weather. The Commission confirmed the extension of time.

Chairman Jackson inquired as to whether any study had been made pertaining to a policy for granting access to the Oregon Coast Highway and if any determination had been made as to how the problem can be solved. The Engineer replied that when new sections of the highway are constructed access can be restricted and he mentioned the new route for the Lincoln City Bypass on which it is contemplated that there will be few points of access. The problem, he continued, is complicated and there appears to be no single simple answer. The Chairman commented that in view of the rapid development of the Oregon Coast Highway area, it appears that a specific access policy should be developed. After some further discussion, the Commission instructed the Engineer to formulate an access policy before commercial and residential development makes it impossible.

The Chief Counsel presented and the Commission accepted his report concerning cases which have been tried in court since the last Commission meeting, summarized as follows:

March 30, 1971

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
Richard H. Lord, et al. (east side of highway) L-6149 R-42642	Mult.	Pacific Highway East	\$23,000	\$160,000	\$39,356*
Hazel W. Lord, et al. (west side of highway) L-6118 R-43134	Mult.	Pacific Highway East	\$48,000	\$460,000	\$68,607*

*The larger tracts were adjusted so that all of the taking east of the highway was in the Richard Lord case and all of the taking west of the highway was in the Hazel Lord case.

Orval McCormmach, et al. L-6373 R-42510	Umatilla	Old Oregon Trail	\$5,800	\$ 25,000	\$15,000*
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*Main dispute involved measurement of severance damages, highest and best use of property and use of a 84" pipe by cattle to pass beneath the freeway. It appears the jury split the difference between offer and demand.

(For additional details see Chief Counsel's letter dated March 25, 1971, entitled "Report of Cases Tried" filed in the Salem Office, General Files.)

The Commission also considered and accepted the report made by the Chief Counsel concerning cases which have been settled out of court since the last Commission meeting and summarized as follows:

March 30, 1971

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Raymond Van de Moortele, et al. L-6202 R-43357	Clack.	Pacific Highway	\$31,950	\$32,950	\$34,000
Bertha C. Brooks, et al. *L-6232 R-41631	Coos	Empire-Coos Bay Highway	\$ 300	\$ 300	\$ 750

*On November 24, 1970, the foregoing case was incorrectly reported to the Commission as pertaining to the defendants Bertha C. Brooks, et al. The proper party defendant was one Walter Lang, (L-6159) which was correctly reported to the Commission on February 16, 1971.

This settlement should, therefore, be deleted from the Commission's Minutes of November 24, 1970.

Bertha C. Brooks, et al. L-6232 R-41631	Coos	Empire-Coos Bay Highway	\$ 6,100	\$ 6,100	\$ 7,900*
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*Taking restricts entrance to home from the rear. Increase involves damages to remodel home.

Sam Choat, et al. L-6323 R-44339	Coos	Coos River Highway	\$3,000 + fencing of \$750	\$ 3,750 includes fencing	\$ 4,500
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William Lloyd Gates, et ux. L-6276 R-43847	Curry	Oregon Coast Highway	\$ 2,000	\$ 2,000	\$ 3,000*
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*Increase is based upon the belief and professional judgment of counsel, who feels the proximity damage assessed is unrealistic and could not be supported if case was litigated.

(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Gordon Kershaw, et al. L-6281 R-17811	Curry	Harris Beach State Park	\$50,000* (13.1 ac.)	\$50,000 (13.1 ac.) \$100,730 (29.51 ac.)	\$100,000 (29.51 ac.)

*Taking revised from 13.1 acres to 29.51 acres, making a total take of property involved. State's highest appraisal of 29.51 acres is \$100,730.

Janie Dillenburg, et al. L-6304 R-43821	Curry	Oregon Coast Highway	\$20,800	\$20,907	\$25,000*
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*Settlement effectuated after two days of trial. State project. No attorney fees or interest involved.

Wallace R. Myers, et al. L-6330 R-43999	Curry	Oregon Coast Highway	\$ 2,600	\$ 4,250	\$ 4,500
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Victor Anderson, et al. L-6358 R-43820	Curry	Oregon Coast Highway	\$ 2,600	\$ 3,900	\$ 4,850
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Hilda Saubert, et ux. L-6297 R-42995	Lane	Florence-Eugene Highway	\$ 4,200	\$ 5,900	\$ 6,000
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Clarence Hill, et al. L-6327 R-43765	Marion	Pacific Highway East	\$ 1,875	\$ 3,300	\$ 4,500
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Gene Waddle, et al. L-6269 R-43175	Mult.	Pacific Highway East	\$ 1,650	\$ 1,650	\$ 1,700
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March 30, 1971

March 30, 1971

(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Russell Waddle, et al. L-6284 R-43174	Mult.	Pacific Highway East	(partial take) \$190,000	(partial take) \$202,000	(total take) \$330,000*

*Partial taking involves taking of entire parking lot of The Tacos House on McLoughlin Boulevard, Portland. Following two days of trial, settlement was arrived at on a total take basis. State's adjusted value of the whole is \$293,500 to \$295,000.

Progress of trial convinced our Chief Trial Attorney that verdict on partial basis, plus attorney fees, would be in neighborhood of \$275,000 to \$300,000. Landowner's able and chief appraiser's opinion of value of the partial take is \$450,000. His appraisal is being submitted to the State for our use.

The Vernon Company, et al. L-6398 R-43645	Mult.	Columbia River Highway	\$ 14,750	\$ 14,750	\$ 14,750
14.15 acres of land (Minthorn) L-6214 R-42500	Umatilla	Old Oregon Trail	\$ 1,325	\$ 1,225	\$ 1,325
Else R. Faust R-44079	Tillamook	Oregon Coast Highway		\$ 12,000	\$ 13,000*
Jewell Smith L-6233	Coos	Empire-Coos Bay Highway	\$ 7,000	\$ 7,000	\$ 8,750
Clare Bellinger L-6342	Mult.	Columbia River Highway	\$ 17,150	\$ 17,150	\$ 19,150
Catherine De Waal L-6282	Umatilla	Old Oregon Trail	\$ 650	\$ 650	\$ 2,975

*Interest and taxes must be paid by State from date of possession and are in addition to just compensation.

March 30, 1971

REPORT OF OTHER CASES SETTLED

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Settlement</u>
Naoma Campbell L-6105	Dale Bessett	Douglas	Personal Injury	\$51,600	\$22,500*

*Settlement made by Insurance Carriers involved. Our Carrier contributed \$3,500.

(For additional details see the Chief Counsel's letter dated March 25, 1971, entitled "Report of Cases Settled", and filed in the Salem Office, General Files.)

The Chief Counsel reported on matters which have been filed with the Public Utility Commissioner pertaining to State highways. The Commission accepted the report as follows:

PUX-790 - An application by the State Highway Division for a temporary grade crossing over the Union Pacific Railroad on the Old Oregon Trail in Baker County.

PUX-791, 792, 793, 794 - Applications made by Multnomah County to alter four crossings of the Union Pacific Railroad and O. W. R. & N. Railroad in Portland, Oregon.

A summary of legal proceedings involving the State Highway Commission instituted since the last Commission meeting was presented by the Chief Counsel and accepted by the Commission as follows:

- (1) Henry Seeborg v. State of Oregon, by and through its State Highway Commission, L-6417. This is an inverse condemnation action in which the plaintiff Seeborg alleges that the State, in its acquisition of the "Hello Thar" tavern, in Portland, acquired certain property valued at \$4,000 for which he has not been paid. He also alleges that he is entitled to a relocation payment of \$5,000.
- (2) Lane County v. Wildish Construction Company, Willamette Quarries, Inc., and State of Oregon, by and through its State Highway Commission, L-6347. Lane County alleges that Wildish Construction Company and Willamette Quarries, Inc., in conducting blasting operations on Contract No. 7345 damaged the Knowles Creek Bridge property of the County, in the sum of \$40,833.16.

March 30, 1971

- (3) James Hinkel and Sherry Lee Hinkel v. State of Oregon, by and through its State Highway Commission, L-6431. Plaintiffs seek damages in the sum of \$8,593 for loss of personal property in a fire in a trailer alleged to have been leased from the State Highway Commission. They claim that the furnace was defective and exploded without warning, causing destruction of the trailer and their property.

The assignment of Contract No. 7529 for construction of guardrail, median barrier and impact attenuators on the North Portland Boulevard-Capitol Highway Section of the Pacific Highway and the Stadium Freeway in Multnomah County was brought up by the Chief Counsel. The contract, he said, was awarded to Homer J. Olsen, Inc., and Homer J. Olsen. The contractor has requested that the contract be assigned to Homer J. Olsen, Inc., Homer J. Olsen & J. F. Shea Company, Inc., a joint venture. A new performance bond has been furnished and the consent of the surety on the original contract has been received. Following his favorable recommendation, the Commission approved the assignment and authorized the Secretary to sign the assignment form in their behalf.

Confirmation of telephonic approval given by the Chairman on March 8, 1971, for improvements to a Wheeler County Road, was requested by the Engineer. He stated that Wheeler County Judge, Clarence Asher, had requested permission to make the improvements to the road which serves a commercial recreational development known as Chapparral Ranch along the John Day River in Wheeler County. The proposed construction is affected by the provisions of the Scenic Waterways Act. The road improvement plans have been checked and it appears that the work can be accomplished without impairing the natural scenic beauty of the area. The Commission confirmed the request.

Confirmation was also requested by the Engineer for verbal approval given by the Chairman February 23, 1971, on a request made by Frank Smith Fussner for improvements on his land along the John Day River near the town of Service Creek in Wheeler County. The improvements which are affected by the Scenic Waterways Act have been examined by District Engineer Pool and by Robert Potter, Scenic Waterways Coordinator, who have recommended approval of the improvements. The Commission confirmed the Chairman's action.

Confirmation was also requested by the Engineer for approval given by the Chairman February 1, 1971 on a request by R. W. Davis for improvement to his land along the John Day River approximately 17 miles north of Mitchell in Wheeler County. The proposed improvement has been investigated as it pertains to the Scenic Waterways Act and apparently will not conflict with the intent of that Act. The Commission confirmed the Chairman's approval.

Confirmation of a request made by Clyde E. Farlow for improvements on his land within the Rogue River Scenic Waterway near Finley Bend in Josephine County was discussed. The Engineer mentioned that the proposal had been reviewed by District Engineer, George Thornton and Robert Potter, Scenic Waterways Coordinator and both recommended approval. The Commission confirmed verbal approval given by the Chairman on March 8, 1971.

The Engineer stated that Mr. Warren McMinimee will complete his first term as a member of the State Parks Recreation Advisory Committee on April 25, 1971. He pointed out that Mr. McMinimee's background as a former member of the Legislature, his knowledge of coastal problems, and his interest in park and recreation matters has made him a valuable member of the Advisory Committee. The Commission reappointed Mr. McMinimee for a four-year term beginning April 26, 1971, with the understanding that his appointment has the approval of the Governor.

Consideration was given to renewal of an agreement with Western Rivers Girl Scout Council for a lease on a portion of the Jessie M. Honeyman State Park in Lane County. The Engineer commented that the lease has been in effect since 1956 on a tract of approximately 20 acres on Lake Cleawox and expires June 25, 1971. The Girl Scout Council has requested that the agreement be extended to December 31, 1980, and that they be granted the right to construct improvements on the westerly half of the tract.

The Chairman inquired if this action would set a precedent. The Engineer replied similar agreements have been in effect for a number of years and he mentioned the use of a portion of Silver Creek Falls Park. The Chairman then inquired if others are excluded from the leased areas and the Engineer replied that they are. The Chairman raised a question of policy as to whether the State should grant long term leases such as this one for the use of State park facilities financed by taxpayer's funds. He commented on the fact that in recent years the State has expended a great deal of money in acquiring and developing park lands and he questioned whether the State has the moral or legal right to lease portions of these facilities to private groups. After some further discussion, the Commission instructed the Engineer to refer this lease, and other leases for the use of State park facilities, to the State Parks and Recreation Advisory Committee for their study and advice.

Attention was given to a request made by Columbia County that the State increase its funding from \$1,500 to \$3,000 in the acquisition of Coon Island east of Scappoose (J. J. Collins Memorial Park) in Columbia County under the Willamette River Parks System. The Engineer stated that the project was originally approved by the Commission May 28, 1969, however, the Bureau of Outdoor Recreation refused a grant-in-aid because of an existing lease to use the river area fronting the island for a log boom. The County has acquired title to Coon Island and has requested that the County and State share the cost on a 50/50 basis. The log boom, the Engineer continued, is regarded as a benefit by small boat operators as it provides a water break for wave action. Following his favorable recommendation, the Commission approved the increased participation.

Consideration was given to a supplemental agreement with the City of Brookings for installation of a sewer to service Harris Beach State Park in Curry County. The Engineer commented that the supplemental agreement alters the location of a portion of the sewer and provides for an increase in diameter from 8 inches to 10 inches. The City of Brookings is to assume maintenance of the sewer line. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

A bid submitted by Clarence Page, Jerold Page and Dean Lauderback to operate a concession at Farewell Bend State Park in Baker County was considered. The Engineer stated that the concession has not been operated for several years. Bids were recently solicited and two were received. The highest bid submitted by Page and Lauderback provides that they will pay to the State 20½ percent of the first \$20,000 of gross sales. Credit Bureau and job references are favorable to the bidder and the Engineer recommended that the concession privilege be awarded to them upon receipt of a satisfactory performance bond. The Commission accepted his recommendation and authorized the Secretary to sign the lease in their behalf.

The Engineer stated that the Wheeler County Court had requested cooperation by the State in developing an all-weather road into the Painted Hills State Park. An agreement has been worked out whereby the State will provide approximately \$50,000 for improvement of this road in cooperation with the County. In return for this cooperation, the County is to release to the State an equal amount of Federal FAS-C funds. He recommended approval of the agreement. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission considered requests from contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

- (1) G. W. Woodward Company, Inc., Contract No. 7431 for work on 5th Street in the City of Coquille, Coos County, requested a 37-day extension of time. The Commission granted the request thereby eliminating all liquidated damages.
- (2) Adhesive Engineering Company, Contract No. 7466 for installing pavement markers in Multnomah, Washington and Clackamas Counties, requested an extension of time to delete all liquidated damages. The Commission approved an extension to December 17, 1970, which was the date of completion of the contract. Federal Highway Administration approval was given by letter dated February 24, 1971.

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- (3) Coral Corporation, Contract No. 7350 on the Old Oregon Trail in Umatilla County, requested 23 additional days. The Commission approved an extension of four calendar days without assessment of liquidated damages. Approval by the Federal Highway Administration was given in a letter dated February 24, 1971.
- (4) James A. Seiwald, Contract No. 7428 in the Farewell Bend State Park in Baker County, requested an extension of the completion date to January 11, 1971. The Commission approved the extension as requested without assessment of liquidated damages.
- (5) Wildish Construction Company, Contract No. 7345 for work on the Mapleton Bridge of the Florence-Eugene Highway in Lane County, requested a 111-day extension of time. The Commission granted an extension of 43 days without assessment of liquidated damages.
- (6) Gibbons and Reed Company and Al Johnson Construction Company, Contract No. 7150 on the East Portland Freeway in Clackamas County, requested a 163-day time extension on the early phase (Unit "A") portion. The Commission denied the request.
- (7) S. S. Mullen Construction, a division of Mullen Corporation, Contract No. 7319 for work on the Fountain Slide Section of the Columbia River Highway in Hood River County, requested a 74-day extension of time. The Commission approved an extension of 19 days without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated March 16, 1971.

The Engineer reported that Contract Nos. 7044, 7272, 7274, 7344, 7390, 7394, 7411, 7428, 7431, 7461, 7466, and 7477 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 192," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed verbal award of contracts made on March 8, 1971, on bids which were received February 25, 1971, and authorized the Secretary to sign the following contracts:

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BIDS RECEIVED IN SALEM FEBRUARY 25, 1971

Contract No. 7536 for grading, paving, and traffic signals on 82nd Avenue at Abernethy Road in Clackamas County. Three bids were received. The Commission elected to accept the low bid of Al Kalkhoven, Beaverton, at \$38,009 and the State Highway Engineer was directed to award the contract to said bidder as soon as Clackamas County approves the project and deposits \$22,750.

Jumpoff Joe Creek-Louse Creek Section of FAS 17-102 in Josephine County. This project was withdrawn from the letting.

Contract No. 7537 in Jessie M. Honeyman State Park, Day Use Area on the Oregon Coast Highway in Lane County. Five bids were received. The Commission awarded the contract to the low bidder, The L & R Nursery, Salem, at \$4,842.50.

Contract No. 7538 for landscape improvement in "D" River State Wayside on the Oregon Coast Highway in Lincoln County. Four bids were received. The Commission awarded the contract to the low bidder, Cascadian Landscapers, Inc., Portland, at \$17,257.

Farmington Road-Allen Avenue Section of FAS 630 in Washington County. This project was withdrawn from the letting.

The Engineer presented a tabulation of bids which were received March 25, 1971, for highway projects. He mentioned the number of bids received on each project, the amount of the low bid and his recommendation as to award. Chairman Jackson inquired if any comments or rulings have been received from the Federal Highway Administration concerning the President's ruling on the Davis Bacon Act. Mr. Simpson replied that no instructions have been received from the Washington D. C. Office which would preclude the award of contracts presented at this meeting. Chairman Jackson stated that he felt the contracts should be awarded as recommended by the Engineer. Commissioners Hill and Bruno expressed similar feelings and the award of contracts was declared unanimous. Mr. Simpson of the Federal Highway Administration concurred in the award. The Commission took the following action and authorized the Secretary to sign the contracts in their behalf.

BIDS RECEIVED IN SALEM MARCH 25, 1971

Contract No. 7539 for grading, paving, structure, signing and illumination on the Richland Interchange-South Baker Interchange Section of the Old Oregon Trail in Baker County. Eleven bids were received. The Commission awarded the contract to the low bidder, Ray Kizer & Ray Kizer Construction Company & Rogers Construction, Inc., Portland at \$5,434,222.

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Contract No. 7540 on Country Club Road-Harvey Way Section in Lake Oswego of FAS 681 in Clackamas County. Four bids were received. The Commission elected to accept the low bid of Cascade Construction Company, Inc., Portland, at \$537,388.90 and the State Highway Engineer was directed to award the contract to said bidder as soon as Clackamas County approves the project and deposits \$125,700.

Contract No. 7541 for a traffic signal revision on Harris Street at 8th Street in Myrtle Point on the Coos Bay-Roseburg Highway in Coos County. Six bids were received. The Commission elected to accept the low bid of Hansen Electric Company, Coos Bay, at \$8,345 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Myrtle Point approves the project and deposits \$4,800.

Contract No. 7542 for a traffic signal installation on West Deer Street and East Elm Street in Prineville in Crook County. Seven bids were received. The Commission elected to accept the low bid of Olson Electric Company, Inc., Vancouver, Washington, at \$17,283 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Prineville approves the project and deposits \$10,200.

Contract No. 7543 for paving on the Fort Rock Road-Crooked River Highway Section of the Central Oregon Highway in Deschutes County. Nine bids were received. The Commission awarded the contract to the low bidder, L. W. Vail Co., Inc., Pasco, Washington, at \$358,996.

Contract No. 7544 for grading, paving and traffic signals on Stephens Street at Garden Valley Boulevard in Roseburg on the Oakland-Shady Highway in Douglas County. Two bids were received. The Commission elected to accept the low bid of Roseburg Paving, Inc., Roseburg, at \$45,735 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Roseburg approves the project and deposits \$8,200.

Contract No. 7545 for paving on the Multnomah County Line-East Cascade Locks Section of the Columbia River Highway in Hood River County. Three bids were received. The Commission awarded the contract to the low bidder, Interstate Paving Company, The Dalles, at \$111,300.

Contract No. 7546 for grading, paving, and signing on the Jumpoff Joe Creek-Louse Creek Section of FAS 17-102 in Josephine County. Five bids were received. The Commission elected to accept the low bid of Robert D. Copeland, Grants Pass, at \$746,873 and the State Highway Engineer was directed to award the contract to said bidder as soon as Josephine County approves the project and deposits \$185,300.

Contract No. 7547 for traffic signals on 6th Street at Morgan Lane, North Grants Pass Interchange, of the Pacific Highway in Josephine County. Five bids were received. The Commission awarded the contract to the low bidder, Olson Electric Co., Inc., Vancouver, Washington, at \$18,422.

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Contract No. 7548 for landscape improvement in Agate Beach State Wayside in Lincoln County. Four bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., & Moore-Rane Manufacturing Company, Inc., Portland, at \$52,414.80.

Contract No. 7549 for grading, paving and facilities in Ontario Safety Rest Area on the Old Oregon Trail in Malheur County. Eight bids were received. Award was deferred pending determination of possible error in low bid.

Contract No. 7550 for structure and approaches on the North Santiam River (Mehama) Bridge Section of the Albany-Lyons Highway in Marion and Linn Counties. Six bids were received. The Commission awarded the contract to the low bidder, Riverside Construction, Inc., and Richard J. Garland, Milwaukie, at \$734,857.

Contract No. 7551 for grading, paving, traffic signals and signing on the Bancroft Street (Portland) Channelization of the Oswego Highway in Multnomah County. Two bids were received. The Commission elected to accept the low bid of Al Kalkhoven, Beaverton, at \$62,988 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Portland approves the project and deposits \$15,900.

Contract No. 7552 for grading, paving and traffic signals on the Farmington Road-Allen Avenue Section of FAS 630 in Washington County. Three bids were received. The Commission elected to accept the low bid of Cascade Construction Company, Inc., Portland, at \$360,397.30 and the State Highway Engineer was directed to award the contract to said bidder as soon as Washington County approves the project and deposits \$85,900.

The Commission confirmed the Engineer's award of the following contracts which had been referred to him to award when certain conditions were fulfilled:

- (1) South 6th Street at Austin Street in (Klamath Falls), Klamath Falls-Lakeview Highway in Klamath County. Bids received January 28, 1971. Contract No. 7523 awarded February 17, 1971, to General Service Electric, Inc., Bellevue, Washington, low bidder.
- (2) North Borthwick Avenue-North Woolsey Avenue Section of FAS 940 in Multnomah County. Bids received January 28, 1971. Contract No. 7530 awarded February 19, 1971, to Porter W. Yett Company, Portland, low bidder.

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- (3) S. E. 67th Avenue-S. E. 92nd Avenue Section of four city streets in Portland, Multnomah County. Bids received January 28, 1971. Contract No. 7532 awarded February 19, 1971, to W. R. Grasle Company, Portland, low bidder.

- (4) 82nd Avenue at Abernethy Road Section of Cascade Highway in Clackamas County. Bids received January 28, 1971. Contract No. 7536 awarded March 18, 1971, to Al Kalkhoven, Beaverton, low bidder.

Attention was given to a request from Jackson County for a Federal-aid Secondary Project. The Engineer mentioned that the project has been investigated and is eligible for FAS funds. Following his favorable recommendation, the Commission approved the following project and authorized the Secretary to sign a routine construction agreement.

FISCAL YEARS 1971 & 1972 COUNTY FAS PROJECTS

County	FAS	Section	Programmed Amount	State Share
Jackson	15-107	Head Road-Airport Road Section, Biddle Road. Grade, curb and pave 1.7 miles.	\$ 420,000	\$84,000
TOTAL			\$ 420,000	\$84,000

SUMMARY BY FISCAL YEARS	1971	1972	TOTAL
Allocated Funds	\$ 5,067,000	\$ 5,054,000	\$10,121,000
Approved Projects (corrected to date)	5,067,000	1,324,000	6,391,000
Unprogrammed Balance	- -	\$ 3,730,000	\$ 3,730,000
Projects Proposed: 3/30/71	- -	420,000	420,000
Unprogrammed Balance	\$ - -	\$ 3,310,000	\$ 3,310,000

Consideration was given to a construction project on the 5th Street-Oak Street Section of the Rogue Valley Highway in the City of Phoenix, Jackson County. The Engineer mentioned that the project is approximately 0.55 mile in length and consists of widening the existing southbound city street within the present right-of-way. The estimated cost of construction for the 44-foot wide section is \$200,000 of which the City has agreed to pay 25 percent. He recommended construction during the summer of 1971 to be financed with Federal-aid Secondary funds. The Commission accepted his recommendation.

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Replacement of a culvert in the approach fill to the Longview Bridge in Columbia County was brought up by the Engineer. The existing 48-inch pipe, he said, has partially failed and he recommended that it be replaced at a cost of approximately \$80,000 during the 1971 construction season as a part of the current State Construction Program. The Commission approved the project.

Consideration was given to a request from the Department of General Services for payment in the amount of \$20,840 to cover a deficit in providing janitorial services in the Highway Division Building in Salem. The Engineer stated that General Services also requested an increase in the rate from 7 cents per square foot to 9 cents effective January 1, 1971. The Commission approved the deficit payment and the increase in rate.

Requests were considered from the Cities of Albany, Beaverton, Astoria, and Gladstone for Federal-Aid TOPICS projects and a request from the City of Corvallis for cancellation of a project. The Engineer stated that the projects have been investigated and are eligible for funding under the TOPICS program and he recommended approval. The Commission approved the projects and authorized the Secretary to sign routine construction agreements in their behalf.

CITY	SECTION	Programmed Amount	State Cost
ASTORIA	Astoria Urban Area etc.	\$ 6,000	\$ 1,200
ALBANY	Vine Street-Ferry Street. Queen Avenue & S. Pacific Blvd. Traffic signal, widening, channelization, and railroad gates.	\$115,000 (+ 25,000 from railroad)	\$23,000
BEAVERTON	S. W. Erickson Avenue.-S. W. Main Avenue. S. W. 6th Street Street realignment.	22,000	4,400
GLADSTONE	S. W. McLoughlin Blvd. @ S. E. Glen Echo Avenue. Traffic signal.	30,000	6,000
TOTAL NEW PROJECTS		173,000	34,600
<u>CANCELLATION OF PREVIOUSLY APPROVED PROJECT</u>			
CORVALLIS	N.W. 31st Street-N.W. 29th Street N.W. Harrison Blvd. Traffic signal and widening. (Approved by Highway Commission on 3/7/70.)	34,000	6,800
TOTAL CANCELLATION		\$ 34,000	\$ 6,800
TOTAL		\$139,000	\$27,800
<u>SUMMARY BY FISCAL YEAR</u>			
Unprogrammed Balance		1970 \$573,000	TOTAL \$573,000

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The Chairman inquired as to the status of plans for the highway through Astoria. The Engineer stated that no agreement has yet been reached and the matter is still being discussed.

Establishment of a reduced speed zone on the Peter Iredale Road in Fort Stevens State Park in Clatsop County was brought up by the Engineer. A traffic engineering investigation, he said, has indicated the need for additional speed zoning for the protection of the traveling public and the people in the park. He recommended that a 25 mile-per-hour speed zone be established on the Peter Iredale Road between the Ridge Road and the beach parking area. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 579," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution was presented by the Engineer redesignating portions of the Cascade Highway in Clackamas and Multnomah Counties. He explained that the opening of the Gladstone-Oregon City Section of the East Portland Freeway causes portions of the East Portland Freeway, the Cascade Highway and the Clackamas Highway to have a common alignment. As the name Cascade Highway has long been in use, it was felt that it should not be discontinued and he recommended that the existing alignment from Columbia Boulevard on 82nd Avenue to Lake Road Interchange, near Milwaukie, be designated as the Cascade Highway North, Primary Highway No. 68. The portion of 14th Street between the Pacific Highway East and the present Cascade Highway in Oregon City and the existing route southerly to Silverton is to be designated as the Cascade Highway South, State Secondary Highway No. 160. The Commission accepted his recommendation and thereupon adopted "Primary Highway Designation Resolution No. 47," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to an agreement with the City of Ashland concerning the relocation of a number of graves lying within the proposed right-of-way of future improvement of the Park Street-Siskiyou Boulevard Section of the Green Springs Highway in Jackson County. Under the terms of the agreement the City is to contact the next of kin for permission to relocate the graves. He estimated that it would cost approximately \$8,260 to move the 28 graves, of which the State is to pay 75 percent or not to exceed \$6,200 with the City to bear the cost of the remainder. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

A construction agreement with the City of Beaverton pertaining to improvement of the Beaverton-Jamieson Road Section of the Beaverton-Hillsdale Highway in Washington County was discussed. The agreement provides for acquisition of right-of-way, construction and maintenance of the project by the State and also requires that the State submit plans for the project for City approval prior to advertising for bids. The City agrees to cooperate in the relocation of utility facilities. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

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The Commission also considered a cooperative-finance agreement with the City of North Bend pertaining to sanitary and storm sewer systems along the Cape Arago Highway in Coos County. The Engineer stated that under the agreement the City is to perform the work and following completion is to submit to the State for payment an itemized statement for 25 percent of the actual cost incurred or \$8,000, whichever is the lesser amount. The sewer work, he said, is necessary to comply with standards set by the Environmental Quality Board. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Confirmation was requested for verbal approval given by the Chairman on February 24, 1971, extending the lease with Union Pacific Railroad covering the upper deck of the Steel Bridge in Portland. The Engineer mentioned that the original lease was entered into on February 28, 1941, and expired on February 28, 1971. Both parties wish to extend the lease for a period of 90 days during which time a new lease agreement is to be prepared. The Commission confirmed the extension and authority for the Secretary to sign the lease in their behalf.

A cooperative construction-finance agreement with the City of Winston in Douglas County was presented by the Engineer. This agreement, he said, pertains to improvement of storm drainage facilities near the junction of the Coos Bay-Roseburg and Dillard Highways. The State is to acquire right-of-way, perform necessary construction and maintain the project as a part of the State highway system. He estimated the cost of the project at \$120,000 of which the City is to pay 25 percent of the cost of the drainage improvement work or \$30,000, whichever is the lesser amount. The City is to repay their commitment at the rate of \$6,000 per year. The Engineer also pointed out that drainage in this area has been a continuing problem for many years and it appears that the ideal time to attempt the solution would be during construction of the Winston-Shady Section of the Coos Bay-Roseburg Highway. He recommended approval of the agreement. The Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission considered an agreement with Polk County for installation of a flashing beacon at the intersection of the Willamina-Salem Highway and College Drive, west of Salem. Under this agreement, the State is to install the signal at its expense and provide maintenance after installation. The County is to pay for all electrical energy requirements. The Engineer recommended approval of the project at an estimated cost of \$1,000 to be charged to Minor Betterment Funds. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

Consideration was also given to an agreement with the City of Newberg for installation of a flashing beacon at the intersection of College and Hancock Streets on the Hillsboro-Silverton Highway in Yamhill County. The Engineer estimated the cost of the project at \$400, of which the City is to pay one-half and provide for all future maintenance and power needs. The State's share is to be taken from Minor Betterment Funds. The Commission approved the project and authorized the Secretary to sign the agreement in their behalf.

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A throughway agreement with the City of Salem concerning construction of the Chemawa Road-Hickory Street Section of the Salem Freeway (I-305) was brought up by the Engineer. Under this agreement he mentioned that the State is to acquire right-of-way, perform construction and maintain the project. The City agrees to the closure of certain streets and to cooperate in the relocation or adjustment of utility facilities. The City at its expense is to construct extensions of Verda Lane and Wayside Terrace, and improve Cherry Avenue to accommodate four lanes of traffic from an interchange southerly to Pine Street. He also mentioned that a companion agreement with Marion County was approved September 30, 1970. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to an agreement with Union Pacific Railroad and Erwin J. Welding Construction Company providing for a haul road across the railroad tracks at the Herman Creek Interchange on the Old Oregon Trail (I-80N) east of Cascade Locks in Hood River County. The Engineer explained that the agreement will give the contractor access to the Hinsdale Quarry to secure material needed in the construction of rock groins in Rooster Rock State Park in Multnomah County. The contractor is to pay for all costs incurred by the Railroad. The Commission approved the agreement.

A throughway-abandonment agreement with the City of Estacada pertaining to portions of the old highway to be replaced by new construction on the Eagle Creek-Estacada Section of the Clackamas Highway in Clackamas County was discussed. The Engineer mentioned that a companion agreement with Clackamas County was approved by the Commission March 17, 1970. The agreement provides for acquisition of right-of-way, construction and maintenance by the State. The City agrees to the closure of certain streets and also agrees to cooperate in the adjustment or relocation of utility installations. The City also agrees to accept approximately one mile of the old highway when the new highway section is completed. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with Plevna District Improvement Company covering adjustment of the Company's facilities due to construction of the Weyerhaeuser Road Section of the Green Springs Highway in Klamath County was considered. The Engineer stated that the work consists of reconstructing approximately 1,900 feet of irrigation ditch with dike and service road, three box culverts, and three diversion boxes, plus the installation of approximately 500 feet of irrigation pipe. The State is to perform structural maintenance of Company facilities within the highway right-of-way and the Company is to perform maintenance of its facilities outside of the highway right-of-way. The agreement also provides for an exchange of right-of-way. In the event future adjustments of the Company facilities are required such adjustments are to be at State expense. Cost of the work is estimated at \$34,500 as a part of the highway contract. Based on the Engineer's favorable recommendation, the Commission approved the project and authorized the Secretary to sign it in their behalf.

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An agreement with Hayden Island, Inc., concerning a revision in access control within the Jantzen Beach Interchange complex on the Pacific Highway in north Portland, Multnomah County, was presented by the Engineer. He stated that the corporation has agreed to meet stipulations set by the Federal Highway Administration pertaining to construction and opening to traffic of certain public roads in conjunction with the project now under construction. All of the roadway system involved is to be dedicated either to the State or the public and all construction expense is to be borne by the Company. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement in their behalf.

Replacement of traffic signals in Junction City at the intersection of the Pacific Highway West and the Junction City-Eugene Highway in Lane County was considered. The Engineer stated that the signals were installed about 20 years ago and are obsolete and worn out. Replacement is estimated to cost \$15,000 and Junction City agrees to pay one-half of this cost and provide for all future maintenance and power needs. The Commission approved the project as a part of the current State Construction Program and authorized the Secretary to sign the agreement.

Consideration was given to an agreement with Correll Irrigation Ditch pertaining to reconstruction of irrigation facilities on the Richland Interchange-South Baker Interchange Section of the Old Oregon Trail (I-80N) in Baker County. Under this agreement the Engineer said the State is to construct a reinforced concrete box culvert with trash rack and a 12-inch flap gate at an estimated cost of \$23,000 as a part of the existing contract. The State also is to perform structural maintenance on the facilities mentioned above. Correll Irrigation Ditch is to deed to the State all their rights within the highway right-of-way in exchange for the right to operate and maintain their facilities lying within the highway right-of-way. If future adjustments of the facilities are required, such adjustments are to be performed at State expense. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was also given to an agreement with Lyons-Mehama Water District covering relocation of their facilities in construction of the North Santiam River (Mehama) Bridge Section of the Albany-Lyons Highway in Marion and Linn Counties. The agreement provides that the State pay to the District the cost of adjusting the District's facilities located on private property and city streets. The Engineer estimated this cost at \$22,034.40. Also the State is to pay to the District an amount not to exceed \$25,000 for the District's share in adjusting its water facilities and the District is to repay the State in seven equal annual payments. The Commission approved the agreement as recommended by the Engineer and authorized the Secretary to sign it for them.

An agreement with the City of Estacada for installation of a traffic signal at the intersection of the new alignment of the Clackamas Highway and Broadway Street in Clackamas County was discussed. The

Engineer explained that the installation is to be made as a part of the highway construction in that area at a cost of approximately \$30,000. The City agrees to provide all maintenance and power requirements. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission considered an agreement with the City of Pendleton in Umatilla County for installation of a flashing beacon at the intersection of the Oregon-Washington Highway and S. E. Isaac Avenue. Under the agreement, the State is to make the installation at an estimated cost of \$1,000 using Minor Betterment Funds. The City is to provide for all maintenance and power requirements. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Commission confirmed the next regular meeting date of Tuesday, May 4, 1971, in the Conference Room of the State Highway Building in Salem, and set a tentative date for June 17, 1971, for the following meeting.

Mr. Andy Nasberg from Coos Bay and Mr. Bruce Blew, Mr. John Stalcup, and Mr. Don Dill from Roseburg came before the Commission representing log, chip, and lumber haulers on the Umpqua Highway in Douglas County. Mr. Nasberg mentioned the large volume of haulers using this highway and stated that several trucks have been wrecked because of narrow shoulders. He requested the Commission to install a passing lane on Elkton Mountain and construct paved shoulders between Elkton and Scottsburg.

Chairman Jackson stated that a project has been programmed for a passing lane and construction is expected to start in the reasonably near future. Improvement of the shoulders will be continued as a maintenance operation. The Commission, he added, is concerned about eliminating traffic slow downs on narrow roads and will move ahead with improvement on this highway as fast as money is available.

A delegation from St. Helens, Columbia City, Rainier, Fern Hill, Scappoose and Mist came before the Commission concerning improvement of the Lower Columbia River Highway from the Multnomah County Line to Rainier in Columbia County. Approximately 35 people were present. (List of names in the Salem Office General Files.) Tony Federici commented that the St. Helens Women's Auxillary for the Lions Club had organized the delegation which is present. He presented to the Commission approximately 130 letters and petitions urging four-laning of the highway.

Norm Barmeier recalled that a delegation had appeared about two years ago requesting improvement of the highway north of Linnton. He pointed out that recently the City of Scappoose had decided against using the proposed westerly route through the City and expressed hope that the Commission could find the additional money which would be required to construct the easterly route. However, if such funds are not available he urged that the money programmed for the westerly route be expended in Columbia County, particularly on the section from St. Helens to Rainier.

Mr. Donald Kalberer stated that the City of Scappoose is not opposed to expenditure of funds outside of Scappoose if the money cannot be found to finance the easterly route through the City. He recalled that numerous delegations have appeared before the Commission in the last 30 years and some improvements have been made in Multnomah and Clatsop Counties. The City of Scappoose, he continued, is not in favor of the proposed westerly route through the City and he had heard rumors that the funds might be transferred away from Columbia County. He mentioned the heavy traffic on the present highway and construction of the Trojan Nuclear Power Plant near Rainier which will generate considerable traffic in itself, and in the future will attract many tourists. If the Commission does not have adequate funds for constructing the easterly route through Scappoose, he urged that the money be expended between the Longview Bridge and the Trojan Plant.

Chairman Jackson commented that construction of the easterly route in Scappoose would cost about 8½ million dollars, whereas the westerly route would cost about 5½ million dollars. The Commission, he continued, plans to reallocate the available money in Columbia County based on the traffic count, which would cover the section from Scappoose to St. Helens. He also recalled that in the past the Commission had tried to get the Lower Columbia River Highway placed on the interstate system but the proposal had been rejected by the Federal Highway Administration. Improvement of the Lower Columbia Highway, he said is high on the Commission's priority list, and he assured the delegation that their appearance before the Commission was not in vain.

The Engineer presented for the Commission's consideration a resolution covering State park fees and rules for the 1971 season. Camping fees are to remain the same as for the 1970 season. The campsite reservation and information system installed last year will be basically the same. Harris Beach and Wallowa Lake Parks have been added to the reservation list, and the Umpqua Light House Park has been dropped. State Parks Resolutions No. 22, dated April 3, 1962; No. 28, dated March 14, 1967; No. 28a, dated December 17, 1968; No. 29, dated April 23, 1968; No. 29a, dated April 21, 1970; and No. 29b, dated June 2, 1970, are to be rescinded; provided, however, that paragraphs IA, IB, III, IV, and V of Parks Resolution No. 22 shall remain in effect until December 31, 1971. The Commission approved the rules and regulations for State parks as recommended by the Engineer and thereupon adopted "State Parks Resolution No. 31," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

March 30, 1971

The matter of the Highway Division becoming a member of the American Public Works Association was brought up by the Engineer. The Association provides a training course for inspectors and has prepared a standard prequalification form and a set of standard specifications. He recommended affiliation at a cost of \$240 per year. The Commission accepted his recommendation.

The Commission signed, or authorized the Secretary to sign, the following agreements, indentures, deeds and other papers:

"Quitclaim Deed" to Ralph C. and Helen L. Waggy covering the Newport Section of the Oregon Coast Highway.

"Quitclaim Deed" to Kentucky Fried Chicken of YEP, Inc. covering Newport Section of the Oregon Coast Highway.

"Quitclaim Deed" to Gerald L. and Eva E. Miller covering Newport Section of the Oregon Coast Highway.

"Quitclaim Deed" to Walter K. and Harriet J. Zillman and William L. and Alma L. Stillwell covering Newport Section of Oregon Coast Highway.

"Bargain and Sale Deed" to H. C. Steele and Amanda A. Steele covering North Powder-Baker Section of Old Oregon Trail.

"Indenture of Access" with John P. and Pearl S. Locke, Ditcher Brothers, and Crown Zellerbach Corporation re Saddle Mountain Junction-Little North Fork-Nehalem River Section of the Sunset Highway in Clatsop County.

"Indenture of Access" with School District No. 2J and Franklin and Doris Nolan re Deschutes River-Redmond Section of the McKenzie Highway in Deschutes County.

"Indenture of Access" with U. S. National Bank of Oregon, as personal representative of Agnes G. Schucking, dec., and Daniel and Pamela Bunn regarding Independence Junction-Bonneville Station Section of Willamina-Salem Highway in Polk County.

"Indenture of Access" with Henry J. and Mary M. Shumaker covering Forest Grove-Yamhill County Line Section of Tualatin Valley Highway in Washington County.

"Grant of Access" to George and Norma Esker covering Gold Beach-Cape Sebastian Section of Oregon Coast Highway in Curry County.

"Supplemental agreement" with City of Brookings regarding installation of a sewer for service to Harris Beach State Park.

"Agreement" with City of Ashland concerning relocation of certain occupied graves lying within proposed right-of-way of future improvement of Park Street-Siskiyou Boulevard Section of Green Springs Highway.

March 30, 1971

"Agreement" with City of Beaverton concerning improvement of Beaverton-Jamieson Road Section of Beaverton-Hillsdale Highway.

"Agreement" with City of North Bend covering sanitary and storm sewer systems adjacent to Cape Arago Highway.

"Agreement" with City of Winston regarding improvement of storm drainage facilities in vicinity of Coos Bay-Roseburg and Dillard Highways junction.

"Agreement" with Polk County regarding installation of flashing beacon at intersection of Willamina-Salem Highway and College Drive N. W.

"Agreement" with City of Newberg regarding installation of flashing beacon at intersection of College and Hancock Streets on Hillsboro-Silverton Highway.

"Agreement" with City of Salem regarding construction of Chemawa Road-Hickory Street Section of Salem Freeway.

"Agreement" with Union Pacific Railroad Company and Erwin J. Welding Construction Company regarding haul road across the railroad tracks at Herman Creek Interchange on I-80N east of Cascade Locks.

"Agreement" with City of Estacada concerning construction of Eagle Creek-Estacada Section of Clackamas Highway.

"Agreement" with Plevna District Improvement Company covering adjustment of its facilities due to construction of Weyerhaeuser Road Section of Green Springs Highway in Klamath County.

"Agreement" with Hayden Island, Inc., concerning revision in access control within the Jantzen Beach Interchange complex.

"Agreement" with Correll Irrigation Ditch covering reconstruction of irrigation facilities in conflict with Richland Interchange-South Baker Interchange Section of I-80N in Baker County.

"Agreement" with Lyons-Mehama Water District covering relocation of their facilities which conflict with construction on North Santiam River (Mehama) Bridge Section of Albany-Lyons Highway in Marion and Linn Counties.

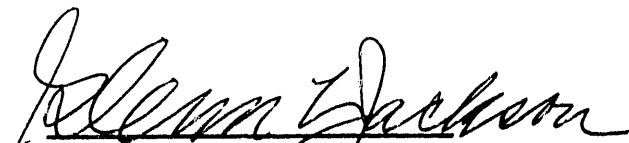
"Agreement" with City of Estacada for installation of traffic signal at intersection of new alignment of Clackamas Highway and Broadway Street.


"Agreement" with City of Pendleton for installation of a flashing beacon at intersection of Oregon-Washington Highway and S. E. Isaac Avenue.


March 30, 1971


As there was no further business to consider, the meeting was adjourned by the Chairman at 10:35 a.m.


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

March 30, 1971

VOLUME 56

COMPLETE

MINUTES OF OREGON STATE HIGHWAY COMMISSION

COVERING PERIOD

FROM

APRIL 1, 1971

TO

MARCH 31, 1972

- - -

OREGON STATE HIGHWAY COMMISSION

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner

- - -

George M. Baldwin, Administrator
R. L. Porter, State Highway Engineer
(April 1, 1971, to December 31, 1971)
Tom Edwards, State Highway Engineer
(January 1, 1972, to March 31, 1972)
Leonard I. Lindas, Chief Counsel
Floyd Query, Secretary

- - -

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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HIGHWAY COMMISSION MINUTES

April 1, 1971, through March 31, 1972

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The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Also present were R. E. Simpson, Division Engineer of the Federal Highway Administration; C. W. Head, Assistant Secretary; L. H. Young, Program and Planning Engineer; V. D. Wolfe, Administrative Assistant; David G. Talbot, Parks Superintendent; V. E. Skoog, Controller; Frank McKinney, Assistant Attorney General; E. S. Hunter, Administrative Engineer; Robert Potter, Scenic Waterways Coordinator; John R. Oakes, Assistant Right of Way Engineer; John J. Earley, Information Officer; Don Harwell, Coordinating Engineer; and Kenneth Chatwood, Administrative Right of Way Agent.

The Commission approved the minutes of the regular meeting held March 30, 1971.

The Right of Way Engineer presented a list of options, Pages 1 through 47, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 76," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from March 23, 1971, to April 23, 1971, was presented by the Right of Way Engineer and accepted by the Commission. During this period miscellaneous sales amounted to \$15,400; land sales \$550; and timber sales \$7,743.80. Rental receipts for the month of March, 1971, totaled \$47,974.77.

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A list of properties needed for highway and other uses was presented by the Right of Way Engineer. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2590," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the Right of Way Engineer's report on offers tendered to the owners for acquisition of real property prior to the institution of condemnation proceedings as follows:

BEAVERTON-JAMIESON ROAD SECTION OF THE BEAVERTON-HILLSDALE HIGHWAY
WASHINGTON COUNTY

R-38021 - Garfield R. Hubble et ux. Parcel 1: 3,065 sq. ft. for right of way purposes; Parcel 2: 1,015 sq. ft. for permanent easement. Offer \$6,250.00.

R-38023 - Ben A. Boyson et ux. Parcel 1: 1,025 sq. ft. for right of way purposes; Parcel 2: 50 sq. ft. for right of way purposes. Offer \$4,000.00.

R-38025 - Henry J. Durdal et ux. 960 sq. ft. for right of way purposes. Offer \$1,500.00.

R-38026 - Robert O. Cowie et ux. 880 sq. ft. for right of way purposes. Offer \$1,450.00.

R-40014 - Drake Investment Company. 4,200 sq. ft. for right of way purposes. Offer \$4,200.00.

BUTTE CREEK SCENIC STRIP UNIT OF THE ALBANY-JUDKINS POINT SECTION OF
THE PACIFIC HIGHWAY - LINN COUNTY

R-43953 - F. T. Glaser et ux. Parcel 1: 16.52 acres, Parcel 2: 8.15 acres for scenic strip purposes. Offer \$7,625.00.

CITY LIMITS-LEWIS STREET (NORTH BEND) SECTION OF THE CAPE ARAGO
HIGHWAY - COOS COUNTY

R-34939 - R. C. Mullen et al. 0.06 acre for right of way purposes. Offer \$800.00.

R-34962 - George R. Fricke. 0.05 acre for temporary easement. Offer \$1,000.00.

R-34963 - Albertson's, Inc. 0.03 acre for permanent easement. Offer \$200.00.

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CITY LIMITS-LEWIS STREET (NORTH BEND) SECTION OF THE CAPE ARAGO
HIGHWAY - COOS COUNTY (Continued)

R-34964 - Humble Oil & Refining Company. 0.02 acre for a permanent easement. Offer \$625.00.

COLUMBIA COUNTY LINE-BURLINGTON SECTION OF THE COLUMBIA RIVER HIGHWAY
MULTNOMAH COUNTY

R-44965 - Young Men's Christian Association of Astoria, Oregon. 0.95 acre for right of way purposes. Offer \$825.00.

COLUMBIA RIVER BRIDGE-N. E. SANDY BLVD. UNIT OF THE COLUMBIA RIVER-
PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-44174 - Anna Marie Roby. 56,510 sq. ft. for right of way purposes. Offer \$11,750.00.

R-44222 - Theodore F. Bergmann et ux. 1.38 acres for right of way purposes. Offer \$27,500.00.

EAGLE CREEK-ESTACADA SECTION OF THE CLACKAMAS HIGHWAY - CLACKAMAS COUNTY

R-43797 - Josephine Hood. 1.5 acres for right of way purposes. Offer \$1,925.00.

R-43798 - Ira B. Reynolds. 0.02 acre for right of way purposes. Offer \$215.00.

R-44093 - Cascade Utilities, Inc. Parcel 1: 1.3 acres; Parcel 2: 0.1 acre, for right of way purposes. Offer \$4,400.00.

R-44296 - Lester R. Rivers et ux. Parcel 1: 1.05 acres; Parcel 2: 0.06 acre, for right of way purposes. Offer \$8,600.00.

MT. HOOD POST OFFICE-FIKES CORNER SECTION OF THE MT. HOOD HIGHWAY
HOOD RIVER COUNTY

R-42272 - J. P. Hounsell. Parcel 1: 10.24 acres; Parcel 2: 0.4 acre for right of way purposes. Offer \$23,000.00.

N.E. 60TH AVENUE-N. E. SANDY BLVD. SECTION OF THE NORTHEAST PORTLAND
HIGHWAY - MULTNOMAH COUNTY

R-44157 - Frieda Gartner. 1,772 sq. ft. for right of way purposes. Offer \$16,050.00.

OAK HILL-INTERSTATE 105 SECTION OF THE FLORENCE-EUGENE HIGHWAY
LANE COUNTY

R-43904 - Perry C. Hamilton et ux. 10,040 sq. ft. for right of way purposes. Offer \$15,000.00.

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RICKREALL-INDEPENDENCE JUNCTION SECTION OF THE WILLAMINA-SALEM
HIGHWAY POLK COUNTY

R-43223 - Elbert H. Ragsdale et al. Parcel 1: 14.1 acres;
Parcel 2: 0.13 acre, for right of way purposes. Offer \$13,750.00.

S. E. DIVISION ST.-S. E. FOSTER ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC
HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-44185 - Marjorie B. Kvamme. Parcel 1: 27,670 sq. ft.; Parcel
2: 21,920 sq. ft. for right of way purposes. Offer \$187,000.00.

Authorization was requested by the Right of Way Engineer to make direct sale on two parcels of property which are no longer needed for highway purposes. Peculiarities of location of the properties precludes advertising for public sale. The Commission approved the sale of the following properties and thereupon adopted "Real Property Resolution No. 549," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

- (1) 0.77 acre of land (File No. 3322)
located on the southerly side of the
Sherman Highway in Sherman County
approximatley one-quarter mile northwest
of the Wasco city limits to the City of
Wasco for a minimum consideration of \$50.
Signboard and junkyard exclusion clauses are to
be included in the deed. Federal Highway
Administration Approval is not required.
- (2) 0.5 acre parcel of land (File No. 11280)
located on the Arlington Section of the
Columbia River Highway in Gilliam County
to the City of Arlington for the sum of
\$6,385 which is one half the value placed on
the property by staff appraisal. Sale is
subject to a public use clause and signboard
and junkyard exclusion clauses are to be
included in the deed. Federal Highway Administration
approval is not required. (See "Real Property
Resolution No. 549")

Indenture of Access pertaining to a parcel of property to correct the records as to actual location was recommended by the Right of Way Engineer. The Commission approved the following Indenture of Access.

- (1) Hood River County property, File No. 28192,
on the easterly side of the relocated Mt. Hood
Highway approximately five miles south of the
Mt. Hood Post Office in Hood River County.
The access will be 35 feet in width and will
remain unrestricted as to use. Federal Highway
Administration approval was received January 6,
1971.

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A Grant of Access to Melvin and Marilyn McKern, File No. 40152, on the Little Beech Creek-Mt. Vernon Section of the Pendleton-John Day Highway (Mt. Vernon) in Grant County was recommended by the Right of Way Engineer. He explained that one 35 foot unrestricted point of access will be granted to provide access to a new service station for a consideration of \$265. Federal Highway Administration approval was received August 14, 1970. The Commission approved the Grant of Access.

The Chief Counsel presented and the Commission accepted his report concerning a case which had been tried in court since the last Commission meeting, summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	State's <u>Offer</u> Before Filing <u>Complaint</u>	Defend- ants' Lowest <u>Demand</u>	<u>Verdict</u>
Columbia Bifocal Co., et al. L-6245 R-43173			\$1,850	\$13,250	\$2,500

The Commission also considered and accepted a report made by the Chief Counsel concerning cases which have been settled out of court since the last Commission meeting, summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	State's <u>Offer</u>	State's Highest <u>Appraisal</u>	Amount of <u>Settlement</u>
Kenneth Miles, et al. L-6286 R-42497	Baker	Old Oregon Trail	\$ 5,550	\$ 6,025	\$ 6,500
Cloverdale Farms, Inc., et al. L-6147 R-43470	Benton	Albany- Corvallis Highway	177,500	192,836	200,000

Taking from complete neighborhood shopping center. Serious loss of parking, access restrictions, and overlapping of appraisals justify this settlement.

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(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Cloverdale Farms, Inc., et al. (Obie Outdoor Advertising Inc.'s interest) L-6147 R-43470	Benton	Albany-Corvallis Highway	\$ 1,675	\$ 1,675	\$ 2,200

Increase considered insubstantial and justified on basis depreciation allotted is subject to argument.

Obie Outdoor Advertising, Inc. L-6181 R-43466	Benton	Albany-Corvallis Highway	\$ 650	\$	\$ 1,200
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Insubstantial increase - four billboards involved.

Edward H. McLean L-6406 R-44084	Clack.	Clack. Highway	\$ 750	\$ 750	\$ 750
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Wm. L. Smitherman, et ux. L-6344 R-43638	Mult.	Columbia River Highway	\$23,450	\$23,450	\$26,000
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Insubstantial increase. Settlement well within range of market value.

3.32 acres of land (Antoine) L-6312 R-42500-16	Umatilla	Old Oregon Trail	\$ 100	\$ 120	\$ 120
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Orval McCormach, et al. L-6343 R-43458	Umatilla	Old Oregon Trail	\$ 400	\$ 400	\$ 500
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(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Glen E. Storie, et al. L-6349 R-42508	Umatilla	Old Oregon Trail	\$ 750	\$ 1,000	\$ 1,400
Emil H. Duyck L-6295 R-44031	Wash.	Sunset Highway	\$ 40,000 and no extension of stock underpass	\$40,000 and no extension of stock underpass	\$19,000 plus extension of stock and equipment pass

Extension of stock pass now provided under existing highway necessary to reduce substantial damages caused by the more complete severance of cattle ranch.

Leo H. Kaptur, et al. L-6424 R-44248	Mult.	Columbia River Highway	\$ 6,400	\$ 6,400	\$ 6,400
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Jewel S. Smith, et al. L-6233 R-41632	Coos	Empire-Coos Bay Highway	\$ 7,000	\$ 7,000	\$ 8,750*
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*FOR RECORD ONLY. Approved NOA at March 30, 1971 Commission meeting.

Option secured by Right of Way. Increase involved proximity damage and access control necessitating entrance to this residence from the rear.

Claire Bellinger, et ux. L-6342 R-43659	Mult.	Columbia River Highway	\$ 17,150	\$ 17,150	\$19,150*
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*FOR RECORD ONLY. Approved NOA at March 30, 1971 Commission meeting.

Changed from partial to total take.

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<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
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Catherine Ann DeWaal, et al. L-6282 R-44323	Umatilla	Old Oregon Trail	\$ 650	\$ 650	\$ 2,975*
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*FOR RECORD ONLY. Approved NOA at March 30, 1971 Commission meeting.

State took possession, gravelled area and used land for several months and then elected not to take the property. Increase involves cost to remove gravel and replace top soil plus rent for period used.

Nick A. Hazapis, et ux. L-5104A R-39781	Clatsop	Columbia River Highway	\$10,500	\$11,700	\$20,000
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It is the considered opinion of Counsel that a legal premise exists, on which there is a split of authority, that indicates this settlement is in the best interest of all concerned. Additionally, this case was previously tried, the verdict being \$43,000 plus approximately \$5,000 interest plus \$10,000 attorney fees. Following a successful State appeal, the owner now proposes settlement of \$20,000, including interest, costs and attorney fees. It is my professional judgment the settlement should be confirmed.

Stanly D. Colegrove, et al. L-6311 R-43853	Curry		\$ 2,950	\$ 3,500	\$ 4,500*
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*Includes items of damage not considered by State's appraisers.

(For additional details, see Chief Counsel's letter dated April 30, 1971, concerning cases settled and filed in the Salem Office, General Files.)

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A report was made by the Chief Counsel on legal proceedings involving the State Highway Commission which have been started since the last Commission meeting. The Commission accepted the report which is summarized as follows:

- (1) Frances Everett Brander, et al., vs. State Highway Division, L-6434. Plaintiff seeks to collect \$1,244.71 for the cost of repairing a semi-trailer which struck the overhead arch on the Big Creek Bridge on the Oregon Coast Highway at M.P. 175 in Lane County. Plaintiff alleges that actual clearance was only 12 feet 4 inches, whereas the posted clearance was given as 14 feet.
- (2) Winifred E. Plummer vs. State Highway Commission and H. M. Acuff, L-6476. Plaintiff asks payment of \$25,519.90 for injuries and damages as a result of a boulder striking her car, allegedly dislodged by Mr. Acuff July 8, 1970 on the Willamina-Salem Highway in Polk County near Eola.
- (3) City of Maywood Park, et al. vs. John A. Volpe, et al, L-6477. Plaintiff alleges that highway hearings concerning the route of the East Portland Freeway held in 1964 and 1965 pertained to different locations than are now being used. Plaintiff alleges that route being used is ruining trees and wildlife, creating noise and pollution, costing much more, and requiring displacement of more families. Volpe is being requested by plaintiff to hold up the use of Federal funds on the East Portland Freeway (I-205) in Maywood Park.

The Chief Counsel reported on the case of State vs. Benbuilt Homes, Inc., L-6333 for the acquisition of property on the East Portland Freeway in Multnomah County. The State's offer to purchase was in the amount of \$37,000 whereas the land owner demanded \$175,000 largely on the basis that the property is being landlocked. It seemed reasonable that property could be acquired from Multnomah County upon which to construct an access road to serve the property in order to minimize damages and produce evidence required by the court. An option on 14 acres of County land was secured of which approximately 1.5 acres would be dedicated to the public for road purposes and which would also serve the Benbuilt homes landlocked property. Telephonic approval on the option in the amount of \$7,000 was given by Commissioner Bruno. As a result of securing

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this option the owner of Benbuilt Homes, Inc., has agreed to settle for \$45,000. The Chairman inquired as to what disposition is to be made of the 12 plus acres not required for road purposes. The Chief Counsel replied that a portion of it could be used for highway beautification. After some further discussion, the Commission ordered that a study be made as to whether the excess property should be retained or sold. The Commission approved the option to Multnomah County in the amount of \$7,000 and the settlement to Benbuilt Homes, Inc., for \$45,000.

The Engineer presented for the Commission's consideration a set of rules to govern public hearings required in the administration of the Scenic Waterways Act. He stated that such hearings were held in Agness, Grants Pass, Fossil, Jordan Valley, Enterprise, Moro and Madras during the month of April, 1971. In preparing the rules as to the conduct of the hearings, consideration was given to the testimony presented at the seven April hearings. He recommended that the hearing rules be adopted effective May 12, 1971. The Commission accepted his recommendation and thereupon adopted "Scenic Waterways Resolution No. 1" which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement with Coos-Curry Electric Cooperative, Inc., for supplying power to state parks in Coos and Curry Counties was presented by the Engineer. He stated that over a period of years a number of individual agreements have been entered into with the Co-op which should be covered in one document. The conditions of the revised contract are the same as in the originals except that the billing procedure is simplified. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Confirmation was requested for telephonic approval given by the Commission following notification by various property owners of their intent to improve or change land use under the Scenic Waterways Act. The Engineer pointed out that these requests have been carefully investigated by Mr. Robert Potter, Scenic Waterways Coordinator, and the District Engineer. The proposed plans do not violate the intent of the Scenic Waterways Act. The Commission confirmed the following requests:

- (1) Tom Cathcart of Grants Pass for construction of a road near the Rogue River in Josephine County. Verbal approval was given by the Chairman on March 30, 1971.
- (2) John Scherbarth of Agness to establish a trailer house along the Rogue River in Curry County. Verbal approval was given by the Chairman on March 30, 1971.

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- (3) Carl G. Wood of Agness for construction of a garage near the junction of the Illinois River with the Rogue River in Curry County. The Chairman gave verbal approval on March 30, 1971.
- (4) Gladys E. Wood of Agness for construction of a utility building near the Rogue River in Curry County. Verbal approval was given by the Chairman on March 30, 1971.
- (5) Russell F. Hill of Agness for construction of a residence near the Rogue River in Curry County. Verbal approval was given by the Chairman on April 30, 1971.
- (6) Leslie L. Garrison of Fossil to place riprap for riverbank protection on his property along the John Day River in Wheeler County. Telephonic approval was given by the Chairman on April 30, 1971.

Consideration was given to a request for renewal of a permit with North Tillamook County TV Translators, Inc., on facilities within the boundaries of Oswald West State Park in Tillamook County. The Engineer stated that the original permit was entered into in May, 1961, and the present extension expires May 26, 1971. He recommended renewal of the permit for a 5-year period to May 26, 1976. The Commission approved the renewal and authorized the Secretary to sign it in their behalf.

The Commission considered an agreement with Multnomah County for acquisition of 0.81 acre as a part of the Willamette River Park System. This project, the Engineer stated, is known as Howell Park No. 3, and is located on the west side of Sauvie Island adjoining Howell Park to the north. Cost of acquisition is estimated at \$5,000 of which the State's share would be \$1,250 with the remainder to be provided from Federal and local funds. Following his favorable recommendation the Commission approved the acquisition and authorized the Secretary to sign the agreement in their behalf.

The Commission also considered an agreement with the City of Wilsonville for acquisition of 5 acres of land known as Wilsonville Marina Park as a part of the Willamette River Park System in Clackamas County. The Engineer mentioned that the project would add approximately 600 feet of lineal frontage to the Willamette River Park System at a cost of approximately \$100,000. He recommended that the acreage be purchased at a cost to the State of \$25,000 with the remainder of the cost to be obtained from Federal and local funds. The Commission approved the acquisition and authorized the Secretary to sign the agreement in their behalf.

Purchase of approximately 9 acres of land as an extension to Oswald West State Park in Tillamook County was brought up by the Engineer. He pointed out that the proposed acquisition affords an

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excellent view of the ocean and would certainly be considered for private development in the near future. The land under consideration is located between the north portal of Arch Cape Tunnel and the bridge over Arch Cape Creek. A review appraisal has been made indicating a value of \$30,000 and an option has been secured at that figure. He recommended that it be accepted. The Commission approved the purchase with funds from the State Parks budget for the biennium beginning July 1, 1971.

The Commission considered an agreement with the Western Rivers Girl Scout Council to lease a portion of Jessie M. Honeyman State Park in Lane County. The Engineer recalled that this item had been on the March 30, 1971, agenda and the Commission had directed that it be referred to the State Parks and Recreation Advisory Committee for its recommendation on this specific lease and similar leases in other State parks. The Advisory Committee, he said, met on April 8, 1971, and recommended that the long-term leases were not objectionable but they should contain a cancellation clause to require termination upon notice by the State. They also recommended that each application for leasing should be considered on its own merits rather than applying a blanket rule to all state parks. The Commission approved the lease to the Western Rivers Girl Scout Council at Honeyman State Park, (which bears an expiration date of December 31, 1980, and a 30-day termination clause) and authorized the Secretary to sign it for them.

The Engineer presented for Commission approval four surveys which have been completed for the improvement or relocation of sections of State highways. Public hearings have been held when requested or required by law. The Commission approved the following surveys and thereupon adopted "Highway Corridor and Design Resolutions Nos. 394, 395, 396, and 397."

- (1) Condon-Thirtymile Creek Section of the John Day Highway in Gilliam County. This project is 5.9 miles in length. A public hearing was not required. (See "Highway Corridor & Design Resolution No. 394")
- (2) Sanderson Bridge Section of the Albany-Lyons Highway in Linn County. A corridor hearing was held September 18, 1969. (See "Highway Corridor and Design Resolution No. 395")
- (3) Emigrant-Frazer (Pendleton) Couplet Section of the Pendleton-John Day Highway in Umatilla County. A hearing was held March 9, 1971. (See "Highway Corridor and Design Resolution No. 396")
- (4) Tolman Creek Road-Pacific Highway Section of the Green Springs Highway in Jackson County. (See "Highway Corridor and Design Resolution No. 397") This section, 0.24 mile in length, is an easterly extension of the Park Street-Tolman Creek Road Ashland Section which was adopted for right-of-way acquisition on June 2, 1970. The Commission approved the survey and also the financing of the project at an estimated cost of \$265,000 on Program XII.

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The Engineer presented to the Commission a pavement overlay program to be performed in 1971. He mentioned that the program covers 56 miles of highways in all sections of the State and the projects selected are those most needed. He recommended approval. Chairman Jackson commented that the program is not adequate to take care of highway needs and asked that it be held open in case additional funds become available. The Commission approved the following overlay program:

OREGON STATE HIGHWAY DIVISION
Maintenance Section

1971 MAINTENANCE OVERLAY PROGRAM

<u>Highway</u>	<u>Section</u>	<u>Length</u>	<u>(Cost) Overlay</u>
<u>Region 1</u>			
Pacific East	Park Ave.-Ina Road	2.41	\$ 76,000
Beaverton-Hillsdale	Raleigh Hills-Hillsdale	<u>2.40</u>	<u>80,000</u>
Total Region 1		4.81	\$156,000
<u>Region 2</u>			
Oregon Coast	Tillamook-Simmons Creek	5.2	265,000
Oregon Coast	BarView Garibaldi	<u>3.5</u>	<u>175,000</u>
Total Region 2		8.7	\$440,000
<u>Region 3</u>			
Umpqua	Grabb Creek-Bunches Curve	7.15	350,000
Coos Bay-Roseburg	Green Acres-China Camp	<u>5.27</u>	<u>400,000</u>
Total Region 3		12.42	\$750,000
<u>Region 4</u>			
Warm Springs	Simnasho Road-Jefferson Co. Line	11.8	450,000
The Dalles-California	Fremont Hwy. Jct.-Deschutes Natl. For.	<u>7.2</u>	<u>300,000</u>
Total Region 4		19.0	\$750,000

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1971 MAINTENANCE OVERLAY PROGRAM (CONTINUED)

<u>Highway</u>	<u>Section</u>	<u>Length</u>	<u>(Cost) Overlay</u>
<u>Region 5</u>			
Steens	S. Unit, Burns-Lawen	4.0	\$360,000
I. O. N.	Sheaville-Jordan Valley	6.8	400,000
	Total Region 5	10.8	\$760,000
	State Total	55.73 miles	\$2,856,000

The Commission considered a U. S. Forest Highway Program for the fiscal year 1972. The Engineer stated that in March 1971 a meeting with representatives of the Forest Service, the Federal Highway Administration, and the State Highway Division had been held and a mutually agreeable program had been evolved. He pointed out that prior funds for Forest Highways had been canceled by the Federal Highway Administration on order of the President, therefore, all of the proposed projects with the exception of the Klamath Lake-West Side Project have been on a previously approved program. The Commission approved the following Forest Highway Program with the projects listed in order of priority.

OREGON

1972 FISCAL YEAR FOREST HIGHWAY PROGRAM

1972 Fiscal Year Funds Available for Programing - - - \$4,091,456

<u>Project Number</u>	<u>Name and Termini</u>	<u>Type</u>	<u>Miles</u>	<u>Program Amount</u>
22-1(6)	McKenzie Highway Blue River Section	Grade, Base, Pave & Bridge	1.6	\$1,500,000
46-3(1),	Cascade Lakes Highway N. Davis Lake to F. D. Road 2221	Grade (3.1 mi.), Base & Bit. Surf. (1.9 mi.) Adv. Clrg. (2.8 mi.)	5.9	760,000
49-1(5)	Mt. Hood Loop Highway Vicinity of White River	Bridge & Channel Improvement	0.07	400,000

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1972 FISCAL YEAR FOREST HIGHWAY PROGRAM (CONTINUED)

<u>Project Number</u>	<u>Name and Termini</u>	<u>Type</u>	<u>Miles</u>	<u>Program Amount</u>
48-1(4)	Klamath Lake-W. Side Hwy. Rocky Point to Jct. with Lake of the Woods Hwy.	Grade, Base & Pave.	3.4	\$1,100,000
	Lump Fund - Survey & Design All F. H. Routes			300,000
	TOTAL PROGRAM			\$4,060,000
	UNPROGRAMMED BALANCE			\$ 31,456

Consideration was given to an annual subscription to the Highway Research Correlation Service which is a function of the Highway Research Board. The Engineer explained that the Service prepares and furnishes to the States information concerning research relating to highways. All of the States subscribe to the service and are charged on the basis of a schedule approved by AASHO. Oregon's share is \$18,400 which is eligible for Federal-aid as a Highway Planning Survey Project. Following his favorable recommendation, the Commission approved the subscription for one year beginning July 1, 1971, and authorized the Secretary to sign the subscription agreement.

Confirmation was requested for Commission action taken April 13, 1971, approving allocation to the Counties of 20 percent of the State Highway Fund accrued from January 1, 1971, to March 31, 1971, in the amount of \$5,314,145.05. The Commission confirmed the allocation.

An improvement to an intersection of the Mt. Hood and Warm Springs Highways in Clackamas County was discussed. The Engineer reported that a survey has been completed at this intersection indicating that as an interim measure, channelization and an overhead sign are required. An interchange will probably be needed in the future. He recommended that the work be done by State forces as soon as possible at an estimated cost of \$25,000 under the current State Construction Program. The Commission approved the project.

Attention was also given to a traffic problem at S. W. Barbur Boulevard and S. W. Terwilliger Boulevard on the Pacific Highway West in Multnomah County. A recently conducted survey indicates that the existing traffic circle should be removed and an at-grade loop-type movement with a signal be constructed. The Engineer estimated the total cost of the project at \$125,000 including right-of-way and he recommended that the work be performed as soon as funds are available under the 1972 State Construction Program. The Commission approved the project.

A quarterly report of property damage claims collected from January 1 through March 31, 1971, was presented by the Engineer. During this period collections amounted to \$35,058.36 and 14 claims were

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abandoned as being unfeasible to collect in the total amount of \$4,842.87. The Commission accepted the report.

Attention was given to a claim from Perry George in the amount of \$1,068.96 for drilling a well on his property. The Engineer commented that during construction on the Kellogg Bridge Section of the Elkton-Sutherlin Highway in Douglas County State crews had drilled four horizontal holes to drain a cutbank. These drains extended underneath Mr. George's property. On January 4, 1963, he notified the Resident Engineer that his spring was going dry and corrective measures were taken, however the spring's flow gradually deteriorated and went dry in 1970. As there is no doubt that the State's actions destroyed the owner's spring, the Engineer recommended that he be reimbursed for the cost of drilling a well in the amount of \$1,068.96. The Commission approved the payment.

Confirmation was requested for verbal Commission approval given April 8, 1971, for the payment of \$6,565.24 for moving the State Highway Division computer from the Highway Building to the computer headquarters in downtown Salem. The bill was submitted by Gerald C. Schmitz, Administrator, Data Systems Division of the Executive Department. The Commission confirmed the payment.

In connection with this matter the Chairman inquired how the new computer set up is working and if it will be necessary to purchase more equipment. The Engineer replied that the remote control operation so far has not worked very well. The Legislature is considering transferring Highway's computer to another State agency and purchase or lease a larger unit for the Motor Vehicle Division, the Highway Division, Public Utility Commission and State Police with remote terminals in each area.

Purchase from Portland Traction Company of a strip of right-of-way between Johnson Creek and Silver Springs Station adjacent to McLoughlin Boulevard (Pacific Highway East) in Clackamas County was discussed. The Engineer recalled that a number of requests had been received to acquire the Traction Company's right-of-way between Golf Junction and Oregon City, most of which does not fit in with the Highway Commission's plans and objectives. However, there is a strip approximately a mile in length between Johnson Creek and Silver Springs Station that would be desirable to acquire for future widening of McLoughlin Boulevard and for a pedestrian way. The Commission accepted his recommendation for acquisition at a cost of approximately \$75,000.

The Commission considered requests from contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests have been carefully investigated and the results of the investigation have been reported to the Commission by letter. The Commission took action as follows:

- (1) Meuser Construction Company, Contract No. 7470 for work on the Arlington Maintenance Station in Gilliam County, requested an 18-day extension of time. The Commission granted a 14-day extension without assessment of liquidated damages.
- (2) Gibbons and Reed Company, Contract No. 7352 on the Old Oregon Trail in Baker County, requested a 57-day extension of time. The Commission approved an extension of 20 days to October 16, 1971, without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated March 22, 1971.
- (3) Wayne O. Harris and Associates, Contract No. 7462 for landscaping on the Pacific Highway in Marion and Linn Counties, requested a 29-day extension of time. The Commission denied the request.
- (4) R. A. Heintz Construction Company, Contract No. 7407 on the Columbia River Highway in Multnomah County, requested an additional extension of 14 days time. The Commission approved an extension of 8 days without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated April 20, 1971.
- (5) Roy L. Houck Sons' Corporation, Contract No. 7215 on the Coos Bay-Roseburg Highway in Coos County, requested a 32-day extension of time. The Commission granted an extension of 16 days without assessment of liquidated damages. Approval by the Federal Highway Administration was given in a letter dated April 21, 1971.

The Engineer reported that Contract Nos. 7128, 7150, 7262, 7289, 7319, 7340, 7438, 7443, 7445, 7446, 7473 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 193," which resolution by this reference is made a part hereof and filed in the Secretary's office.

The Engineer presented to the Commission a tabulation of bids received for highway construction projects on April 29 and 30, 1971, including his recommendations as to award of the contracts. The Commission approved award of the following contracts as recommended by the Engineer and authorized the Secretary to sign the contracts in their behalf.

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BIDS RECEIVED IN SALEM APRIL 29, 1971

Contract No. 7553 for grading and paving N. W. Walnut Boulevard and N. W. Taft Avenue on N. W. 29th Avenue in Corvallis in Benton County. Two bids were received. The Commission elected to accept the low bid of Corvallis Sand and Gravel Company, Corvallis, at \$47,903.75 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Corvallis approves the project and deposits \$11,850.

Contract No. 7554 for grading, paving, and structure on the Eagle Creek-Estacada Section of the Clackamas Highway in Clackamas County. Six bids were received. The Commission elected to accept the low bid of R. A. Heintz Construction Company, Portland, at \$2,630,990.07 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right-of-way is acquired and a permit of entry is received from the Railroad.

Contract No. 7555 for culvert replacement on the Longview Interchange Section of the Columbia River Highway in Columbia County. Six bids were received. The Commission awarded the contract to the low bidder, G. D. Dennis & Sons, Inc., Portland, at \$51,993.75.

Contract No. 7556 for grading and paving on Nehalem Street in the City of Clatskanie in Columbia County. Two bids were received. The Commission elected to accept the low bid of Goodat Crushed Rock, Longview, Washington, at \$26,355.10 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Clatskanie approves the project and deposits \$6,780.00.

Contract No. 7557 for grading and paving on Fir Street and Lewis Street in the City of North Bend of the Cape Arago Highway in Coos County. Two bids were received. The Commission elected to accept the low bid of Johnson Rock Products, Inc., North Bend, at \$291,373.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of North Bend approves the project and deposits \$90,300.00.

Contract No. 7558 for a traffic signal installation on South 3rd Street at Wilson Avenue in the City of Bend of The Dalles-California Highway in Deschutes County. Six bids were received. The Commission elected to accept the low bid of Steeck Electric Company, Medford, at \$15,150 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Bend approves the project and deposits \$3,700.

Contract No. 7559 for illumination installation on the Canyonville Interchange Section of the Pacific Highway in Douglas County. Seven bids were received. The Commission awarded the contract to the low bidder, Tyee Construction Company, Bellevue, Washington, at \$34,576.

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Contract No. 7560 for signing and illumination on the Myrtle Creek Interchange Section of the Pacific Highway in Douglas County. Five bids were received. The Commission awarded the contract to the low bidder, Stillwell-Gerard Construction Company, Bellevue, Washington, at \$75,567.75.

Contract No. 7561 for grading, paving, guardrail and structure on the Jumpoff Joe Creek-Grants Pass Section of the Pacific Highway in Josephine County. Four bids were received. The Commission awarded the contract to the low bidder, S. D. Spencer and Son, Vancouver, Washington, at \$2,826,931.

Thomas Creek (Base Line Road) Bridge Section in Lake County. Five bids were received. The Commission referred all bids to Lake County.

Contract No. 7562 for grading and paving on S. E. 242nd Drive and S. E. Cochrane Road in the City of Gresham on FAS Routes 646 and 954 in Multnomah County. Three bids were received. The Commission elected to accept the low bid of Oregon Asphaltic Paving Company, Portland, at \$381,471.50 and directed the State Highway Engineer to award the contract to said bidder as soon as Multnomah County approves the project and deposits \$86,700.

Contract No. 7563 for grading, paving, structures, and signing on the East Unit, Pendleton-Emigrant Hill Section of the Old Oregon Trail in Umatilla County. Twelve bids were received. The Commission awarded the contract to the low bidder, Hughes and Ladd & Hughes and Ladd, Inc., Redding, California, at \$6,671,998.

Painted Hills State Park Rock Production Project on the Ochoco Highway in Wheeler County. No bids were received.

BIDS RECEIVED IN SALEM APRIL 30, 1971

Grade, pave and sign on the Columbia County Line-Burlington Section of the Columbia River Highway in Multnomah County. This project was postponed until May 27, 1971.

Contract No. 7564 for the Riverside Canyon Bridge on the Oswego Highway in Multnomah County. Six bids were received. The Commission awarded the contract to the low bidder, Lord Bros. Contractors, Inc., Portland, at \$214,357.

Contract No. 7565 for grading and paving on Elizabeth St. N. in Milton-Freewater in Umatilla County. Two bids were received. The Commission elected to accept the low bid of Baldwin & Sutherland, Walla Walla, Washington, at \$50,734.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Milton-Freewater approves the project and deposits \$36,000.

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Contract No. 7566 for grading, paving, structures, and signing on the LaGrande-Ladd Canyon Section of the Old Oregon Trail in Union County. Five bids were received. The Commission awarded the contract to the low bidder, Hughes and Ladd & Hughes and Ladd, Inc., Redding, California, at \$6,571,306.50.

Contract No. 7567 for grading, paving, and traffic signals on Lombard Street and Jamieson Road in Beaverton of the Beaverton-Hillsdale Highway in Washington County. Two bids were received. The Commission awarded the contract to the low bidder, Cascade Construction Company, Inc., Portland, at \$299,999.99.

Contract No. 7568 for a traffic signal installation on S. W. Murray Boulevard at Tualatin Valley in Beaverton of the Tualatin Valley Highway in Washington County. Six bids were received. The Commission elected to accept the low bid of Tyee Construction Company, Bellevue, Washington, at \$33,259 and the State Highway Engineer was directed to award the contract to said bidder as soon as Washington County approves the project and deposits \$21,855.

The Commission confirmed the Engineer's award of contracts which had been referred to him to award when certain conditions had been fulfilled as follows:

- (1) Country Club Road-Harvey Way Section in Lake Oswego on FAS 681 in Clackamas County. Bids received March 25, 1971. Contract No. 7540 awarded April 13, 1971, to Cascade Construction Company, Inc., Portland, low bidder.
- (2) Harris Street at 8th Street in Myrtle Point in Coos County. Bids received March 25, 1971. Contract No. 7541 awarded April 7, 1971, to Hansen Electric Company, Coos Bay, low bidder.
- (3) Traffic signals on West Deer Street and East Elm Street in Prineville in Crook County. Bids received March 25, 1971. Contract No. 7542 awarded April 1, 1971, to Olson Electric Company, Inc., Vancouver, Washington, low bidder.
- (4) Stephens Street at Garden Valley Boulevard (Roseburg) Section of Oakland-Shady Highway in Douglas County. Bids received March 25, 1971. Contract No. 7544 awarded April 1, 1971, to Roseburg Paving, Inc., Roseburg, low bidder.
- (5) Jumpoff Joe Creek-Louse Creek Section of FAS 17-102 in Josephine County. Bids received March 25, 1971. Contract No. 7546 awarded March 31, 1971, to Robert D. Copeland, Grants Pass, low bidder.

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- (6) Ontario Safety Rest Area of the Old Oregon Trail in Malheur County. Bids received March 25, 1971. Contract No. 7549 awarded April 15, 1971, to Ray E. Kenney Construction and Ontario Asphalt Paving Company, Ontario, second low bidder at \$509,490.90, and the Secretary authorized to sign the contract for the Commission.
- (7) Bancroft Street (Portland) Channelization Project on Oswego Highway in Multnomah County. Bids received March 25, 1971. Contract No. 7551 awarded April 9, 1971, to Al Kalkhoven, Beaverton, low bidder.
- (8) Farmington Road-Allen Avenue Section of FAS 630 in Washington County. Bids received March 25, 1971. Contract No. 7552 awarded April 2, 1971, to Cascade Construction Company, Inc., Portland, low bidder.

Consideration was given to a request from Landscaping, Inc., and Toro Sales Company, a joint venture, that they be released from their bid bond furnished with their bid on March 25, 1971, for work on the Ontario Safety Rest Area in Malheur County. The Engineer explained that the contractor had bid \$418,237.43 whereas the next low bid was submitted by Ray E. Kenney and Ontario Asphalt Paving in the amount of \$509,490.90. The low bidder claimed they had made a gross error in that they did not allow for labor and profit on the base rock and paving items. The amounts bid on these items were obviously out of line and the Engineer recommended that they be released from their bid bond. Federal Highway Administration has concurred in this release. The Commission accepted his recommendation.

Requests were considered from Columbia, Multnomah and Washington Counties for Federal-aid Secondary Highway Projects. The Engineer stated that the projects have been investigated and are eligible for the use of FAS funds. Following his favorable recommendation the Commission approved the following projects and authorized the Secretary to sign routine construction agreements pertaining thereto.

FISCAL YEARS 1971 & 1972 COUNTY FAS PROJECTS

<u>COUNTY</u>	<u>FAS</u>	<u>SECTION & DESCRIPTION</u>	<u>PROGRAMMED AMOUNT</u>	<u>STATE SHARE</u>
COLUMBIA	612	Nehalem River (Clear Creek) Bridge Section.	\$150,000	\$ 30,000
MULTNOMAH	730	N.E. 148th Avenue-N.E. 188th Avenue Section, N.E. Halsey Street. Grade, drain, curb, pave, and traffic signals.	800,000	160,000
WASHINGTON	630	South Fork Beaverton Creek at Murray Boulevard. 6X4 box culvert.	40,000	8,000
			<u>\$990,000</u>	<u>\$198,000</u>

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(FAS Projects Cont.)

SUMMARY BY FISCAL YEARS	1971	1972	TOTAL
Allocated funds	\$5,067,000	\$5,054,000	\$10,121,000
Approved projects (corrected to date)	5,067,000	1,852,000	6,919,000
Unprogrammed balance	- - -	3,202,000	3,202,000
Projects proposed: 5/4/71	- - -	990,000	990,000
Unprogrammed balance	- - -	\$2,212,000	\$2,212,000

A request from Tillamook County for an emergency relief project to correct slides on Bayocean Road (FAS 616) was considered. The Engineer explained that the slides were caused by a rain storm in January 1971. Repair of the slides he estimated would cost \$41,000 to be paid for entirely by the Federal Highway Administration. The Commission approved the project, and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to a request from the Coquille Chamber of Commerce for the designation of US101 ALTERNATE via ORE42 (old US101) between Coquille and Bandon in Coos County. The Engineer explained that approval must be given by AASHO and he recommended that an application be submitted to the AASHO Route Numbering Committee for its consideration. The Commission approved the request as recommended by the Engineer.

The Engineer presented requests from the Cities of Ashland, Eugene, Portland and Tigard for Federal-Aid TOPICS Projects. He said that the projects have been investigated and are eligible for funding under the Federal-Aid TOPICS Program and recommended that they be approved. The Commission approved the following projects and authorized the Secretary to sign the project agreements in their behalf:

TOPICS FUNDS
Fiscal Year 1970 & 1971 Projects

CITY	SECTION	PROGRAMMED AMOUNT	STATE COST
ASHLAND	Wightman St.-Walker Avenue, Siskiyou Blvd. Signals, interconnection and channelization.	\$ 50,000	\$ 10,000
EUGENE	Mill St.-Walnut St., Broadway St. and Franklin Blvd. Signals, interconnection and widening	210,000	42,000
EUGENE	Garfield St.-High St., W. 6th Avenue-W. 7th Avenue Couplet. Signals and interconnect system.	105,000	21,000
PORTLAND	Portland City-wide Traffic Signals. Various city streets (30 intersections). Signals	530,000	106,000

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(TOPICS FUNDS Cont.)

CITY	SECTION	PROGRAMMED AMOUNT	STATE COST
TIGARD	S. W. 72nd Avenue-S. W. Greenburg Road, Pacific Hwy. West. Signal, upgrading and interconnection.	\$ 27,500	\$ 5,500
TOTAL NEW PROJECTS		\$922,000	\$184,500

Increase in Previously Approved Project

PORTLAND	S. E. 12th Avenue-S. E. 22nd Avenue, S. E. Powell Blvd. Grade, pave and structure.	\$667,000 (\$400,000 Federal funds)	\$(133,000)
Amount approved by Highway Commission on July 7, 1970		\$500,000 (\$300,000 Federal funds)	(100,000)
TOTAL INCREASE		\$167,000	\$(33,400)
TOTAL		\$1,089,000	\$184,500

SUMMARY BY FISCAL YEAR	1970	1971	TOTAL
Allocated funds	\$2,743,000	\$2,730,000	\$5,413,000
Approved Projects (corrected to date)	2,167,000	- - -	2,167,000
Unprogrammed Balance	576,000	2,730,000	3,306,000
Proposed Projects: 5/4/71	576,000	513,000	1,089,000
Unprogrammed Balance	- - -	\$2,217,000	\$2,217,000

Attention was given to a request from Hood River County that Button Bridge spanning the Union Pacific Railroad in east Hood River County be replaced on a 50-50 cost-sharing basis between the State and the County using FAS funds. The Engineer explained that under the terms of an agreement dated October 20, 1961, the State reconstructed and presently maintains approximately 40 percent of Button Bridge. The structure, however, is narrow and has deteriorated to the point where it can no longer safely carry the traffic loads that it must sustain. Button Bridge, he continued, handles traffic from I-80N directed to Mount Hood and is also used as a connection between the Mount Hood Highway and the Hood River Bridge. He estimated cost of a new concrete structure at approximately \$600,000, and recommended that the project be approved on the basis that the State and County share equally the actual cost of the structure as a part of Federal Aid Program XII. The Commission approved the project as presented and authorized the Secretary to sign an agreement pertaining thereto.

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A resolution establishing speed zones on the Redwood Highway southwest of Grants Pass in Josephine County was presented by the Engineer. At the request of local residents and organizations the Engineer stated that a speed zone investigation was conducted on this four-lane section which indicated that speeds should be reduced. He recommended that "Speed Zone Resolution No. 414", adopted October 10, 1963, be rescinded and that a 50 miles per hour speed zone be established between the west city limits of Grants Pass, (M.P. 0.75) and 0.15 mile west of Dowell Road, (M.P. 2.20), and 55 miles per hour between 0.15 mile west of Dowell Road and 0.25 mile west of Helm Road (M.P. 6.60). The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 580," which resolution by this reference is made a part hereof and filed in the Secretary's office.

Establishment of reduced speed zones on the Eugene-Springfield Highway between the Willamette River in Eugene and the McKenzie Highway east of Springfield in Lane County was brought up by the Engineer. The accident record on this section has been above average. He recommended that "Speed Zone Resolution No. 530," adopted December 12, 1967, be rescinded and that a speed zone of 45 miles per hour and 60 miles per hour be established on the above section. He also mentioned that portions of this highway are within the corporate limits of Eugene and Springfield which are under the jurisdiction of the State Speed Control Board. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 581," which resolution by this reference is made a part hereof and filed in the Secretary's office.

A resolution establishing a speed zone on a section of the Hillsboro-Silverton Highway just north of the city limits of Silverton in Marion County was presented by the Engineer. He pointed out that speeds are quite high due to the excellent highway alignment which makes it hazardous for drivers entering from the crossroads. He recommended that a 50 miles per hour speed zone be established between 900 feet north of Hobart Road at M.P. 49.20 and M.P. 49.99 northerly of Silverton. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 582," which resolution by this reference is made a part hereof and filed in the Secretary's office.

In connection with establishment of reduced speed zones, the Chairman inquired as to their effectiveness. The Engineer stated that their effectiveness has been limited by lack of enforcement. However, the legislature is considering enlarging the State Police force by about 100 men.

An abandonment resolution disposing of approximately 0.6 mile of the old highway right-of-way in the South Unit, Gunnell Road-Robertson Bridge Section of the Rogue River Loop Highway in Josephine County was presented by the Engineer. Following his favorable recommendation, the Commission approved the abandonment and thereupon adopted "Abandonment Resolution No. 521," which resolution by this reference is made a part hereof and filed in the Secretary's office.

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Consideration was given to a throughway abandonment agreement with Sherman County covering construction of the Thornberry-Lamborn County Road Section (Wasco Bypass) on the Sherman Highway in Sherman County. The Engineer stated that under the agreement the State is to prepare all plans, acquire right-of-way, advertise and award all contracts and supervise construction of the project. The County agrees to cooperate in the relocation of utility facilities, closure of certain county roads and to accept jurisdiction of approximately four miles of existing highway alignment of the Sherman and Celilo-Wasco Highways which will be bypassed by the new construction. The Commission accepted the Engineer's recommendation approving the agreement and authorized the Secretary to sign it in their behalf.

The Commission considered a request from DeLeuw, Cather and Company for an extension of time of two months to prepare the final documentation for the preliminary study on I-80N at its westerly terminal with I-5 in Multnomah County. The Engineer stated that the Company has completed a preliminary draft of the report which is currently being reviewed. After the review they are to prepare the final documentation which will require approximately two months. No additional funds will be required. The Commission approved the extension as recommended by the Engineer.

Consideration was given to a third supplemental agreement with Howard, Needles, Tammen and Bergendoff for certain changes in plans for the Industrial Freeway (I-405), Fremont Bridge Section in the City of Portland. The Engineer stated that this supplemental is due to right-of-way difficulties that have developed in connection with the Wade properties in the project area, requiring abandonment of a considerable amount of the Consultant's work under the second supplemental agreement. The consultants have made an offer of \$84,050 with a top limit of \$88,252.50 to redo the abandoned work. As the offer appears reasonable the Engineer recommended approval of the third supplement to the original agreement. Approval has been received from the Federal Highway Administration. The Commission approved the agreement and authorized the Secretary to sign it for them.

Confirmation was requested by the Engineer for Commission action taken on April 8, 1971, approving an agreement with Shannon and Wilson, Inc., covering a soil survey and recommendation in the vicinity of the John Day River near Tongue Point on the Lower Columbia River Highway in Clatsop County. The Engineer mentioned that this section has been an area of major slide problems and it is desirable that a thorough soils survey be done by an expert in this field. There are also environmental problems and a study by an independent firm is imperative. He estimated cost of the work at \$140,000 which is eligible for Federal-aid and has the approval of the Federal Highway Administration. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

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Confirmation was also requested by the Engineer for Commission action taken on April 8, 1971, approving the exclusion of 0.77 acre from the Rogue River Valley Irrigation District (Medford area) in Jackson County. The Engineer commented that in the interest of conserving irrigation water rights for farming purposes that the State should apply for exclusion of lands being used for highway purposes. This land is part of the Biddle Road Interchange complex. The Commission confirmed the Petition for Exclusion of Lands and authority for the Secretary to sign it in their behalf.

An agreement with the U. S. Corps of Engineers to install and maintain a radio transmitting and receiving system on property which the State is presently leasing for a radio site in Wasco County was discussed. The Engineer stated that under the agreement the Corps of Engineers radio installation and operation shall be so constructed that no interference is caused to existing radio operations. They shall also obtain their own easement for use of an existing access road to the radio site. There is no charge to the Corps. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

An agreement with the Southern Pacific Transportation Company providing for the installation of crossing gates and widening of the crossing surface of the grade crossing of Territorial Street in the City of Harrisburg in Linn County was considered. The Engineer mentioned that this project from Third Street to Seventh Street is a FAS-C Project and is eligible for Federal participation. The work is to be performed by the Railroad at an estimated cost of \$35,178. The State will reimburse the Railroad for all but 10% of the cost of the crossing gates. The cost of the project is to be borne as follows:

	<u>Railroad Share</u>	<u>Public Share</u>
Crossing Gates	(10%) \$3,201	(90%) \$28,807
Crossing Surface		(100%) 3,170
TOTAL	\$3,201	\$31,977

The Public Share will be divided as follows:

Federal Highway Administration	60% - \$19,186
City of Harrisburg/Linn County	20% - 6,396
State of Oregon	20% - 6,395
TOTAL	\$31,977

The Railroad is to maintain the crossing gates and the crossing surface at their expense after installation. The City and County are to maintain the highway at their expense in accordance with an agreement to be negotiated between County, City and State. Following the Engineer's favorable recommendation the Commission approved the agreement and authorized the Secretary to sign it for them.

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Consideration was given to an agreement with the Union Pacific Railroad Company providing for construction of a contractor's access road across the Railroad tracks at North Powder in Union County. The Engineer mentioned that this access is necessary to the contractor's operations in the construction of the North Powder-Powder River Section of the Old Oregon Trail (I-80N). The agreement provides for the State to reimburse the Railroad for any expenses they incur as a result of this crossing, but the State is to be reimbursed by the contractor. The Commission accepted the Engineer's favorable recommendation and approved the agreement.

The Commission considered a cooperative finance agreement with the City of North Bend concerning improvement of drainage facilities along the Oregon Coast Highway in the City of North Bend in Coos County. The City will furnish materials and perform all work connected with the project. After completion the City is to bill the State for the actual total costs incurred and the State is to reimburse the City for 50 percent of the cost or \$1,715 whichever is the lesser amount. The proposed work is necessary in order to comply with standards which have been set by the Environmental Quality Board. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

An agreement with Sunnyslope Ranches, Inc., pertaining to the adjustment of its irrigation facilities in construction of the Richland Interchange-South Baker Interchange Section of I-80N in Baker County was discussed. The Engineer stated the work involves the construction of a 9' x 5' box culvert under the freeway, inlet and outlet irrigation ditches, the relocation of a small bridge and construction of approximately 1,200 feet of access road. This work has been included in the State's contract, financed by Interstate Funds, at an estimated cost of \$67,500. The State will perform structural maintenance of the box culvert and the Ranch is to take care of other maintenance. The agreement also provides for an exchange of right-of-way. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Confirmation was requested by the Engineer for Commission action taken on April 8, 1971, approving agreements with the Federal Highway Administration and National Academy of Sciences for highway planning and research. The Engineer commented that all of the states contribute to the national program on a pro rata basis from funds withheld by the Federal Government from Construction Programs. Oregon's share is \$71,460 for the fiscal year 1972. The Commission confirmed the agreements.

Consideration was given to a supplemental throughway agreement with the City of Klamath Falls pertaining to the connection of two streets to the Klamath Falls-Malin Highway (East Side Bypass) in Klamath County. The Engineer stated that both streets lie within the limits of the Esplanade Street-Fort Klamath Road Section which is presently under construction. The supplemental modifies the terms of the original throughway agreement dated August 18, 1970 in that

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Hillside Avenue and Herbert Street will remain open. Herbert Street will be restricted to one-way (westbound) traffic only. The project is being constructed as a County Federal-aid secondary highway and the County has agreed to pay any difference in cost occasioned by this change. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission considered an agreement with the City of Eugene and Lane County for the installation of a traffic signal at the intersection of Interstate 105 offramp and Country Club Road in the City of Eugene in Lane County. It is proposed that a pre-timed traffic signal be installed at this location at an estimated cost of \$12,000 to improve traffic conditions. Lane County will contribute 50% of the installation cost and the City of Eugene will pay for the power and maintain the installation. The cost to the State of \$6,000 is to be added to the State Construction Program for the fiscal year 1972. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to an agreement with the Union Pacific Railroad Company providing for an easement to the State to use a strip of Railroad property needed in construction of the Hermiston Section of the Umatilla-Stanfield Highway in Umatilla County. The State is to pay the Railroad \$500 for the easement and in addition is to reimburse the Railroad for all expenses they incur estimated to be \$675 for preliminary engineering and \$10,638 for assessments to be made by the City of Hermiston against the Railroad. Upon the favorable recommendation of the Engineer, the Commission approved the agreement.

The next Highway Commission meeting date was set for Tuesday, June 22, 1971, in the Conference Room of the State Highway Building in Salem and a tentative date for the following meeting was set for Tuesday, July 27, 1971.

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Mrs. Gertrude Glutsch Jensen, Mr. and Mrs. Lloyd Olson, and Mr. and Mrs. Lloyd Burgess representing the Columbia Gorge Commission appeared before the Commission to present a gratis deed from Mr. and Mrs. Reuben Lenske, Portland, for approximately five acres of land for park and recreational purposes near Mist Falls on the old Columbia River Highway in Multnomah County. Mrs. Jensen presented the deed in behalf of the Lenskes and commented on the recreational value of the tract of land which is valued at approximately \$17,500. She also read a letter from Mr. and Mrs. Lenske stating their reasons for the gift. Mr. Olson stated that the gift is in line with the objectives of the Columbia Gorge Commission to preserve the natural beauty in the Gorge.

Chairman Jackson thanked the delegation for the gift in behalf of the Lenskes and said that a written expression of the Commission's gratitude would be made to them by letter and resolution.

Mr. Walter Widmer, Dr. Penn Crum, Mrs. Hilda Baar, Mrs. Jean Stalker, and Malcolm Carter all of Portland, appeared before the Commission re payment for damages to their homes incurred while blasting was going on in the Vista Ridge Tunnels on the Sunset Highway in Portland.

Mr. Widmer recalled that he had appeared before the Commission on January 7, 1971, concerning damage to his place, which he alleged was caused by the blasting. Twelve home owners, he said, whose homes have been damaged are asking that an arbitration procedure be set up to take care of their claims. He inquired as to how much time would be required before the Commission could give him an answer.

Chairman Jackson stated that when the delegation appeared before the Commission in January they were advised that the Commission would not attempt to use the contractor as a shield; however, the Commission must consider the extent of the State's liability. The matter has been given a great amount of study but a conclusive answer has not been reached.

Mrs. Baar stated that her home had been badly damaged by the blasting. During the first three weeks of blasting operations, no damage had occurred but stronger blasts occurred later. She also stated that she had asked that her house be inspected as to the extent of damage but no such inspection was made. In 1967 a request was made to the contractor (Drake-Winston) to repair damage to her home and later her attorney had sent a letter to the contractor without results. The contractor and insurance company she said refused to pay damages. She also stated that her house had suffered no damage in the preceding 23 years but now the basement leaks and portions of the house are not level. Estimated damage is near \$5,000 plus damages to the foundation, and in addition her health had been damaged. After requesting the highway engineers to reduce the size of the blasting charges, she said that the blasting did get weaker. She presented to the Commission five pages of written material pertaining to the blasting damage.

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Dr. Crum stated that his home is located directly over the tunnel. In 1963 he granted an easement to the State for the tunnel with a clause that damages to his home would be repaired. After the blasting started he stated that a sewer line had broken. The contractor denied responsibility and repair of the sewer cost \$795.

Chairman Jackson mentioned again that the Commission is not attempting to use the contractor and the contractor's insurance company as a shield but action that the Commission may take must be within the State's liability. Favorable action, he continued, is made more difficult by a jury verdict which refused to award blasting damages in the area. The Commission, he said, will make every effort to have an answer by the next Commission meeting on June 22, 1971.

A delegation from Umatilla representing Umatilla businessmen came before the Commission re the proposed route of I-82 in Oregon. The following people were present, all from the City of Umatilla: A. W. Easton, Gary Powell, Walt Donaldson, Jim Roxbury, and Larry Fisher.

Mr. Easton exhibited a map showing the original route for I-82 and the later proposed routes. The route proposed by the State of Washington, he said, is on the east side of the Columbia River from the Tri-City area southerly to near Cold Springs and past the Umatilla Ordnance Depot to a junction with I-80N. The delegation, he continued, proposes a route from Pasco on the westerly side of the Columbia River to a crossing of the river utilizing the bridge at Umatilla. He commented on the rapid growth of the potato industry near Umatilla stating that an acreage of 100,000 is expected in the next few years. The area now supports five potato packing plants and more will be needed. He also mentioned that plans have been made for construction of nuclear power plants. He suggested that the project be delayed for three or four years until the Umatilla Bridge bonds are paid off, and he also raised a question as to whether the area is ready for a new Interstate highway. The additional cost of the route proposed by Washington because of additional mileage was also mentioned.

Chairman Jackson stated that the route of I-82 has a long history and the Washington Highway Commission now feels strongly that a route should be adopted which would serve the Walla Walla area as well as the tri-cities. Construction of this highway, as far as Oregon is concerned, is a matter of low priority. The Commission, he said, has made no decision as to the route in Oregon and no decision would be made until the matter has been given careful study. He mentioned that the final answer on the route would come from the Federal Highway Administration and he expected that a decision would be reached in the reasonably near future.

The Commission considered a change in the City of Hermiston's share for the cost of improving the Umatilla-Stanfield Highway within the city, in Umatilla County. The Engineer pointed out that under the

usual plan the City contributes 25% of the cost of the project. However, the City has determined that it can raise only \$80,000 to \$85,000. The total estimated cost of the project is \$408,000 of which \$102,000 would be the normal 25% share. He recommended that the City's share be reduced to approximately 20%. The Commission confirmed the reduction which had been orally approved by the Chairman on April 20, 1971, and authorized the Secretary to sign the agreement in their behalf.

The Engineer stated that one of the recommendations of the Project 70's Management Team had to do with improvement of the overall Highway filing system. Two private firms were contacted to make proposals for studies to modernize the filing system. Their estimates of cost were in the neighborhood of \$40,000 each. The General Services Administration of the United States Government was also contacted. Recently they had undertaken a similar study for the Washington Highway Department and for the Federal Highway Administration Office in Vancouver, Washington. Their estimate of cost for the study was approximately \$20,000. Following the Engineer's favorable recommendation the Commission accepted the offer submitted by General Services Administration.

An expenditure in the amount of \$400 as a contribution to the State Executive Department for publication of a report on highway funding was recommended by the Engineer. This publication, he said, was produced by Dean Lindholm of the University of Oregon. The request for the financial assistance was made by Mr. Robert G. Davis, Executive Assistant, Office of the Governor. The Commission approved the expenditure.

The matter of construction of the First Street Bypass in the City of Corvallis, Benton County, was brought up by the Engineer. He recalled that a public hearing was held on this matter in Corvallis on November 18, 1970, and a wide diversity of opinions was presented. Twenty-six individuals had testified in favor of the project; whereas, approximately 400 had expressed opposition. Recently a letter was received from the Corvallis City Manager requesting that a decision be made. The Commission instructed that the City be informed that the Commission has placed the project in abeyance for an indefinite period.

The Commission signed, or authorized the Secretary to sign, the following agreements, indentures, deeds and other papers:

"Indenture of Access" to Sho and Aya Endow, Jr., covering Parkdale-Fikes Corner of Mt. Hood Highway in Hood River County.

"Quitclaim Deed" to U. S. of America (Army Engineers) re 408.50 acres covering Lost Creek Dam on Crater Lake Highway for \$450,000.

"Quitclaim Deed" to U. S. of America (U. S. Army) re John Day Lock and Dam.

"Bargain and Sale Deed" to City of Arlington re Arlington Section, Columbia River Highway, Gilliam County.

"Indenture of Access" to Hood River County re Polallie Creek-Parkdale Road Section of Mt. Hood Highway in Hood River County.

"Grant of Access" to Melvin and Marilyn McKern on Pendleton-John Day Highway in Mt. Vernon in Grant County.

"Agreement" with Coos-Curry Electric Cooperative, Inc., covering all electric service to various state parks in Coos and Curry Counties.

"Agreement" with Multnomah County for acquisition of 0.81 acre tract known as Howell Park No. 3, part of Willamette River Park System.

"Agreement" with City of Wilsonville for acquisition of 5 acres of land known as Wilsonville Marina Park as part of Willamette River Park System.

"Agreement" with Western Rivers Girl Scout Council to lease a portion of Jessie M. Honeyman State Park in Lane County.

"Agreement" with Sherman County covering Thornberry-Lamborn County Road Section (Wasco Bypass) of Sherman Highway.

"Supplemental agreement" with Howard, Needles, Tammen and Bergendoff providing for certain changes in obligations pertaining to east and west interchange complexes to Fremont Bridge in Portland.

"Petition" re exclusion of 0.77 acre from Rogue River Valley Irrigation District in Medford area.

"Agreement" with U. S. Corps of Engineers to install and maintain a radio transmitting and receiving system on property in Wasco County.

"Agreement" with Southern Pacific Transportation Company providing for installation of crossing gates and widening of crossing surface of grade crossing of Territorial St. in Harrisburg.

"Agreement" with Union Pacific Railroad Company providing for construction of a contractor's access road across the railroad tracks at North Powder to accommodate the construction of North Powder-Powder River Section of I-80N in Baker and Union Counties.

"Agreement" with City of North Bend concerning separation of sanitary and storm sewer systems within and adjacent to Oregon Coast Highway.

"Agreement" with Sunnyslope Ranches, Inc., covering adjustment of its irrigation facilities in conflict with construction of Richland Interchange-South Baker Interchange Section of I-80N in Baker County.

"Supplemental throughway agreement" with City of Klamath Falls concerning connection of two streets to Klamath Falls-Malin Highway (East Side Bypass).

"Agreement" with City of Eugene and Lane County for installation of a traffic signal at intersection of Interstate 105 off ramp and Country Club Road in Eugene.

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"Agreement" with Union Pacific Railroad Company providing for construction of Hermiston Section of Umatilla-Stanfield Highway.


As there was no further business to transact, the meeting was adjourned by the Chairman at 10:45 a.m.


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

May 4, 1971

June 22, 1971
Salem, Oregon

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem, Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
E. S. Hunter, Assistant State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Also present were Glen Green, representing the Division Office of the Federal Highway Administration; C. W. Head, Assistant Secretary; Victor D. Wolfe, Administrative Assistant; L. H. Young, Program and Planning Engineer; V. E. Skoog, Controller; David G. Talbot, Parks Superintendent; Robert Potter, Scenic Waterways Coordinator; Frank McKinney, Assistant Counsel; John R. Oakes, Assistant Right of Way Engineer; Donald N. Harwell, Coordinating Engineer; and John J. Earley, Information Officer.

The Commission approved the minutes of the meeting held on May 4, 1971.

The Right of Way Engineer presented a list of options, Pages 1 through 65, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 77," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from April 23, 1971, to June 10, 1971, was presented by the Right of Way Engineer and accepted by the Commission. During this period miscellaneous sales totaled \$66,216.50; land sales \$675; and timber sales \$13,665.40. Rental receipts for April 1971 amounted to \$43,911.54 and for May \$38,171.08.

A list of properties needed for highway and other uses was presented by the Right of Way Engineer. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt

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to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2591," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed a report made by the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the institution of condemnation proceedings as follows:

ALDER CREEK-WILDWOOD SECTION OF THE MT. HOOD HIGHWAY - CLACKAMAS COUNTY

R-33008 - First Friends Church. 0.21 acre for right of way purposes. Offer \$7,900.00.

CAPE ARAGO HIGHWAY-WOODLAND DRIVE SECTION OF THE EMPRIE-COOS BAY HIGHWAY COOS COUNTY

R-34926 - Forrest W. Gray et ux. 2,250 sq. ft. for right of way purposes. Offer \$1,500.00.

COLUMBIA RIVER BRIDGE-N. E. SANDY BOULEVARD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-44221 - Luther Neil Ellsworth. Parcel 1: 0.37 acre for right of way purposes; Parcel 2: 0.02 acre for temporary easement. Offer \$26,900.00.

R-44226 - Marvel A. Casperson. Parcel 1: 0.05 acre and Parcel 2: 0.13 acre for right of way purposes. Offer \$1,800.00.

R-44227 - Cadet, Inc. Parcel 1: 1.2 acres and Parcel 2: 0.8 acre for right of way purposes. Offer \$210,650.00.

R-44361 - Alfred E. Wahl. 0.09 acre for right of way purposes. Offer \$600.00.

CRANE CREEK ROAD-COGSWELL CREEK SECTION OF THE FREMONT HIGHWAY - LAKE COUNTY

R-42418 - Glen E. Biggers et ux. 2.9 acres for right of way purposes. Offer \$3,575.00.

CRESWELL INTERCHANGE SECTION OF THE PACIFIC HIGHWAY - LANE COUNTY

R-43409 - Lane County Title Company, Trustee. 0.14 acre for right of way purposes. Offer \$7,100.00.

EAGLE CREEK-ESTACADA SECTION OF THE CLACKAMAS HIGHWAY - CLACKAMAS COUNTY

R-44309 - Gregg Clemmer et ux. 1.9 acres for right of way purposes. Offer \$8,500.00.

ELK RIVER-PORT ORFORD SECTION OF THE OREGON COAST HIGHWAY - CURRY COUNTY

R-42581 - Marilyn E. Griffith. 0.15 acres for right of way purposes. Offer \$225.00.

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EMIGRANT-FRAZER (PENDLETON) COUPLET SECTION OF THE PENDLETON-JOHN DAY HIGHWAY - UMATILLA COUNTY

R-45727 - William R. Banister et ux. 14,750 sq. ft. for right of way purposes. Offer \$40,600.00.

FOREST BOUNDARY-LITTLE BEECH CREEK SECTION OF THE PENDLETON-JOHN DAY HIGHWAY - GRANT COUNTY

R-44767 - Joseph Matuna. Parcel 1: 0.04 acre and Parcel 2: 4.8 acres for right of way purposes. Offer \$625.00.

R-44769 - Robert Holland and Pauline Holland. Parcel 1: 15.1 acres for right of way purposes; Parcel 2: 0.1 acre and Parcel 3: 0.05 acre for permanent easements; Parcel 4: 2.5 acres for temporary easement. Offer \$4,600.00.

GARDEN VALLEY ROAD-FAIRGROUNDS SECTION OF THE PACIFIC HIGHWAY - DOUGLAS COUNTY

R-40962 - Esther M. Bentley. 0.07 acre for right of way purposes. Offer \$3,850.00.

R-44909 - Joe J. James et ux. 1,750 sq. ft. for right of way purposes. Offer \$3,100.00.

R-44910 - Albert Marx et ux. 1,600 sq. ft. for right of way purposes. Offer \$3,650.00.

HAMILTON STREET-SLAVIN ROAD SECTION OF THE PACIFIC HIGHWAY WEST - MULTNOMAH COUNTY

R-34487 - Prospect Investment Co. 0.21 acre for right of way purposes. Offer \$8,000.00.

LA GRANDE-NORTH POWDER SECTION OF THE OLD OREGON TRAIL HIGHWAY - UNION COUNTY

R-42862 - Gene G. Stockhoff et ux. Parcel 1: 16.7 acres; Parcel 2: 20.8 acres; Parcel 3: 26.0 acres; Parcel 4: 0.8 acre and Parcel 5: 4.7 acres all for right of way purposes; and Parcel 6: 0.19 acre for permanent easement. Offer \$10,250.00.

R-42863 - Cordellia Stockhoff. 2,500 sq. ft. for right of way purposes. Offer \$50.00.

R-42864 - H. P. Glenn et ux. Parcel 1: 21.7 acres; Parcel 2: 36.3 acres; Parcel 3: 1.1 acres; Parcel 4: 2.4 acres; Parcel 5: 8.45 acres; Parcel 6: 8.7 acres; Parcel 7: 13.5 acres all for right of way purposes; Parcel 8: 0.18 acre for permanent easement; and Parcel 9: 0.33 acre for permit of entry. Offer \$21,800.00.

R-42865 - Lynn A. Smutz et ux. Parcel 1: 0.22 acre; Parcel 2: 0.75 acre and Parcel 3: 5.2 acres for right of way purposes. Offer \$300.00.

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LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC
HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - CLACKAMAS COUNTY

R-45659 - John E. Kitting. 0.19 acre for right of way purposes.
Offer \$12,000.00.

MT. HOOD POST OFFICE-FIKES CORNER SECTION OF THE MT. HOOD HIGHWAY - HOOD
RIVER COUNTY

R-42301 - Daniel Swan et ux. Parcel 1: 0.15 acre for right of way
purposes; Parcel 2: 0.15 acre for permanent easement. Offer \$150.00.

N. E. GLISAN STREET-S. E. DIVISION STREET UNIT OF THE COLUMBIA RIVER-
PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-44661 - Clyde J. Cline et ux. 33,201 sq. ft. for right of way pur-
poses. Offer \$25,000.00.

N. E. SANDY BLVD.-N. E. GLISAN ST. UNIT OF THE COLUMBIA RIVER-PACIFIC
HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-44935 - Arthur Ernest Sheets and Oila Joy Sheets. 5,000 sq. ft.
for right of way purposes. Offer \$10,500.00.

R-44948 - Ernest J. Burrows et ux. 14,400 sq. ft. for right of way
purposes. Offer \$29,000.00.

OLDS FERRY-ONTARIO SECTION OF THE OLD OREGON TRAIL HIGHWAY - MALHEUR
COUNTY

R-40808 - C. H. Thayer et ux. Parcel 1: 43.0 acres; Parcel 2: 1.09
acres for right of way purposes; Parcel 3: 1.0 acre for permanent easement.
Offer \$5,000.00.

RICKREALL-INDEPENDENCE JUNCTION SECTION OF THE WILLAMINA-SALEM HIGHWAY -
POLK COUNTY

R-43225 - Marilyn M Villwock. Parcel 1: 10.4 acres for right of way
purposes; Parcel 2: 0.17 acre for permanent easement. Offer \$6,000.00.

R-43226 - Helen Agnes Winn et al. 0.12 acre for right of way purposes.
Offer \$200.00.

R-43228 - Don F. Johnson. 6.68 acres for right of way purposes.
Offer \$3,600.00.

R-43885 - Elsie M. Monson. Parcel 1: 3.75 acres; Parcel 2: 1.57
acres for right of way purposes; Parcel 3: 1.07 acres for temporary ease-
ment. Offer \$5,850.00.

R-43886 - Howard B. Fleming et ux. Parcel 1: 0.4 acre; Parcel 2:
7.6 acres; Parcel 3: 0.5 acre for right of way purposes; Parcel 4: 0.06
acre for permanent easement; Parcel 5: 0.11 acre for temporary easement.
Offer \$6,250.00.

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ST. HELENS ROAD-N. W. 21st AVENUE SECTION OF THE COLUMBIA RIVER HIGHWAY -
MULTNOMAH COUNTY

R-43031 - Orin E. Lee. 2,400 sq. ft. for right of way purposes. Offer
\$6,700.00.

SILETZ RIVER (KERNVILLE) BRIDGE SECTION OF THE OREGON COAST HIGHWAY -
LINCOLN COUNTY

R-44380 - Corrine Senn. 0.68 acre for right of way purposes. Offer
\$4,100.00.

R-44381 - Wineberg Properties, Inc. 0.4 acre for right of way pur-
poses. Offer \$16,400.00.

S. E. HINKLEY AVENUE - LAKE ROAD INTERCHANGE UNIT OF THE COLUMBIA RIVER-
PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - CLACKAMAS COUNTY

R-45645 - Richard Kibbons et al. Parcel 1: 4.5 acres; Parcel 2:
0.08 acre for right of way purposes. Offer \$42,000.00.

TYGH VALLEY STATE WAYSIDE - WASCO COUNTY

R-43751 - Fred L. Ashley et ux. 14.5 acres for park purposes. Offer
\$7,500.00.

WILDWOOD-FOREST BOUNDARY SECTION OF THE MT. HOOD HIGHWAY - CLACKAMAS COUNTY

R-33159 - Gloria D. Swanton. 0.02 acre for right of way purposes.
Offer \$1,700.00.

WINSTON-SHADY INTERCHANGE SECTION OF THE COOS BAY-ROSEBURG HIGHWAY -
DOUGLAS COUNTY

R-45078 - Clarence S. Hatcher. 2.85 acres for right of way purposes.
Offer \$6,600.00.

R-45106 - John L. Bell Logging Co. 0.10 acre for right of way purposes.
Offer \$1,250.00.

R-45624 - William Betts Glen III et ux. 3,600 sq. ft. for right of
way purposes. Offer \$14,150.00.

Authorization was requested by the Right of Way Engineer to offer
at public sale two parcels of property. These parcels, he said, are not
needed for highway purposes. Minimum considerations are based upon competent
appraisals and access and other conditions of sale are consistent with sit-
uations existing in the vicinity of each property. The Commission authorized
public sale as follows and thereupon adopted "Real Property Resolution
No. 550," which resolution by this reference is made a part hereof and filed
in the Secretary's Office:

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- (1) 2.6 acres of land (File No. 36103) located south of Century Drive Highway about four miles west of Bend in Deschutes County for not less than \$3,250. One point of access is to be permitted to Century Drive and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required. (See "Real Property Resolution No. 550")
- (2) 1.68 acres of land (File 15542 and 15543) located west of the frontage road approximately midway between North Canyonville Interchange and First Street Interchange in the City of Canyonville on the Pacific Highway in Douglas County, for not less than \$750. No access is to be allowed to the Pacific Highway and signboard and junkyard exclusion clauses are to be included in the deed. Federal Highway Administration approval is not required.

The Right of Way Engineer also requested authority to make direct sale on five parcels of property which are no longer needed for highway purposes. Because of peculiarities of location, he stated that in each instance there is only one logical buyer. The Commission approved sale of the following properties:

- (1) 1.41 acre of land and a haul road easement covering 0.35 acre (File No. 7422) located on the southerly side of the Baker-Homestead Highway approximately one mile west of Richland in Baker County to Fred Thompson for the sum of \$500. The 1.41 acre parcel consists of an old gravel pit. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required.
- (2) 16 acres of land (File 26030 and 28930) adjacent to Eagle Creek just west of Richland on the Baker-Homestead Highway in Baker County to the City of Richland for the sum of \$500. The land is to be used for a sewage disposal site. Signboard and junkyard exclusion clauses are to be included in the deed. Access to the property is to be by way of an existing 20-foot haul road easement. The State retains an 80-foot right-of-way and 250-foot maintenance lines and reserves the right to remove gravel, to cut firewood, and to graze livestock. The City is to relieve the State of any obligation to maintain a dike along the west bank of Eagle Creek. Federal Highway Administration is not required.

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- (3) 0.08 acre of land (File No. 40793) located in the southeast quadrant of the 10th Street Interchange along the East Portland Freeway in the City of West Linn in Clackamas County to Arthur J. Cooney and Josephine C. Cooney for the sum of \$350. No access is to be permitted to the East Portland Freeway or to the ramp. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration was given by letter dated June 7, 1971.
- (4) A parcel of land containing 75,000 square feet (File No. 30455) located adjacent to Pilot Butte State Park at the eastern city limits of Bend on the Central Oregon Highway in Deschutes County to the City of Bend for the sum of \$750 which is one-half the appraised value of the parcel. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required.
- (5) The northerly 80 feet of a 0.35 acre parcel of land (File No. 33602) on the Umatilla-Stanfield Highway in the City of Hermiston, Umatilla County, to the City for parking purposes and for a new City library. No consideration is involved. The Right of Way Engineer mentioned that in 1961 the City deeded to the State the 0.35 acre parcel for the sum of \$1 and has recently requested that a portion be returned to the City. Approval by the Federal Highway Administration is not required.

Consideration was given to the removal of a school-use restriction on a one acre parcel of land owned by Shaw School District No. 80 located on the Shaw Section of the Silver Creek Falls Highway in Marion County, (File No. 6376). The Right of Way Engineer explained that in May 1968 the Commission approved the sale of 1.0 acre to the School District for the sum of \$300 subject to a public school-use clause. The Shaw School District has since consolidated with the Aumsville District and wishes to dispose of the Shaw school property which the State sold to them at one-half the appraised value. The School District has agreed to pay the additional 50 percent of the appraised value amounting to \$300 for removal of the school-use clause. Following the Right of Way Engineer's favorable recommendation, the Commission approved removal of the school-use clause.

The relinquishment of title on 1.88 acres (File No. 8924) to Columbia County was brought up by the Right of Way Engineer. The parcel in question, he said, is known as the Ditto Wayside located about two miles west of Rainier on the Columbia River Highway. The adjoining property has been relinquished to the County. The proposed relinquishment is subject to a public park-use clause and a reservation to Ross A. Nafus and Irene Nafus for a spring water supply and pipeline. Following his favorable recommendation, the Commission approved the relinquishment without consideration.

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Consideration was given to lease agreements with Silver Wheel Freightlines, Inc., and with the State Game Commission. The Right of Way Engineer stated that the agreement with Silver Wheel Freightlines, Inc., contemplates the use of 17,200 square feet of land beneath the Pacific Highway structure just north of the Hawthorne Bridge in the City of Portland for the parking of vehicles. The lessee has agreed to pay a minimum of \$120 per month except for the first six months during which time improvements are to be made to the parking area by the lessee at an estimated cost of \$15,000. Chairman Jackson inquired if public notice had been given concerning this lease. The Right of Way Engineer replied that notice had not been given as the Silver Wheel Company held a previous lease and is the only logical user of the space. The original lease, he said, was advertised. Following his favorable recommendation, the Commission approved the lease subject to Federal Highway Administration approval for a period from July 1, 1971, to October 31, 1975 and authorized the Secretary to sign the lease on their behalf.

The proposed lease to the State Game Commission consists of a 1.05 acre former stockpile site located on the westerly side of the Three Rivers Highway approximately one and one-half miles south of Hebo in Tillamook County. The Game Commission wishes to use the property for a public parking area and for a water intake to supply a fish trap on Three Rivers. Under the terms of the proposed agreement, no charge is made to the Fish Commission and the Highway Commission retains the right to terminate the lease at any time. The Commission approved the lease agreement and authorized the Secretary to sign the agreement in their behalf.

The Commission also considered a permanent easement to the State Game Commission covering use of a 958 square foot parcel of land between the Pacific Highway and the North Umpqua River at Winchester Dam in Douglas County. The easement provides for construction and maintenance of a public walkway to allow the general public to observe fish passing the Winchester Dam. Federal Highway Administration approval is not required. The Commission accepted the Right of Way Engineer's recommendation for approval.

Indentures of access pertaining to four parcels of property providing for a change in location of access were recommended by the Right of Way Engineer. The Commission approved the following Indentures of Access:

- (1) Evans property (File No. 33164) covering a change in location for one unrestricted point of access 35 feet wide on the southerly side of the Wildwood-Forest Boundary Section of the Mt. Hood Highway in Clackamas County. Approval by the Federal Highway Administration is not required.
- (2) Litton Retail Development Inc., property (File 32629 and 32650) for a change in location of two 40-foot points of access near E Street and F Street connections on the southerly side of

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the relocated Redwood Highway at the Grants Pass shopping center, Josephine County. Federal Highway Administration approval was received March 18, 1971.

- (3) Hassan Enterprises, Inc., property (File No. 13901) for a change in location of one unrestricted point of access 35 feet wide on the easterly side of the Pacific Highway East, east of Wayside Terrace and north of the Safeway Store in Salem, Marion County. Approval by the Federal Highway Administration was received June 8, 1971.
- (4) Sisters of St. Mary property (File No. 22813) for a change in location of two points of access widened to 35 feet on the Reedville-Beaverton Section of the Tualatin Valley Highway in Washington County. Approval of this indenture was given subject to approval by the Federal Highway Administration which was requested by letter dated June 4, 1971.

Award of a demolition contract on the Oakhill Section of the Florence-Eugene Highway in Lane County was recommended by the Right of Way Engineer. Only one bid was received on June 15, 1971, that being submitted by Hal Bailey Equipment Rentals at \$2,222. The estimated cost, he said, had been set at \$2,000. The Commission awarded the contract to Hal Bailey Equipment Rentals at their bid price, and authorized the Secretary to sign the contract on their behalf.

Renewal of a fire insurance policy with Lloyds of London on buildings acquired by the Right of Way Section was discussed. The Right of Way Engineer stated that the present insurance expires August 15, 1971, and he requested renewal of the policy for a period of three years. The amount of insurance, he explained, is based upon a percentage of approximately 25 percent of the amount paid for the buildings and premiums are based on a rate for commercial and residential properties. The present insurance was handled through Cole, Clark & Cunningham of Portland who represent Lloyds of London. The Chairman inquired if insurance of this type is available through American companies. The Commission requested the Right of Way Engineer to determine if this type of insurance is available through American companies. If the insurance is not available through American companies, the Commission instructed that the present policy be extended for a period of three years.

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The Chief Counsel presented and the Commission accepted his report on cases which have been tried in court since the last Commission meeting summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
William E. Widman, et al. L-6154 R-42393	Baker	Old Oregon Trail	\$15,400	\$79,000	\$38,000
Harlan Wendt, et al. L-6280 R-42396	Baker	Old Oregon Trail	\$ 9,400	\$25,000	\$13,500
Marion Jacobson, et al. L-6386 R-42374	Baker	Old Oregon Trail	\$42,400	\$200,000	\$90,000
Henry O. Geisler, et al. L-5972 R-42690	Clack.	Columbia River-Pacific Highway	\$30,100	\$110,000	\$92,000*

*Final reviewed and approved appraisal was \$76,500

J. K. Fitzpatrick, et al. L-6169 R-41629	Coos	Empire-Coos Bay Highway	\$16,625	\$100,000	\$16,000
Eugene R. Warren, et al. L-6196 R-33060	Clack.	Mt. Hood Highway	\$ 6,900	\$14,000	\$10,500
Harry W. Mittleman, et ux. L-6037 R-42111	Lincoln	Roads End Beach State Wayside	\$100,000	\$120,000	\$90,000

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(Condemnation Cases Tried Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
Hal A. Lindsley, et ux. L-6397 R-44373	Marion	Champoeg State Park	\$ 9,525	\$22,000	\$11,000
Columbian Bifocal Company L-6245 R-43173	Mult.	Pacific Highway East	\$ 1,850	\$13,250	\$ 2,500*

*FOR RECORD ONLY - NOA at May 4, 1971 Commission meeting.

Dominican Homes L-6268 R-43166	Mult.	Pacific Highway East	\$14,500	\$65,000	\$40,000*
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*Note: While original offer was only \$14,500, our final appraisal, reviewed and approved, was in amount of \$40,375.

Mary Dea Carter, et al. L-6390 R-43916	Mult.	Columbia River Highway	\$31,550	\$112,000	\$50,420*
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*This taking involved the clubhouse of a six hole golf course. Appeal is not recommended by Chief Counsel.

REPORT OF TRIAL OF OTHER CASES - STATE DEFENDANT

<u>Plaintiff</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Edwin W. Smedburg L-6289	Mult.	Challenging Constitutionality of Dismissal	To be reinstated as Right of Way Agent	for Dft.

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REPORT OF TRIAL OF OTHER CASES - STATE PLAINTIFF

<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Pollard Motors, Inc. L-6381	Umatilla	Delinquent Rent	\$1,125	\$1,125

(For additional details see the Chief Counsel's letter concerning cases tried dated June 18, 1971, in the Salem Office, General Files.)

The Commission also accepted a report made by the Chief Counsel concerning cases which have been settled out of court since the last Commission meeting summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Hope Cronkite, et al. L-6183 R-43469	Benton	Albany-Corvallis Highway	\$48,975		Voluntary* Nonsuit

*The takings in this file were incorporated into State Highway Commission v. Cloverdale Farms, Inc., et al., L-6147, R-43470, because of the consolidation of ownerships. Thereafter a Judgment of Nonsuit was entered in this case.

Unknown Heirs of J. B. Barber, et al. L-6184 R-43472	Benton	Albany-Corvallis Highway	\$ 500	\$ 500	\$ 500
Southern Pacific Transportation Company L-6236 R-43902	Clack.	Columbia River-Pacific Highway	\$23,800	\$23,800	\$25,450

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(Report of Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Ray C. Kallak, et al. L-6383 R-44527	Clack.	East Portland Freeway	\$14,000	\$15,700	\$17,000
Ray Stupek, et al. L-5344 R-39782	Clatsop	Columbia River Highway	\$22,200	\$28,150	\$26,000*

*Increase reflects interest due on verdict during time of appeal.

Stanley D. Colegrove, et al. L-6311 R-43853	Curry	Oregon Coast Highway	\$ 2,950	\$ 3,750	\$ 4,500*
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*FOR RECORD ONLY. NOA at May 4, 1971 Commission meeting.

Mitsuo Takasumi, et al. L-6411 R-42281	Hood River	Mt. Hood Highway	\$ 5,000	\$ 3,450	\$ 5,500*
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*Late sales in area indicate settlement amount more reflective market value.

Werner J. Jarms, et al. L-6339 R-17595	Marion	Pacific Highway East	\$ 3,200	\$ 3,200 includes signs	\$ 5,250
Elbert H. Ragsdale L-6429 R-43223	Polk	Willamina-Salem Highway	\$13,750	\$16,625	\$13,750*

*One point of access allowed - hence reduction to \$13,750.

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(Report of Condemnation Cases Settled Cont.)

Defendant	County	Highway	State's Offer	State's Highest Appraisal	Amount of Settlement
Sylvia Holzman, et al. L-6267 R-43144	Mult.	Pacific Highway East	\$35,900	\$35,900	\$41,000*

*Overlapping of appraisers' approach to value indicates a range of value from \$40,000 to \$50,000 plus. Settlement amount, in opinion of counsel, is within range of market value.

Tom E. Whitham, et al. L-6407 R-43625	Mult.	Columbia River Highway	\$23,400	\$23,400	\$30,000
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Frank Humble, et al. L-6353 R-43619	Mult.	Columbia River Highway	\$38,000	Review \$29,000 partial \$38,000 total take	\$41,000 total take
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Rose Valley Pallet Service, Inc. L-6422 R-43617	Mult.	Columbia River Highway	\$25,000	\$25,000	\$30,000
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Arthur E. Sheets, et ux. L-6471 R-44935	Mult.	East Portland Freeway	\$10,500	\$10,500	\$11,000
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REPORT OF OTHER CASES SETTLED

Plaintiff	Defendant	County	Cause of Action	Demands of Plaintiff	Settlement
State of Oregon L-6456	A. J. Myrick	Clack.	Highway Damages	\$3,784.48 plus \$11.40 costs & \$50.00 atty fees	\$3,845.88

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(Report of Other Cases Settled Cont.)

Plaintiff	Defendant	County	Cause of Action	Demands of Plaintiff	Settlement
George L. Rake, et ux. L-6248	State of Oregon	Clatsop	Inverse Condemnation	\$2,000.00	\$1,350.00*

*State action caused well to go dry and we admit cost to replace same to be at least \$750. Demand of \$2,000 denied. Settlement justified since the cost of trial and attorney fees, which are automatic in this instance, do not justify resorting to litigation.

Wilma K. Raymond L-6093	State of Oregon	Douglas	Wrongful Death	\$75,500.00	\$19,500.00
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State of Oregon	John Elmer Schlingoe and Michael R. Cunningham	Linn	Highway Damages	\$516.00 plus \$7.10 cost & \$50.00 atty fees	\$ 573.10
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Leon L. Braddy L-6218 R-43777	State of Oregon	Mult.	To obtain a Relocation Additive	\$5,000.00 plus \$2,000.00 atty fees	\$5,000.00
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State of Oregon L-6433	Donald L. Johnson, et ux.	Mult.	Forcible Entry and Detainer	Possession Dismissed* of premises	
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*Defendants moved out of premises as demanded in the FED action.

State of Oregon L-6442	Berry Transport, Inc.	Mult.	Highway Damages	\$165.54 plus \$8.00 costs	\$173.54
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State of Oregon L-6459	Robert T. Insley	Mult.	Highway Damages	\$76.67	\$76.67
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(Report of Other Cases Settled Cont.)

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Settlement</u>
State of Oregon L-6359	Judge Bohannon	Supreme Court	Petition for a Writ of Mandamus	To require the Judge to include, when settling the transcripts, the transcript of the testimony taken on Nov. 22, 1967 during a hearing on a temporary restraining order in <u>State v. Fultz</u> , L-5631.	Petition Denied

(For additional details see the Chief Counsel's letter dated June 18, 1971, concerning cases settled filed in the Salem Office, General Files.)

The Chief Counsel made a short report on orders received from the Public Utility Commissioner summarized as follows:

- (1) PUX 790 - SXF 554 - This order authorizes two temporary grade crossings of the main line of the OWR&N, UPRR lessee, on the Old Oregon Trail in Burnt River Canyon in Baker County. The crossings are to be in existence for approximately six months to enable the contractor to remove material without endangering traffic.
- (2) PUX 750 - SXF 511 - This order involves six grade crossings with the Burlington-Northern Railroad and the Prineville railroad in Crook County. Advance warning signs and luminaire lights are to be installed and train speed is to be reduced to 50 miles an hour. Cost of the work is estimated at \$10,000 to be shared equally by the State and the two railroads.

A report was made by the Chief Counsel and accepted by the Commission on legal proceedings which have been instituted since the last Commission meeting summarized as follows:

- (1) State of Oregon on behalf of H. B. Painters, Inc., v. The Travelers Indemnity Company, et al., Willamette Western Corporation, et al., Third Party Plaintiffs v. Issacson Structural Steel Company et al., Third Party Defendants. L-6478. H. B. Painters, Inc., subcontractors on Contract No. 7105 have brought action against the prime contractor and its surety to recover the sum of \$137,180.76 allegedly due them for painting the West Linn

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Bridge on the East Portland Highway (I-205) in Clackamas County. The prime contractor has filed a third party complaint naming the State of Oregon through its Highway Commission as third party defendants. A controversy exists between H. B. Painters, Inc., and the prime contractor growing out of spot painting allegedly ordered by the State.

- (2) Hazel I. Graham v. Oregon State Highway Commission and Jessie Charles Robinson, L-6479. Plaintiff seeks compensation for personal injuries and property damages in the total amount of \$26,221.35. Plaintiff alleges that Robinson was operating a Highway Division truck in a negligent manner on the Oregon Coast Highway in Newport, Lincoln County.
- (3) Ronald Ray Yarmer by Leona Yarmer, his guardian ad litem v. Leon G. Crawford, L-6496. Plaintiff alleges that Crawford, who was operating a Highway Division truck, moved from an outside to an inside lane of travel in a negligent manner. This accident occurred on the Columbia River Highway near M.P. 25 in Columbia County. Plaintiff seeks special damages in the amount of \$850 and general damages in the sum of \$50,000.
- (4) Raymond C. Harrod v. Oregon State Highway Division, L-6497. Plaintiff seeks a judgment in the sum of \$141,950 because of injuries suffered in an auto accident on the Klamath Falls-Malin Highway near Lost River Bridge in Klamath County on June 7, 1970. He alleges that because of lack of highway markers and striping the driver of the car, Mr. John McAuliffe, struck the bridge abutment, causing the auto to overturn and causing his physical injuries.

Purchase of approximately 50 acres of land from Harold Steen and Mary McClain as an addition to Tryon Creek Park in the City of Lake Oswego in Multnomah County was brought up by the Engineer. This parcel, he said, has been appraised at \$209,725 and an option has been secured at \$211,300. Under the terms of the option, approval had to be received by May 22, 1971, which was given by telephone by the Chairman on May 21, 1971. The Commission confirmed the purchase of the property.

Attention was given to requests from landowners of their intent to improve or change land use under the Scenic Waterways Act. The Engineer stated that each of the requests had been carefully investigated and the proposed plans are compatible with the Waterways Act. He recommended and the Commission confirmed prior verbal approval as follows:

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- (1) Request from Mr. and Mrs. Eugene C. Gilpin to construct a new residence on the left bank of the Rogue River at Galice in Josephine County. Verbal approval was given May 14, 1971.
- (2) Request from Leo Grandmontagne to improve residential property along the Illinois River in Curry County about one mile upstream from the confluence with the Rogue River. Mr. Grandmontagne proposes to improve his driveway and perform leveling work in his orchard and garden. Verbal approval was given June 4, 1971.
- (3) Request from Donald W. Bryant to construct a residence on the right bank of the Rogue River approximately 3.25 miles upstream from Robertson Bridge and 8 miles west of Grants Pass in Josephine County. Telephonic approval was given June 15, 1971.

Adoption of Oregon Scenic Waterways Rules and Regulations was considered. The Engineer recalled that informal hearings had been held in April 1971 in Agness, Grants Pass, Fossil, Jordan Valley, Enterprise, Moro, and Madras. These hearings were held to obtain input to be used in the drafting of rules and regulations. Most of the questions at these hearings pertained to how the rules and regulations would affect the landowner in the use of his property. In general, most of the affected property owners were not happy with the possible restrictions on the use of their land. In consideration of the evidence presented at these hearings, revisions were made in the proposed rules and regulations to answer most of the questions presented. The revised rules and regulations were published by the Secretary of State as required by ORS Chapter 183. No hearing has been requested concerning the rules and the Engineer recommended that they be adopted. The Commission adopted "Oregon Scenic Waterways Rules and Regulations" which by this reference are made a part hereof and filed in the office of the Secretary as "Scenic Waterways Resolution No. 2."

Confirmation was requested for telephonic approval given by the Chairman on June 4, 1971, on an agreement with the City of Albany for acquisition of 378.6 feet of river frontage in connection with the Willamette River Park System. The Engineer pointed out that this project, known as Albany Waterfront II, adjoins a former purchase known as Albany Waterfront I, Linn County. Three appraisals valued the property between \$58,600 and \$75,000. A negotiated price of \$65,000 can apparently be reached with the owner which is \$6,400 above the minimum appraisal made by the National Park Service which included a donation. He recommended approval of the project in which the State would pay \$14,650 plus one-half of the excess over the low appraisal or a total of \$17,850. The City of Albany is to pay the same amount and the Federal agency the balance. The Commission confirmed the project and authorized the Secretary to sign the agreement in their behalf.

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Confirmation was requested by the Engineer for verbal approval given by the Chairman May 25, 1971, on an easement agreement with Bonneville Power Administration. This agreement concerns an exchange of access roads in connection with an agreement to construct a power line in Humbug Mountain State Park in Curry County. The proposed easement is located east of the power line and is less damaging to the appearance of the park than the existing easement. The Commission confirmed the agreement.

Confirmation was also requested by the Engineer for verbal approval given by the Chairman on June 7, 1971, on an application to the Department of Housing and Urban Development for purchase of 317 acres in Tryon Creek State Park in Clackamas and Multnomah Counties. The Engineer explained that Tryon Creek Park apparently meets the requirements of HUD for Federal-aid under the Open Space Program. The application for HUD funding requires Commission concurrence in regard to relocation of displaced persons and Commission authorization to make an application for assistance in acquiring the park property. A resolution has been prepared authorizing the State Highway Engineer, or his representative, to prepare a filing for an application to HUD in the amount of \$1,087,500 under the Housing Act of 1961 as amended. This would provide approximately 75 percent of the purchase price on the 317 acres which have a market value near \$1,450,000. The Commission confirmed the Chairman's action and thereupon adopted "Authorization Resolutions Nos. 54 and 54a," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

The Engineer recalled that motor vehicle operation on Tillamook County beaches was established by "Ocean Shore Resolution No. 11" adopted June 2, 1970. During the summer of 1970, a number of experimental changes were tried in the dory-launching area southerly of Cape Kiwanda and a pattern of motor vehicle use was evolved which has been declared satisfactory by the dorymen. A revised resolution covering Tillamook County has been prepared which encompasses the successful experiments and provides greater parking capacity. He recommended that the old resolution be rescinded and be replaced by the revised regulations. The Commission accepted his recommendation and thereupon adopted "Ocean Shore Resolution 11-A," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to extending an agreement with Oregon State University providing for an inventory of private outdoor recreational facilities. The Engineer stated that the University is doing an excellent job in collecting the necessary information and only unanticipated circumstances have prevented them from completing the contract on schedule. The University has requested an extension to October 1, 1971, and approval of the extension has been received from the Bureau of Outdoor Recreation. The Commission accepted his recommendation for extension and authorized the Secretary to sign the amended agreement.

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Increases in project authorization to cover overruns in Contract expenditures were presented by the Engineer and approved by the Commission as follows:

- (1) Contract 7525 for the Eugene Safety Rest Area on the Pacific Highway West in Lane County for an increase of \$20,955.41, (42.8%). The Engineer stated that the Lane County Building and Sanitation Division withdrew their approval of the original septic tank and drainfield plan which required relocation of the building, parking areas, and changes in the electrical supply system.
- (2) Contract No. 7395 on the Old Oregon Trail (I-80N) in Baker County for an increase of \$1,705,002.16, an overrun of 16.5%. The major reason for the overrun was caused by a change in design thereby flattening the cut slopes and requiring the removal of a large quantity of additional material. The design revision was approved by the Federal Highway Administration.
- (3) Contract No. 7533 for the replacing of rock groin in Rooster Rock State Park along the Columbia River Highway in Multnomah County for an increase of \$6,333.83, an overrun of 17%. Additional quarry rock needed to protect the boat launching channel was given as the principal reason for the overrun.
- (4) Contract No. 7527 for landscape work in South Beach State Park in Lincoln County for an increase of \$8,196.65, an overrun of 18.2%. Additional quantities of bark mulch to provide adequate moisture retention and extra drainage work were given as the principal reasons for the overrun.

The Engineer reported that necessary hearings and survey work had been accomplished on four sections of State highways and he recommended approval of corridor and design surveys. The Commission accepted his recommendation by adopting the following "Highway Corridor and Design Surveys Nos. 398 through 400," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) Boring Road Interchange Section of the Mt. Hood Highway in Clackamas County. A combination corridor-design hearing was held March 2, 1971, and a request for design approval has been forwarded to the Federal Highway Administration. (See "Corridor and Design Resolution No. 398").
- (2) Rice Hill-North Oakland Junction Section on the Pacific Highway in Douglas County. A public hearing was offered but no requests were received. (See "Highway Corridor and Design Resolution No. 398").

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- (3) Pieper Canyon Road-Bunker Hill Road Section of Heppner Highway in Morrow County. No public hearing was required. The Commission granted authority to receive bids on this project in the fall of 1971. (See "Highway Corridor and Design Resolution No. 399").
- (4) Deschutes River-Pelton Dam Road Section of the Warm Springs Highway in Jefferson County. A public hearing was not required. The Commission granted authority to receive bids on the project in the summer of 1971. (See "Highway Corridor and Design Resolution No. 400").

The Engineer stated that ORE Route 126 is presently routed through the Eugene-Springfield downtown areas. Some relief could be given to downtown traffic congestion by routing ORE 126 over the Eugene-Springfield Highway, "Q" Street-I-105, and designating the present route as ORE 126 BUSINESS. The Commission approved the revised route descriptions as follows: (Changes are indicated in capital letters)

ORE126 - Over the Florence-Eugene Highway from its junction with the Oregon Coast Highway, US101, in Florence, easterly via Mapleton, Noti and Veneta to its junction with the Pacific Highway West, US99W, in Eugene; thence easterly over the Pacific Highway West (common with US99) to its junction with the EUGENE-SPRINGFIELD HIGHWAY; THENCE EASTERLY OVER THE EUGENE-SPRINGFIELD HIGHWAY (COMMON WITH I-105 BETWEEN THE PACIFIC HIGHWAY WEST AND THE PACIFIC HIGHWAY) TO ITS JUNCTION WITH THE MCKENZIE HIGHWAY EAST OF SPRINGFIELD;

Thence easterly over the McKenzie Highway via Springfield and Blue River to its junction with the Clear Lake-Belknap Springs Highway; thence northerly over the Clear Lake-Belknap Springs Highway to its junction with the Santiam Highway, US20; thence southeasterly over the Santiam Highway (common with US20) to its junction with the McKenzie Highway, ORE242, in Sisters;

Thence easterly over the McKenzie Highway (common with US20 between the Santiam and McKenzie-Bend Highways) to its junction with The Dalles-California Highway, US97, in Redmond; thence northerly over The Dalles-California Highway (common with US97) to its junction with the Ochoco Highway in Redmond; thence easterly over the Ochoco Highway via Powell Butte to its junction with the Madras-Prineville Highway, US26, in Prineville.

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ORE126-BUSINESS - EUGENE-SPRINGFIELD: FROM ITS JUNCTION WITH THE EUGENE-SPRINGFIELD HIGHWAY (I-105 & ORE126) IN THE WESTERLY PART OF EUGENE; THENCE EASTERLY OVER THE PACIFIC HIGHWAY WEST (COMMON WITH US99) TO ITS JUNCTION WITH THE MCKENZIE HIGHWAY AT JUDKINS POINT; THENCE EASTERLY OVER THE MCKENZIE HIGHWAY TO ITS JUNCTION WITH THE EUGENE-SPRINGFIELD HIGHWAY, ORE126, IN THE EASTERLY PART OF SPRINGFIELD.

Under the Federal Aid Highway Act of 1970, the Engineer stated that provisions were made for the establishment of the Federal Aid Urban System in urbanized areas of over 50,000 population. The system is to be a separate and new federal-aid highway system and generally will be composed of routes not presently on any federal-aid highway system. Routes on the new system are limited to those routes that will function as urban principal arterials, and selection of the system must be made by local officials in cooperation with the State Highway Division. Oregon's fiscal year 1972 federal allotment is \$700,170, which, when matched, will amount to approximately \$1,102,000. A meeting has been held with representatives from the three urbanized areas in Oregon to facilitate implementation of the new Urban System. In order to keep the understandings clear he recommended and the Commission approved the following six points:

- (1) Local planning agencies (CRAG, MWV-COG, L-COG) be designated by the local officials to act in their behalf in both system selection and priority selection of individual projects.
- (2) Each of the local planning agencies must have a formal agreement with the individual governmental agencies within their jurisdictional area to empower them to act in their behalf in system selection and priority designation.
- (3) Maintenance and jurisdiction of the system be a local responsibility.
- (4) The Urban System funds be allocated to the eligible urbanized areas of the state on the same basis as the State receives its funds; that is, on an urbanized area population per capita basis, using the latest Federal Census figures. In Oregon, this formula would result in the following allocation:

Urbanized Area	Federal Urbanized Population	Population %	Federal Urban Funds	Approximate Total Matched Funds
Eugene	139,255	14.1512	\$99,082	\$156,000
Portland	751,756	76.3939	534,887	842,000
Salem	93,041	9.4549	66,201	104,000
TOTAL	984,052	100.0000	\$700,170	\$1,102,000

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5. State Highway Commission provide one-half of the required matching funds.
6. The Highway Commission will enter into formal construction agreement with the individual governmental unit or units at the time any project is funded.

The sale of 5.1 acres to the City of Coquille in Coos County was brought up by the Engineer. He recalled that this property was acquired to provide parking space for the Coquille Shops. Since that time the shops have been closed, some of the buildings removed and adequate parking space exists on the original ground. The City wishes to purchase 5.1 acres for enlargement of their sewage disposal plant. He recommended that the property be sold to the City at one-half the appraised price of \$26,800, or \$13,400. In addition, the City is to remove 2 propane tanks from the property. The Commission confirmed telephone approval given by the Chairman on June 4, 1971.

The Engineer stated that notification has been received from the Federal Highway Administration that funds are available for a Forest Lands Highway Project on the Blue Mountain Pass Section of the I.O.N. Highway in Malheur County. A public hearing was not required and approval has been received by the State clearinghouses. This section, he continued, is 8.48 miles in length and the cost of construction is estimated at \$870,450, of which \$700,000 is to be provided from Forest Lands Highway funds and \$170,450 by the State. He recommended that the project be contracted as soon as possible and that it be added to the current State Construction Program. The Commission accepted his recommendation.

The Chairman inquired as to the status of Forest Highway Funds. The Engineer replied that so far, because of the hold up of federal funds, the State has lost about \$1,500,000. He also mentioned that under the new Highway Act, Forest Service money is to come out of the Trust Fund. In response to the Chairman's inquiry as to how much money there is in the trust fund, the Engineer replied that there is approximately \$4 billion. Due to the withholding of federal funds by the U. S. Bureau of the Budget, the State of Oregon is about 1 year behind in the expenditure of trust funds, but in comparison with other states, Oregon is about average.

Confirmation of telephonic approval received June 4, 1971, by the Chairman for the reinforcement of 31.3 miles of the Fremont Highway between the Shevlin Camp Road and Silver Lake in Klamath and Lake Counties was requested by the Engineer. This highway section is in need of resurfacing to prevent further deterioration of the highway because of increased log hauling traffic. Right-of-way will not be required. The Commission confirmed the project at an estimated cost of \$1,100,000 under the State Construction Program to be advertised for contracting as soon as possible.

Replacement of two grade crossings with interchanges on the Beaverton-Tigard Highway in Washington County was brought up by the Engineer. The necessary survey work he said has been performed and public hearings are not required. He recommended construction of the following interchanges when funds are available and that finance approval be granted in Program XII.

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Section	Construction	Structures	R/W	Total
Walker Road Intchge.	\$361,500	\$380,000	\$40,500	\$782,000
Greenburg Intchge.	421,500	441,000	---	862,000

The Commission approved financing and construction of the interchanges.

A tabulation of a proposed allocation of Federal-aid TOPICS funds for the fiscal year 1972 was presented by the Engineer. He mentioned that Congress has reduced TOPICS funds by one-half. As several cities have submitted projects overrunning their present allotments he proposed that the 1972 allocation again be on a per capita basis to cities that have a current population of over 5,000 which lie within approved urban areas. This method of apportionment he said has been approved by the League of Oregon Cities. The Commission approved the following allocation of TOPICS funds.

CITY	POPULATION 4/1/70	PERCENT OF POPULATION	FEDERAL FUNDS	TOTAL FUNDS Includes State and Local Matching Money (Rounded to Thousands)
ALBANY	18,181	1.9014	\$ 15,568	\$ 26,000
ASHLAND	12,342	1.2908	10,569	18,000
ASTORIA	10,244	1.0714	8,772	15,000
BAKER	9,354	0.9783	8,010	13,000
BEAVERTON	18,577	1.9428	15,907	26,000
BEND	13,710	1.4338	11,740	20,000
COOS BAY	13,466	1.4083	11,531	19,000
CORVALLIS	35,153	3.6764	30,102	50,000
COTTAGE GROVE	6,004	0.6279	5,141	9,000
DALLAS	6,361	0.6653	5,447	9,000
EUGENE	76,346	7.9846	65,376	109,000
FOREST GROVE	8,275	0.8654	7,086	12,000
GLADSTONE	6,237	0.6523	5,341	9,000
GRANTS PASS	12,455	1.3026	10,665	18,000
GRESHAM	9,875	1.0328	8,456	14,000
HILLSBORO	14,675	1.5348	12,567	21,000
KLAMATH FALLS	15,775	1.6498	13,508	23,000
LA GRANDE	9,645	1.0087	8,259	14,000
LAKE OSWEGO	14,573	1.5241	12,479	21,000
LEBANON	6,636	0.6940	5,682	9,000
MCMINNVILLE	10,125	1.0589	8,670	14,000
MEDFORD	28,454	2.9758	24,365	41,000
MILWAUKIE	16,379	1.7130	14,026	23,000
MONMOUTH	5,237	0.5477	4,484	7,000
NEWBERG	6,507	0.6805	5,572	9,000
NEWPORT	5,188	0.5426	4,443	7,000
NORTH BEND	8,553	0.8945	7,324	12,000
ONTARIO	6,523	0.6822	5,586	9,000
OREGON CITY	9,176	0.9597	7,858	13,000
PENDLETON	13,197	1.3802	11,301	19,000
PORTLAND	382,619	40.0158	327,641	546,000
ROSEBURG	14,461	1.5124	12,383	21,000
ST. HELENS	6,212	0.6497	5,320	9,000

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(Tabulation continued on next page.)

CITY	POPULATION 4/1/70	PERCENT OF POPULATION	FEDERAL FUNDS	TOTAL FUNDS Includes State and Local Matching Money (Rounded to Thousands)
SALEM	68,296	7.1427	58,483	97,000
SPRINGFIELD	27,047	2.8287	23,161	39,000
THE DALLES	10,423	1.0901	8,926	15,000
TIGARD	5,302	0.5545	4,450	8,000
WEST LINN	7,091	0.7416	6,072	10,000
WOODBURN	7,495	0.7839	6,418	11,000
TOTAL	956,169	100.0000	\$818,779	\$1,365,000

SUMMARY, ENTIRE STATE-FISCAL YEAR 1972 TOPICS FUNDS

Total Federal Funds (Approximate) -----	\$ 819,000
Plus estimated required match money ----- State Funds	273,000
----- Local Funds	273,000
TOTAL TOPICS FUND -----	\$1,365,000

Note: Above funds allocated to cities of over 5,000 population in urban areas on per capita basis. Federal funds are estimated to represent approximately 60% of total TOPICS fund with State and local funds estimated to be approximately 20% each.

Consideration was given to requests from sixteen cities for Federal Aid TOPICS Projects at an estimated cost of \$801,050 of which \$160,210 is the estimated State share. Following the Engineer's favorable recommendation the Commission approved the following requests for TOPICS funds and authorized the Secretary to sign project agreements in behalf of the Commission.

City	Section	Programmed Amount	State Cost
ASTORIA	9th St.-14th St., Marine Drive- Commercial St. Couplet. Signals.	\$48,000	\$ 9,600
BAKER	4th St.-Estes Ave., LaGrande-Baker Highway and Baker-Unity Highway. Signals, grading, & paving.	78,000	15,600
BEND	Hill St. @ Portland Ave. Widening & channelization.	16,000	3,200
COOS BAY	Coos Bay Urban Area. Areawide TOPICS Plan.	19,750	3,950
COOS BAY	Wasson St., 10th St., & Market Ave. Cape Arago, Empire-Coos Bay, & Oregon Coast Highways. Signals and channelization.	59,000	11,800
FOREST GROVE	Forest Grove Urban Area, Areawide TOPICS Plan.	5,300	1,060

(Tabulation continued on next page)

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City	Section	Programmed Amount	State Cost
FOREST GROVE	Gales Creek Rd. @ "E" St. & Pacific Ave. @ "B" St. Signal, widening, channelization & illumination.	\$44,000	\$ 8,800
HILLSBORO	Hillsboro Urban Area, Areawide TOPICS Plan	8,900	1,780
HILLSBORO	Tualatin Valley Highway @ S.E. Minter Bridge Road. Traffic signal, railroad gates, channelization, & illumination.	60,000	12,000
KLAMATH FALLS	Klamath Falls Urban Area, Areawide TOPICS Plan.	14,000	2,800
KLAMATH FALLS	Shasta Way, Main St., & Oregon Ave. Washburn Way, Klamath Falls-Malin Highway & Upham St. Signals, widening, channelization & illumination.	68,000	13,600
LA GRANDE	Oak St.-Willow St., La Grande-Baker Highway. Signals, grading, paving & signs.	45,000	9,000
LEBANON	Lebanon Urban Area, Areawide TOPICS Plan.	8,500	1,700
MCMINNVILLE	2nd St.-3rd St., Adams St.-Baker St. Couplet. Signals.	38,000	7,600
NORTH BEND	Newmark St.-South City Limits, Broadway St. Widening.	55,000	11,000
ONTARIO	S.W. 3rd Ave.-S.W. 5th Ave., S.W. 9th St. & S.W. Park Blvd. Signals, grading & paving.	42,000	8,400
OREGON CITY	Cascade Hwy. @ Pearl St. & Warner-Milne Road. Signals.	50,000	10,000
PENDLETON	S.W. Frazer Ave.-S.W. Goodwin Ave. S. Main Street. Railroad gates.	39,000	7,800
ST. HELENS	St. Helens Urban Area, Areawide TOPICS Plan.	4,600	920
ST HELENS	Columbia Blvd. @ 18th St. & St. Helens St. Signal, channelization, & signs.	38,000	7,600
THE DALLES	4th St. (@ Union & Washington Sts.) & Kelly St. (E. 10th St.-E. 12th St.). Signals and widening.	60,000	12,000
TOTAL NEW PROJECTS		\$801,050	\$160,210

SUMMARY BY FISCAL YEAR

	1970	1971	TOTAL
Allocated funds	\$2,742,000	\$2,730,000	\$5,472,000
Approved Projects (corrected to date)	2,742,000	566,000	3,308,000
Unprogrammed Balance	0	2,164,000	2,164,000
Proposed Projects: 6/22/71	----	801,050	801,050
Unprogrammed Balance	\$ 0	\$1,362,950	\$1,362,950

Consideration was given to requests from contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests have been carefully investigated and the results of the investigation have been reported to the Commission by letter. The Commission took action as follows:

- (1) K. F. Jacobsen and Co., Inc., Contract No. 7338 on the Cascade Highway in Clackamas County, requested an extension of 51 days. The Commission approved an extension of 34 days without assessment of liquidated damages.
- (2) Roy L. Houck Sons' Corporation, Contract No. 7289 on the Sunset Highway in Clatsop County, requested an extension of 65 days. The Commission approved an extension of 35 days applicable to both units thereby eliminating all liquidated damages on Unit B and leaving 14 days liquidated damages in effect on Unit A in the amount of \$2,800. Concurrence by the Federal Highway Administration was received on 30 days extension leaving 5 days non-participating.
- (3) Louis Kowolowski, Contract No. 7434 for work in the Cove Palisades State Park in Jefferson County, requested an extension of the completion date to March 29, 1971. The Commission approved the extension to March 29, 1971, thereby eliminating all liquidated damages.
- (4) Lord Bros. Contractors, Inc., and Lord Bros. Equipment Company, Contract No. 7128 on the Pacific Highway in Clackamas County, requested an additional extension of time. The Commission approved extending the completion date on Unit A to May 23, 1970, and on Unit B to June 15, 1970, without assessment of liquidated damages. Concurrence was given by the Federal Highway Administration by letter dated May 17, 1971.
- (5) Garrett and Thomas Construction, Contract No. 7444 on the Green Springs Highway in Klamath County, requested an extension of 30 days. The Commission denied the request.
- (6) TAR Company, Contract No. 7044 on FAS 617 in Tillamook County, requested an extension of 131 days. The Commission granted an extension of 86 days, without assessment of liquidated damages.

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(Tabulation continued on next page)

- (7) Andersen-Hannan, Contract No. 7214 on the Stadium Freeway in Multnomah County, requested an extension of 287 calendar days on Units B and C. The Commission granted an extension of 80 days on Units B and C without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated May 25, 1971.
- (8) O and K Construction Company, Contract No. 7493 on FAS 117 in Clackamas and Marion Counties, requested an extension of 100 days. The Commission approved an extension of 56 days to September 27, 1971, without assessment of liquidated damages.
- (9) Guy F. Atkinson Company, Contract No. 7275 on the Pacific Highway in Washington and Clackamas Counties, requested an extension of 85 days. The Commission approved an extension of 36 calendar workdays, without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated June 7, 1971.
- (10) Schubert Co., Inc., Contract No. 7465 on FAS 639 in Multnomah County, requested an extension of 66 calendar days. The Commission granted an extension of 43 calendar days thereby eliminating all liquidated damages.

The Engineer reported that Contract Nos. 7105, 7151, 7186, 7275, 7284, 7306, 7341, 7401, 7427, 7434, 7435, 7441, 7470, 7471, and 7534 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 194," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed verbal award of contracts made on June 1, 1971, on which bids had been received May 27 and 28, 1971, subject to the approval by the Federal Highway Administration. The Commission also confirmed authority for the Secretary to sign the following contracts in their behalf.

BIDS RECEIVED IN SALEM MAY 27, 1971

Contract No. 7569 for the Dooley Mountain Rock Production Project on the Baker-Unity Highway in Baker County. Two bids were received. The Commission awarded the contract to the low bidder, N. A. Toole Construction, Ontario, at \$57,500.

Contract No. 7570 for grading and paving on North Ninth Street in the City of Philomath in Benton County. One bid was received. The Commission elected to accept the lone bid of Corvallis Sand and Gravel Company, Corvallis, at \$22,055 and directed the State Highway Engineer to award the contract to said bidder as soon as the City of Philomath approves the project and deposits \$1,730.

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Contract No. 7571 for paving on the S. E. Park Avenue-S. E. Ina Avenue Section of the Pacific Highway East in Clackamas County. Three bids were received. The Commission awarded the contract to the low bidder, Parker-Northwest Construction Company, Oregon City, at \$73,375.

Lavadoure Creek Rock Production Project on the Tiller-Trail Highway in Douglas County. No bids were received.

Contract No. 7572 for shoulder construction and paving on the Grabb Creek-Bunches Curve Section of the Umpqua Highway in Douglas County. Two bids were received. The Commission awarded the contract to the low bidder, J. C. Compton Company (Corp.), McMinnville, at \$305,895.

Contract No. 7573 for the Mayville Rock Production Project on the John Day Highway in Gilliam and Wheeler Counties. One bid was received. The Commission awarded the contract to the lone bidder, Jarl Construction Inc., The Dalles, at \$43,200.

Contract No. 7574 for grading and paving on the Burns-Lawen Section of the Steens Highway in Harney County. Three bids were received. The Commission awarded the contract to the low bidder, R. L. Coats, Bend, at \$320,937.

Quartz Mountain Rock Production Project on the Klamath Falls-Lakeview Highway in Lake County. One bid was received from Lloyd M. Hill, Inc., Salem, at \$89,885. The Commission rejected the bid.

Contract No. 7576 for paving on "J" Street North in the City of Lakeview in Lake County. Three bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, at \$19,550.

Contract No. 7577 for grading, paving, structure, and signing on the Siletz River (Kernville) Bridge Section of the Oregon Coast Highway in Lincoln County. Eight bids were received. The Commission awarded the contract to the low bidder, Willamette-Western Corporation, Portland, at \$4,434,358.50.

Contract No. 7578 for grading, paving, and signing on the Columbia County Line-Burlington Section of the Columbia River Highway in Multnomah County. Seven bids were received. The Commission awarded the contract to the low bidder, S. D. Spencer & Son, Vancouver, Washington, at \$3,294,183.70.

Contract No. 7579 for paving on the Tillamook-Simmons Creek Section of the Oregon Coast Highway in Tillamook County. Four bids were received. The Commission awarded the contract to the low bidder, B & K Paving Company, Kelso, Washington, at \$191,750.

Contract No. 7580 for grading and paving on the Hermiston Section of the Umatilla-Stanfield Highway in the City of Hermiston in Umatilla County. Three bids were received. The Commission elected to accept the low bid of L. W. Vail Company, Inc., Pasco, Washington, at \$335,902.25 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Hermiston approves the project and deposits \$79,300, and all right of way is acquired by the City.

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Contract No. 7581 for the Meacham Rock Production Project on the Old Oregon Trail in Umatilla and Union Counties. Three bids were received. The Commission awarded the contract to the low bidder, Jarl Construction, Inc., The Dalles, at \$140,000.

Contract No. 7582 for the State Ditch Bridge on FAS 948 in Union County. Three bids were received. The Commission elected to accept the low bid of Ross Bros. Construction, Inc., Salem, at \$78,757 and the State Highway Engineer was directed to award the contract to said bidder as soon as Union County approves the project and deposits \$18,000.

Contract No. 7583 for the Enterprise Rock Production Project on the Enterprise-Lewiston Highway in Wallowa County. One bid was received. The Commission awarded the contract to the lone bidder, N. A. Toole Construction, Ontario, at \$50,000.

Contract No. 7584 for paving on the Simnasho Road-Jefferson County Line Section of the Warm Springs Highway in Wasco County. Six bids were received. The Commission awarded the contract to the low bidder, R. L. Coats, Bend, at \$353,350.

BIDS RECEIVED IN SALEM MAY 28, 1971

Richland Rock Production Project on the Baker-Copperfield Highway in Baker County. No bids were received.

Contract No. 7585 for grading and paving on 3rd Street in the City of Haines in Baker County. One bid was received. The Commission elected to accept the lone bid of Baker Redi-Mix, Inc., Baker, at \$25,570 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Haines approves the project and deposits \$4,880. (City of Haines could not meet this obligation and contract was not awarded.)

Contract No. 7586 for grading and paving on Spruce Street in the City of Powers in Coos County. One bid was received. The Commission elected to accept the lone bid of G. W. Woodward Company, Inc., Coquille, at \$24,045.10 and the State Highway Engineer was directed to award the contract to said bidder as soon as the City of Powers approves the project and deposits \$2,700.

Contract No. 7587 for paving on the Green Acres Rd.-China Camp Marsh Section of the Coos Bay-Roseburg Highway in Coos County. Two bids were received. The Commission awarded the contract to the low bidder, J. C. Compton Company (Corp.), McMinnville, at \$253,940.

Contract No. 7588 for the Austin Rock Production Project on the John Day Highway in Grant County. Two bids were received. The Commission awarded the contract to the low bidder, N. A. Toole Construction, Ontario, at \$60,000.

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Contract No. 7589 for the Odell Butte Rock Production Project of the Willamette Highway in Klamath County. Two bids were received. The Commission awarded the contract to the low bidder, Valley Equipment Company, Salem, at \$78,900.

Contract No. 7590 on the Fremont Highway Junction-Deschutes National Forest Section of The Dalles-California Highway in Deschutes and Klamath Counties. Five bids were received. The Commission awarded the contract to the low bidder, R. L. Coats, Bend, at \$224,060.

Contract No. 7591 for the Santiam Junction Rock Production Project on the Santiam Highway in Linn, Lane and Marion Counties. Four bids were received. The Commission awarded the contract to the low bidder, North Santiam Sand & Gravel, Inc., Stayton, at \$125,600.

Contract No. 7592 for the Harper Junction Rock Production Project on the Central Oregon Highway in Malheur County. One bid was received. The Commission awarded the contract to the lone bidder, N. A. Toole Construction, Ontario, at \$60,000.

Contract No. 7593 for paving on the Sheaville-Jordan Valley Section of the I. O. N. Highway in Malheur County. Four bids were received. The Commission awarded the contract to the low bidder, L. W. Vail Company, Inc., Pasco, Washington, at \$325,891.

Contract No. 7594 for paving on the Raleigh Hills-Hillsdale Section of the Beaverton-Hillsdale Highway in Multnomah and Washington Counties. Two bids were received. The Commission awarded the contract to the low bidder, Cascade Construction Company, Inc., Portland at \$60,780.

Contract No. 7595 for aggregate base and paving on Chamberlain Street in the City of Falls City in Polk County. Four bids were received. The Commission awarded the contract to the low bidder, D & D Paving Company, Inc., Salem, at \$15,941.50.

Contract No. 7596 for paving on the Barview-Garibaldi Section of the Oregon Coast Highway in Tillamook County. Two bids were received. The Commission awarded the contract to the low bidder, B & K Paving Company, Kelso, Washington, at \$141,940.00.

Elgin Rock Production Project on the Wallowa Lake Highway in Union County. No bids were received.

The Engineer reported that he had made award of contracts which had been referred to him by the Commission to award when certain conditions were fulfilled. The Commission confirmed his award of the following contracts:

- (1) Grading and paving on N. W. Walnut Boulevard-N. W. Taft Avenue on N. W. 29th Avenue and N. W. Walnut Boulevard in City of Corvallis in Benton County. Bids received April 29, 1971. Contract No. 7553 awarded May 10, 1971, to Corvallis Sand and Gravel Company, Corvallis, low bidder.

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- (2) Eagle Creek-Estacada Section of the Clackamas Highway in Clackamas County. Bids received April 29, 1971. Contract No. 7554 awarded May 18, 1971, to R. A. Heintz Construction Company, Portland, low bidder.
- (3) Nehalem Street in City of Clatskanie in Columbia County. Bids received April 29, 1971. Contract No. 7556 awarded May 7, 1971, to Goodat Crushed Rock, Longview, Washington, low bidder.
- (4) Fir Street and Lewis Street in City of North Bend of Cape Arago Highway in Coos County. Bids received April 29, 1971. Contract No. 7557 awarded June 1, 1971, to Johnson Rock Products, Inc., North Bend, low bidder.
- (5) Traffic signal installation on South 3rd Street at Wilson Avenue (Bend) on The Dalles-California Highway in Deschutes County. Bids received April 29, 1971. Contract No. 7558 awarded May 10, 1971, to Steeck Electric Company, Medford, low bidder.
- (6) S. E. 242nd Drive and S. E. Cochrane Road in Gresham on FAS 646 and FAS 954 in Multnomah County. Bids received April 29, 1971. Contract No. 7562 awarded May 25, 1971, to Oregon Asphaltic Paving Company, Portland, low bidder.
- (7) Elizabeth Street North in Milton-Freewater in Umatilla County. Bids received April 30, 1971. Contract No. 7565 awarded May 12, 1971, to Baldwin and Sutherlin, Inc., Walla Walla, Washington, low bidder.
- (8) Traffic signal installation on S. W. Murray Boulevard at Tualatin Valley Highway in Beaverton in Washington County. Bids received April 30, 1971. Contract No. 7568 awarded May 28, 1971, to Tyee Construction Company, Portland, low bidder.
- (9) North 9th Street in Philomath in Benton County. Bids received May 27, 1971. Contract No. 7570 awarded June 7, 1971, to Corvallis Sand and Gravel Company, Corvallis, low bidder.
- (10) Grading and paving on Hermiston Section of Umatilla-Stanfield Highway in Umatilla County. Bids received May 27, 1971. Contract No. 7580 awarded June 3, 1971, to L. W. Vail Company, Inc., Pasco, Washington, low bidder.
- (11) State Ditch Bridge on FAS 948 in Union County. Bids received May 27, 1971. Contract No. 7582 awarded June 7, 1971, to Ross Bros. Construction, Inc., Salem, low bidder.

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- (12) Spruce Street in Powers in Coos County. Bids received May 28, 1971. Contract No. 7586 awarded June 4, 1971, to G. W. Woodward Co., Inc., Coquille, low bidder.

Consideration was given to a request from the Governor's Office and the Port of Portland to share in the expense of an office in New York which would distribute information concerning the various assets of Oregon. The Engineer commented that the specific request was to contribute the salary of a Secretary and that the Chairman had given verbal approval. The Commission confirmed the request.

The Commission gave attention to requests from Hood River, Union, and Washington Counties for Federal Aid Secondary Highway Projects. These projects, the Engineer stated, have been investigated and are eligible for the use of FAS Funds. Following his favorable recommendation, the Commission approved the following projects and authorized the Secretary to sign routine construction agreements:

COUNTY	FAS	SECTION & DESCRIPTION	PROGRAMMED AMOUNT	STATE SHARE
HOOD RIVER	349	Button Bridge Section, Button Road. Structure, grade, base, and pave. (Estimated cost of project is \$800,000. County and State to share cost of project on a 50-50 basis; each using FAS funds.)	\$400,000	\$ 80,000
UNION	957	Grande Ronde River (Clark Creek) Bridge Section, Clark Creek Road. Structure only.	120,000	24,000
WASHINGTON	566	Sunset Hwy.-S. W. 87th Place Section, Barnes Road. Grade, drain, base, curb and pave.	210,000	42,000
TOTAL			\$730,000	\$146,000

SUMMARY BY FISCAL YEARS	1971	1972	TOTAL
Allocated funds	5,067,000	5,054,000	10,121,000
Approved Projects (corrected to date)	5,067,000	3,240,000	8,307,000
Unprogrammed Balance	---	1,814,000	1,814,000
Projects Proposed	---	730,000	730,000
Unprogrammed Balance	---	1,084,000	1,084,000

The matter of concurring in the award of a contract by the City of Salem for reconstruction of a portion of the Pacific Highway East in the Hollywood District of Salem was brought up by the Engineer. He explained that under the terms of the agreement executed in February 1970 the City is to let the contract and supervise construction. The State is to reimburse the City for 75% of the cost or \$189,873 whichever is the lesser amount. The low bid received by the City was \$224,936.01 or 13½% over the Engineer's estimate. The City is satisfied that readvertising would not be advisable and as the State's contribution is limited, the Engineer recommended that the Commission concur in the award. The Commission accepted his recommendation.

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Confirmation was requested by the Engineer for telephonic approval given by the Chairman on May 19, 1971, revising a speed zone on the Columbia River Highway in Hood River County. The Engineer explained that highway and traffic conditions are such that the existing 70-mile-per-hour speed in the vicinity of the Fountain Slide creates an undue hazard. He recommended that "Speed Zone Resolution No. 542" be amended to establish a 40-mile-per-hour speed zone between M.P. 46.50 and M.P. 47.78 in the Fountain Slide area. This is a temporary speed zone to remain in effect until repairs to the highway are complete at which time the original "Speed Zone Resolution No. 542" is to again be effective. The Commission confirmed the Chairman's action by adopting "Speed Zone Resolution No. 583," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer stated that traffic conditions on the Salem-Dayton Highway north of Salem in Polk County have changed to the extent that the 45-mile-per-hour speed zone should be extended to the north. He recommended that "Speed Zone Resolution No. 216" dated November 3, 1955, be rescinded and that a speed zone of 45-miles-per-hour be adopted beginning at a point 0.17 miles north of Michigan City Avenue at M.P. 17.40 and extending to a point 250 feet north of Orchard Heights Road at M.P. 20.12. He also mentioned that portions of this section are within the corporate limits of the City of Salem and under the jurisdiction of the State Speed Control Board. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 584," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was also given to establishing a speed zone on the entrance road to the camping area at Champoeg State Park in Marion County. The Engineer recommended the adoption of a 35-mile-per-hour speed zone on the entrance road between Yergens Corner Road and Champoeg Creek Bridge. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 585," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to a request from the City of Rufus that a parking prohibition be removed on the old Columbia River Highway within the city in Sherman County. The Engineer recalled that the parking prohibition was enacted when the Columbia River Highway ran through the City of Rufus. Since that time Interstate 80N has been constructed and the old highway is now a frontage road with a much lower volume of traffic. The Commission accepted the Engineer's recommendation for removal of the parking restriction and thereupon adopted "No Parking Resolution No. 189a," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The prohibition of parking on the Cascade Highway south of Portland in Clackamas County was also discussed. The Engineer stated that a recent traffic investigation revealed traffic hazards in the area immediately south of Portland which is a narrow four-lane section with parallel parking on both sides and numerous intersections. Parking severely restricts sight distance for both drivers and pedestrians, and all of the business establishments in this area provide off-street parking for their patrons. He recommended that parking be prohibited on both sides of the highway from the south curb line of S. E. Hinckley Avenue to the north curb line of S. E. King Road. The Commission approved the prohibition and thereupon adopted "No Parking Resolution No. 285," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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Confirmation was requested by the Engineer for telephonic approval given by the Chairman May 14, 1971, extending an agreement with Cornell, Howland, Hayes & Merryfield. This agreement, he said, covers a noise study on I-305 in the Salem area. The agreement bears a termination date of May 13, 1971, but because of minor delays the company has requested an extension of time to June 1, 1971. The Commission confirmed the extension with the understanding that no additional funds will be required.

The Chairman inquired if AASHO is conducting any experiments in the field of noise studies. Mr. Edwards stated that experimental work is being performed by the Highway Research Board. The Chairman then inquired, inasmuch as the reduction of noise on highways is a new field, if CH2M is experimenting. The Engineer replied that the reduction of noise on highways is a new field and few facts have been definitely established. Commissioner Bruno inquired as to the status of the study on the East Portland Freeway I-205. Mr. Klaboe replied that the study is about half done.

Extension of an agreement with Planning Research Corporation for the preparation of accident analysis programs was brought up by the Engineer. This agreement, he said, bears a termination of May 9, 1971, but minor delays have caused the consultant to request an extension of one month. Following his favorable recommendation, the Commission confirmed prior approval given on May 11, 1971, approving the extension with the understanding that no additional expenditures are to be incurred because of the extension.

Approval of a supplemental agreement with Planning Research Corporation to include a Spot Improvement Evaluation Task in the Traffic Accident Analysis Project was presented by the Engineer. He recalled that the original agreement was approved in November 1970. The supplemental agreement has been prepared to include the additional item at a cost of \$17,167 and verbal approval has been given by the Federal Highway Administration for the use of Highway Planning and Research Funds. The Commission confirmed telephonic approval given by the Chairman on May 26, 1971, and authorized the Secretary to sign the agreement in their behalf.

A construction-finance agreement with the City of Eugene for installation of a concrete sidewalk along the west side of Coburg Road beneath the Eugene-Springfield Highway in Lane County was discussed. Under the agreement the City is to be responsible for the plans, construction and maintenance. The State is to inspect the work as it progresses and is to reimburse the City for 50% of the total cost or \$2,000, whichever is the lesser amount. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to a throughway agreement with Malheur County concerning construction of the Olds Ferry-Ontario Section of the Old Oregon Trail (I-80N). According to the agreement, the State is to acquire right-of-way and perform all construction. The County agrees to cooperate in the adjustment of utility facilities, closure of certain county roads and to assume responsibility for frontage roads that are to be constructed. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement in their behalf.

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The Commission also considered an agreement with Baker Valley Irrigation District pertaining to adjustment of their facilities in the construction of the Powder River-Baldock Slough Section of the Old Oregon Trail (I-80N) in Baker County. The Engineer mentioned that the work consists primarily of constructing a box culvert with a trash rack and rearrangement of ditch rider roads at an estimated cost to the State of \$41,000, of which \$39,540 is to be included in the contract. The agreement also provides for an exchange of right-of-way and the provision of access to the District's facilities. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement was considered with New Home Ditch pertaining to reconstruction of irrigation facilities in highway construction on the Richland Interchange-South Baker Interchange Section of the Old Oregon Trail (I-80N) in Baker County. The Engineer explained that the work consists primarily of installing two 24-inch irrigation pipes, one with trash rack, under the freeway at an estimated cost of \$9,500 included in the contract. The agreement also makes provision for maintenance functions, transfer of rights and provision for future adjustments. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with the City of Baker and Baldock Irrigation Ditch pertaining to reconstruction of irrigation facilities in the construction of the Richland Interchange-South Baker Interchange Section of the Old Oregon Trail (I-80N) in Baker County was brought up by the Engineer. He stated that it has been determined that the most satisfactory way of carrying the irrigation water under the freeway is to include it in the State-City of Baker storm drain. This work is included in the contract at an estimated cost of \$11,000. Provisions are also made for maintenance responsibilities and for future adjustments as well as an exchange of right-of-way. The Engineer's recommendation for approval was accepted by the Commission and the Secretary was authorized to sign the agreement in their behalf.

The matter of a second extension through August 31, 1971, of an agreement with Union Pacific Railroad Company and Southern Pacific Transportation Company for leasing the top deck of the Steel Bridge in Portland was discussed. The Engineer recalled that the lease, which has been in existence for 30 years, expires this year. The State has paid to the Railroad Companies \$67,000 per year for the use of the bridge. Negotiations have been under way for over a year and the Railroad Companies have not yet been able to supply data justifying their proposed increase which is in excess of \$100,000. Verbal approval was given by the Chairman on May 19, 1971, for an extension to the end of August. The Commission confirmed the extension. The Chairman inquired as to what maintenance the Railroad Companies perform on the bridge. The Engineer replied that maintenance of the top deck is paid for by the Highway Division.

Consideration was given to an agreement with Southern Pacific Transportation Company providing for installation of crossing gates at the Main Street crossing in Molalla on the Woodburn-Estacada Highway in

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Clackamas County. The agreement provides that the Railroad Company install the gates at an estimated cost of \$14,000 with the cost to be shared equally by the Railroad and the State. The Railroad is to maintain the gates after installation. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

Confirmation was requested by the Engineer for telephonic approval given by the Chairman on May 14, 1971, on an agreement with Portland Traction Company concerning construction of the Eagle Creek-Estacada Section of the Clackamas Highway in Clackamas County. He explained that the agreement allows the State to enter on Railroad property for a period of one year while negotiations are under way to determine the amount that the State will pay the Railroad for its property between Boring and Estacada. If agreement is not reached at the end of one year, the State is to file a condemnation proceeding. The Commission confirmed the agreement and authority for the Secretary to sign it.

Attention was given to a supplemental crossing agreement with Union Pacific Railroad Company for an access road across the railroad tracks in the vicinity of North Knott Street on the East Fremont Interchange Section of the Stadium Freeway in the City of Portland. The Engineer stated that the crossing was requested by the contractor, Drake-Willamette, who is required to take the usual safety precautions, provide insurance and reimburse the Railroad for any expense incurred. The Commission approved the agreement as recommended by the Engineer.

The Commission considered a revised agreement with the City of Woodburn and the Southern Pacific Transportation Company for construction of the Young Street grade crossing on the Hillsboro-Silverton Highway in the City of Woodburn, Marion County. The Engineer explained that the Railroad has developed an improved track revision plan which will remove the three side tracks in downtown Woodburn. Under the terms of the new agreement, the total estimated cost is \$101,645 whereas the original agreement contemplated expenditure of \$100,100. Costs under the new agreement are to be divided as follows:

Southern Pacific	
Transportation Company	\$ 41,535
City of Woodburn	18,500 maximum
State Highway Commission	<u>41,610</u>
	\$101,645

Among other items, the agreement provides for the closure of the Bradley Street grade crossing and removal of tracks at Railroad expense. Verbal approval was given by the Chairman on May 25, 1971. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

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An agreement with Columbia County for installation of a flashing beacon at the intersection of Gable Road with the Lower Columbia River Highway was discussed. The State is to perform the work at an estimated cost of \$1,000, and the County has agreed to pay one-half the installation cost and provide for all maintenance and power consumption needs. The State's share is to be taken from Minor Betterment Funds. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement for them.

Consideration was also given to an agreement with Marion County for installation of crossroad signs with flashing beacons at the intersection of the Aurora-Donald Road with the Wilsonville-Hubbard Highway. Under the terms of the agreement, the State is to make the installation at an estimated cost of \$2,000 with Minor Betterment funds and provide for all future maintenance. The County is to pay for electrical energy consumed. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with Polk County providing for a flashing beacon at the intersection of the Clow Corner Road with the Pacific Highway West north of Mommouth was brought up by the Engineer. The agreement provides that Polk County pay for the cost of electrical energy used by the beacon which was previously installed by the State at State expense. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Consideration was also given to an agreement with Josephine County for the installation of flashing beacons at intersections of the Redwood Highway at Dowell Road and at Jerome Prairie Road southwest of Grants Pass. The Engineer recommended approval of the agreement which provides that the State shall pay for the installation and for future maintenance. The County agrees to pay for the electrical energy consumed. The estimated cost of the two installations is \$3,000 to be charged to Minor Betterment Funds. The Commission accepted the recommendation and authorized the Secretary to sign the agreement for them.

A supplemental agreement with Sherman County pertaining to abandonment of a portion of the existing right-of-way on the Thornberry-Lamborn Section (Wasco Bypass) of the Sherman Highway was discussed. Under terms of the original agreement dated May 4, 1971, the Engineer stated that this parcel was to be relinquished to the County. Further investigation has determined that by abandoning this segment to the abutting property owner a saving can be realized in that the State will not be required to purchase additional right-of-way to provide a county road connection. He recommended approval of the supplemental agreement. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

Attention was given to an agreement with Columbia Region Association of Governments to fund a portion of the Transportation Planning Process in the Portland-Vancouver area with Highway Planning and Research Funds. The Engineer commented that the agreement covers the 1972 fiscal year, provides a maximum expenditure of \$75,860, and has been submitted to the Federal Highway Administration for approval. The Commission approved the agreement as

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recommended by the Engineer, contingent upon approval of the Federal Highway Administration, and authorized the Secretary to sign the agreement in their behalf.

Consideration was also given to an agreement with Lane Council of Governments and Executive Department to fund a portion of the Transportation Planning Process in the Eugene-Springfield area with Highway Planning and Research Funds. The Engineer stated that the agreement covers the 1972 fiscal year and provides for an expenditure not to exceed \$50,000. He recommended approval of the agreement, contingent upon approval of the Federal Highway Administration. The Commission approved the agreement as recommended and authorized the Secretary to sign it for them.

A similar agreement was recommended by the Engineer with Mid-Willamette Valley Council of Governments to fund a portion of the Transportation Planning Process in the Salem Metropolitan area with Highway Planning & Research Funds. Maximum expenditure is limited to \$50,000 and the agreement covers the 1972 fiscal year. He recommended approval, contingent upon approval by the Federal Highway Administration. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

The Engineer stated that the following contracts with Oregon Welcome will expire on June 30, 1971.

Out-of-state offices in	
San Francisco and Los Angeles	\$15,600
Coordinator for intrastate functions	12,400
Travel Agent Program	<u>22,000</u>
	\$50,000

He recommended extension of the three contracts for one year ending June 30, 1972. The Commission approved the extension and authorized the Secretary to sign the extension agreements in their behalf.

The next Commission meeting was confirmed for Tuesday, July 27, 1971, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for September 7, 1971.

The organization of a Youth Litter Program was reported by the Engineer. Funds for this program, he said, are available from receipts from the sale of specialized license plates. Eighteen crews of four members each have been organized to pick up litter along State highways during the summer. During the winter months, it is planned to work the crews on Saturdays. He estimated that approximately \$70,000 would be available for this program which is to start July 1, 1971. The Commission accepted his report.

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The Commission confirmed the appointment of E. S. Hunter as Assistant State Highway Engineer, effective June 1, 1971, and thereupon adopted "Appointment Resolution No. 36" which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A delegation representing the Salem City Council appeared before the Commission concerning plans for the routing of traffic in the downtown core area of Salem. The following people were present, all from the City of Salem: Mayor Vern Miller, James Woodwell, Robert Moore, Leo Chaffin.

Mayor Vern Miller commented that the Urban Renewal Program being conducted in the downtown area involves construction of approaches to the two existing bridges across the Willamette. However, he said, the approaches will not satisfy the traffic demands for additional river crossings.

Mr. Moore stated that the downtown renewal plan has been under study for 8 or 9 years and it appears that plans are being evolved which will aid the retail core area. One of the primary recommendations in the plan is the construction of ramps on the bridges for temporary traffic relief. These ramps, he said, are planned to aid in the removal of north and south traffic from Liberty and Commercial Streets to Front Street.

Mr. Chaffin stated that the present traffic congestion in the core area is the principal reason for its decay. DeLeuw and Cather have made a study for revitalizing the core area and have recommended the Front Street plan with ramps on the Marion and Center Street bridges.

Chairman Jackson commented that revamping the bridge approaches will cost approximately \$6,000,000. He inquired if the City is planning to do this first and to seek the new bridge later, and if the project is of such value as to justify the expenditure contemplated. He recalled that in the past, changes had been made in highway routing in some cities with little benefit to the core area and he mentioned one instance in which the rerouting had failed completely. The Commission would like to know with reasonable assurance if the proposed plan is justified.

Mayor Miller commented that lengthy studies indicate that the life of the core area depends on removal of traffic, and the proposed ramps will help a great deal but will not provide a final solution, which in his opinion, would require construction of another bridge.

Mr. Chaffin mentioned that since the plan has been crystalized, there has been a renewal of activity in the core area and the first part of the project is funded.

Mayor Miller emphasized that diversion of the core area traffic is the key to revitalization of the area. Chairman Jackson stated that the Commission will cooperate with the City in the plan and he inquired as to the timing for its implementation. Mr. Moore replied that planning is to be completed in 1972 and 1973 with construction contemplated in 1975.

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Awards for 40 years of service were made by the Commission to the following employees:

A. L. Chapman, Senior Resident Construction Engineer in Grants Pass
Howard (Si) Cox, County-City Engineer in Salem.
W. Glenn Davidson, Section Maintenance Foreman at Sweet Home.
Charles S. Epperly, Heavy Equipment Mechanic in Salem. (not present)
James W. Leonard, Section Maintenance Foreman at Elgin. (not present)
Floyd A. Query, Commission Secretary in Salem.
Mitchel M. Stump, Senior Resident Construction Engineer in Pendleton.
Frank D. Morgan, Construction Engineer in Salem.

Chairman Jackson presented a 40 year pin to each man and expressed the Commission's appreciation for the service they have rendered the State.

Mr. Ralph Phillips and Mr. Irvin Lloyd representing the Federal Highway Administration presented to the Commission awards in the form of plaques for an outstanding structure and for an example of multiple use of highway right-of-way. A national first place award, Mr. Phillips said, has been given to Oregon for the viaduct carrying westbound lanes of Interstate Route 80N around Tooth Rock Mountain near Bonneville Dam in Multnomah County. This award comes under Subject III for an outstanding bridge, overpass, tunnel approach or other highway structural feature.

Under Subject VI for an outstanding example of multiple use of highway right-of-way, the entry which showed Esplanade, a riverfront park in downtown Portland on excess right-of-way of Interstate Route 5, he said, has been selected for a third place award. He complimented the Commission for the excellent engineering which produced these projects.

A delegation representing the McMinnville Chamber of Commerce and others came before the Commission regarding construction of a bypass or couplet for the Pacific Highway West in the City of Newberg, Yamhill County. The following people were present: Tony Meeker (spokesman), Amity; J. H. Stanard, C. C. Meisel, G. Vincent, Dale Schumacher, Wm. Blum, McMinnville; Jack Nulsen, and Dick Hoy, Newberg.

State Representative Meeker, speaking in behalf of Yamhill County, pointed out that the last sizable construction project in the County was in 1961. Population since that time has increased greatly and a considerable number of new industries have been established, including the construction of mobile homes, Boise Cascade and others. However, the area at this time is in a depressed state and constructive action is needed concerning the highway route through Newberg. He pointed out that both cities, McMinnville and Newberg, are in favor of this project and it is considered as the number one priority. He mentioned the high volume of traffic during the spring and summer months, particularly on weekends, and that the present route through Newberg acts as a bottleneck. It appears that the best plan would be for construction of a bypass, but if funds are not available a couplet would help a great deal. He also mentioned that complaints have been received not only from the cities of McMinnville and Newberg but also from residents of Portland, who are involved in the traffic tie ups.

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Chairman Jackson stated that it is the Commission's understanding that the bypass would be the better solution, but would have to be considered as a long-term project because of the higher cost. The Commission, he said, is ready to move on the couplet plan when an agreement has been reached with the City.

The Mayor of Newberg, Mr. Jack C. Nulsen, Jr., commented that the 25% of the cost that the City would have to put up on the project would depend on the size of the job. He mentioned that one estimate had indicated an expenditure of \$400,000 and that another estimate was made at \$800,000. The City, he said, cannot afford the larger project.

The Engineer stated that to provide a satisfactory couplet would require the expenditure of approximately \$800,000. The Chairman informed the delegation that the Commission would look into the matter to see if some solution could be reached.

Mr Ernest Kersh, Mr. Earle Misener and Mr. Bill Howell, all from LaGrande, came before the Commission concerning recreational facilities at Catherine Creek Dam on the Medical Springs Highway south of the town of Union in Union County. Mr. Kersh exhibited a map of a recreational plan at the dam which would combine the present Catherine Creek State Park with an additional park area. The U. S. Corps of Engineers, he said, will build the dam and provide one-half the cost of developing the park. He mentioned that the value of the existing state park can be included as part of the development so that the cost to the State would be 50 percent of the total minus the value of the State Park.

Mr. Misener commented on the potential value of the park. The Forest Service, he continued, has provided some facilities, but they are not adequate and visitors camp all over the countryside. It was his opinion that the park would be a very popular recreational spot but it should be developed by the Federal Government and the State. One of the provisions for building the dam, he said, is that a sponsor has to be secured for development of the recreational facilities.

Mr. Howell commented on the need of the dam for flood control, irrigation, and water quality. He estimated that the reservoir would irrigate approximately 20,000 acres and that the dam would cost about \$12,000,000. Chairman Jackson inquired as to the status of the project. Mr. Howell replied that it has been authorized and planned, but not funded. He also mentioned that the Corps of Engineer's has been urging them to get an agreement signed by July 1, 1971. The Chairman stated that the Commission will investigate the matter carefully and that an answer will be forthcoming in the near future.

The Commission signed, or authorized the Secretary to sign, the following agreements, deeds, indentures, and other papers:

"Agreement" with Wheeler County for improving a county road used for access to Painted Hills State Park.

"Relinquishment of Title" to City of Portland re areas on S. W. 26th Avenue and S. W. Barbur Blvd.

"Bargain and Sale Deed" to Perl O. and Mary Hamer conveying two parcels of land on Sixes-Elk River Section of Oregon Coast Highway in Curry County.

"Quitclaim Deed" to City of Hermiston re 80 feet of land on South First Street in Hermiston.

"Relinquishment of Title" to Columbia County re 1.88 acres on Columbia River Highway, 2 miles west of Rainier.

"Easement" with State Game Commission for 958 square foot parcel of land between Pacific Highway and the river at Winchester Dam in Douglas County.

"Indenture of Access" with Marion and Rose Evans re Wildwood-Forest Boundary Section of Mt. Hood Highway in Clackamas County.

"Indenture of Access" with Litton Retail Development, Inc., re E and F Streets Connection on Redwood Highway in Josephine County.

"Indenture of Access" with Hassan Enterprises, Inc., re Salem-Hayesville School Section of the Pacific Highway East in Marion County.

"Indenture of Access" with Sisters of St. Mary re Beaverton-Forest Grove Section of Tualatin Valley Highway in Washington County.

"Agreement" with Silver Wheel Freightlines, Inc., for leasing 17,200 square foot area beneath highway structure just north of Hawthorne Bridge in Portland.

"Agreement" with State Game Commission for leasing 1.05 acre former stockpile site on Three Rivers Highway 1½ miles south of Hebo for an indefinite period of time.

"Agreement" with City of Albany for acquisition of 378.6 feet of river frontage known as Albany Waterfront II in connection with Willamette River Park System.

"Agreement" with Bonneville Power Administration for an exchange of access roads in connection with an agreement to construct and maintain a power line in Humbug Mountain State Park in Curry County.

"Agreement" with City of Eugene for installation of a concrete sidewalk along west side of Coburg Road beneath Eugene-Springfield Highway.

"Agreement" with Malheur County concerning construction of Olds Ferry-Ontario Section of Old Oregon Trail.

"Agreement" with Baker Valley Irrigation District for adjustment and reconstruction of their facilities on the Powder River-Baldock Slough Section of I-80N in Baker County.

"Agreement" with New Home Ditch covering reconstruction of irrigation facilities in conflict with Richland Interchange-South Baker Interchange Section of I-80N in Baker County.

"Agreement" with City of Baker and Baldock Irrigation Ditch providing for adjustment and reconstruction of irrigation facilities on Richland Interchange-South Baker Interchange Section of I-80N in Baker County.

"Agreement" covering an extension through Aug. 31, 1971, of an existing agreement with Union Pacific Railroad Company and Southern Pacific Transportation Company for leasing the top deck of Steel Bridge in Portland.

"Agreement" with Southern Pacific Transportation Company providing for installation of crossing gates at the Main Street crossing at Molalla.

"Supplemental crossing agreement" with Union Pacific Railroad Company for an access road across the railroad tracks in the vicinity of North Knott Street on the East Fremont Interchange Section in Portland.

"Agreement" with Columbia County for installation of flashing beacon at intersection of Lower Columbia River Highway and Gable Road.

"Agreement" with Marion County for installation of crossroad signs with flashing beacons on the Aurora-Donald Road at its approaches to the Wilsonville-Hubbard Highway.

"Agreement" with Polk County for flashing beacon at intersection of Pacific Highway West and Clow Corner Road north of Monmouth.

"Agreement" with Josephine County for installation of flashing beacons at the intersections of the Redwood Highway with Dowell Road and Jerome Prairie Road southwest of Grants Pass.


"Agreement" with Sherman County re abandonment of a portion of the existing right of way on the Thornberry-Lamborn Road Section (Wasco Bypass) of the Sherman Highway.

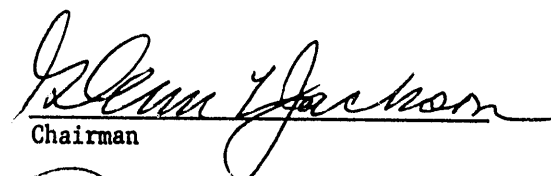
"Agreement" with Lane Council of Governments to fund a portion of Transportation Planning Process in Eugene-Springfield area with Highway Planning and Research Funds.

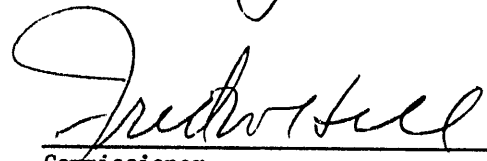
"Agreement" with Mid-Willamette Valley Council of Governments to fund a portion of Transportation Planning Process in Salem Metropolitan area with Highway Planning and Research Funds.

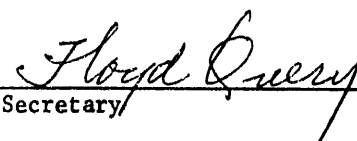
June 22, 1971

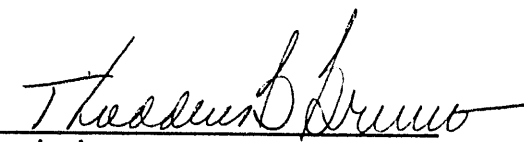
As there was no further business to conduct, the meeting was adjourned by the Chairman at 11 a.m.


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

June 22, 1971

July 27, 1971
Salem, Oregon

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
E. S. Hunter, Assistant State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

R. E. Simpson, Division Engineer of the Federal Highway Administration, came in later. Others present were C. W. Head, Assistant Secretary; L. H. Young, Program and Planning Engineer; David G. Talbot, Parks Superintendent; R. N. Bothman, Maintenance Engineer; Victor D. Wolfe, Administrative Assistant; V. E. Skoog, Controller; Ralph B. Sipprell, Liaison Engineer; John J. Earley, Information Officer; Donald N. Harwell, Coordinating Engineer; John R. Oakes, Assistant Right of Way Engineer; Kenneth Chatwood, Administrative Right of Way Engineer; and Leslie B. Hampton, Assistant Attorney General. A. E. Johnson, Assistant Highway Engineer was excused.

The Commission approved the minutes of the meeting held June 22, 1971.

The Right of Way Engineer presented a list of options, Pages 1 through 61, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised values and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 78," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from June 11 to July 16, 1971, was presented by the Right of Way Engineer and accepted by the Commission. During this period miscellaneous sales totaled \$73,150; land sales \$11,500; timber sales \$22,245.21; and rental receipts for the month of June were \$42,283.98.

A list of properties needed for highway and other uses was presented by the Right of Way Engineer. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way

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Engineer to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2592," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed a report made by the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the institution of condemnation proceedings as follows:

AVA AVENUE-BURNSIDE STREET SECTION OF THE MT. HOOD HIGHWAY
MULTNOMAH COUNTY

R-44776 - Ralph F. Deaville et ux. Parcel 1: 1,530 sq. ft. for right of way purposes; Parcel 2: 365 sq. ft. for permanent easement. Offer \$2,400.00.

CHEMAWA ROAD-HICKORY STREET SECTION OF THE SALEM FREEWAY
MARION COUNTY

R-44617 - Robert V. Nelson et al. 22,276 sq. ft. for right of way purposes. Offer \$16,725.00.

COLUMBIA RIVER BRIDGE-N. E. SANDY BOULEVARD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-44179 - Marie J. Mueller. 40,000 sq. ft. for right of way purposes. Offer \$8,000.00.

R-44215 - Elsie F. Buchholz. Parcel 1: 0.9 acre; Parcel 2: 0.66 acre for right of way purposes. Offer \$24,850.00.

R-44217 - I. G. Voth et ux. Parcel 1: 2.4 acres; Parcel 2: 0.03 acre for right of way purposes. Offer \$37,100.00.

R-44218 - Charlotte A. Layman. 80,000 sq. ft. for right of way purposes. Revised offer \$16,600.00.

R-44220 - Angelo G. Calcagno. 4.1 acres for right of way purposes. Offer \$46,600.00.

GARDEN VALLEY ROAD-FAIRGROUNDS SECTION OF THE PACIFIC HIGHWAY
DOUGLAS COUNTY

R-44883 - Charles E. Long et ux. 8,000 sq. ft. for right of way purposes. Offer \$12,700.00.

LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - CLACKAMAS COUNTY

R-44517 - Rodney J. Johnson et ux. 9,900 sq. ft. for right of way purposes. Offer \$3,800.00.

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LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - CLACKAMAS COUNTY (cont.)

R-45658 - Robert Z. Grunst et ux. 0.23 acre for right of way purposes. Offer \$1,900.00.

RICKREALL-INDEPENDENCE JUNCTION SECTION OF THE WILLAMINA-SALEM HIGHWAY
POLK COUNTY

R-43227 - M. Bayard Findley et al. Parcel 1: 16.7 acres for right of way purposes; Parcel 2: 0.82 acre for permanent easement. Offer \$17,375.00.

R-43231 - Otto Richard Skopil, Jr., et al. 8.2 acres for right of way purposes. Offer \$8,450.00.

ST. HELENS ROAD-N.W. 21ST AVENUE SECTION OF THE COLUMBIA RIVER HIGHWAY
MULTNOMAH COUNTY

R-38371 - Leromaho Co., Inc. Parcel 1: 12,600 sq. ft. for right of way purposes; Parcel 2: 13,900 sq. ft. for right of way purposes. Offer \$437,550.00.

R-42107 - Rentex Corporation. 27,000 sq. ft. for right of way purposes. Offer \$178,000.00.

S. E. HINKLEY AVENUE-LAKE ROAD INTERCHANGE UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - CLACKAMAS COUNTY

R-44647 - Howard L. Boyer, Sr. Parcel 1: 0.37 acre; Parcel 2: 0.04 acre for right of way purposes; Parcel 3: 0.1 acre for permanent easement. Revised Offer \$5,850.00.

R-44648 - Heirs & Devisees of Edith E. Hjorten. Parcel 1: 3.6 acres; Parcel 2: 0.05 acre for right of way purposes. Offer \$31,500.00.

R-45646 - Edward Tschudy et ux. 0.63 acre for right of way purposes. Offer \$2,550.00.

SUNSET HIGHWAY-PACIFIC HIGHWAY SECTION OF THE BEAVERTON-TIGARD HIGHWAY
WASHINGTON COUNTY

R-45373 - Marjorie A. Allen. Parcel 1: 0.74 acre for right of way purposes; Parcel 2: 0.1 acre excess. Offer \$73,250.00.

WINSTON-SHADY INTERCHANGE SECTION OF THE COOS BAY-ROSEBURG HIGHWAY
DOUGLAS COUNTY

R-45108 - George Updegraff. 0.11 acre for right of way purposes. Offer \$8,500.00.

Abandonment of attempts to collect on 13 delinquent rentals was recommended by the Right of Way Engineer. The amounts involved, he said, do not warrant legal proceedings for collection as the delinquent renters have moved to another state, are on welfare, or have vacated

July 27, 1971

the premises without leaving forwarding addresses. The Commission approved the abandonment of the following delinquent rentals:

<u>File No.</u>	<u>Amount</u>
40775 - Floyd P. and Patricia Ann Bacon have vacated the premises, and their present whereabouts is unknown.	\$312.50
43562 - Ronald R. Dent has vacated the premises and has moved to California.	310.00
41950 - John K. Gill has moved and has left no forwarding address.	86.48
41312 - Carole Goodman has evicted and has moved to subsidized housing. She is on welfare, has no assets, and has barely enough on which to live.	700.00
42681 - Janice Bowen has moved, is on aid to dependent children, and has no assets.	55.00
42681 - Harold Dean Brown has moved, has no assets, and does not have a job.	190.00
42828 - Jill Fenemore has moved and has left no forwarding address.	162.00
41255 - Clarence Hansen has moved and has left no forwarding address.	143.95
42717 - Norvill Hollis has moved and has left no forwarding address.	156.70
42715 - Edward Jones has moved and left no forwarding address.	46.00

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<u>File No.</u>	<u>Amount</u>
17861 - Elwyne E. Jones has moved, has no assets, and has left no forwarding address.	\$ 95.00
42809 - Wanda Marie Scharlepp has moved, has left no forwarding address, and appears to have no assets.	215.00
42409 - Frank Rodriques has moved and has left no forwarding address.	20.00

Authorization was requested by the Right of Way Engineer to offer at public sale three parcels of property which are no longer needed for highway purposes. Minimum sale price, he said, is based on competent appraisals and access and other conditions of sale are consistent with situations existing in the vicinity of each property. The Commission authorized public sale as follows and thereupon adopted "Real Property Resolutions Nos. 551 and 552," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) 5.8 acres of land, File 24173, located on the northerly side of the McKenzie Highway approximately six miles east of Sisters in Deschutes County, for not less than \$3,500. One point of access is to be allowed to the McKenzie Highway, and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required. (See "Real Property Resolution No. 551").
- (2) 700 square feet of land, Files 28297, 28299, and 28336, consisting of the remainder of three vacated streets adjacent to the northbound offramp to N. E. Wiedler Street on the Pacific Highway in the City of Portland Multnomah County, for not less than \$2,000. No access is to be permitted to the Pacific Highway and approval by the Federal Highway Administration is not required. (See "Real Property Resolution No. 552").
- (3) Two triangular parcels of land containing 1,715 square feet and 845 square feet, respectively, Files 19391 and 23147, located in the northwest corner of the intersection of S. W. 23rd Avenue with S. W. Dolph Court in the City of Portland, Multnomah County, for not less than \$500. No access is to be permitted to the Pacific Highway and signboard and junkyard exclusion clauses are to be included in the deed. Sale of the property is subject to Federal Highway Administration approval, which was requested by letter dated July 14, 1971.

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Authorization was also requested by the Right of Way Engineer to make direct sales on three parcels of land which are no longer needed for highway purposes. Because of peculiarities of location and other conditions, salability is restricted to a single party. The Commission approved sale of the following properties and thereupon adopted "Real Property Resolution No. 553," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) 515 square feet of land, File 38421, located on the westerly side of the Clackamas Highway north of Penzance Street in the City of Milwaukie, Clackamas County, to Carl R. Bigej, the adjacent property owner, for \$250. No access is to be permitted to the Clackamas Highway and signboard and junkyard exclusion clauses are to be included in the deed. Federal Highway Administration approval is not required.
- (2) 1.04 acres, File 8548, located on Railroad Street between Center and Wharf Streets in the City of Brookings, Oregon Coast Highway, Curry County, to the City of Brookings for \$4,525 which is one-half of the appraised value. The sale is subject to a public use clause and signboard and junkyard exclusion clauses are to be included in the deed. Federal Highway Administration approval is not required. (See "Real Property Resolution No. 553").
- (3) Four former stockpile sites totaling 3.65 acres, Files 6250, 6280, 6281 and 6322, located on a county road, formerly a portion of the Mt. Hood Highway south of Parkdale in Hood River County, to the County for the sum of \$4. The County has jurisdiction over the old section of highway on which the stockpile sites are located and has requested transfer of the sites to the County. A junkyard exclusion clause is to be included in the deed and approval by the Federal Highway Administration is not required.

Consideration was given to a request from Portland State University to lease the air space under the West Marquam Bridge on the Pacific Highway in the City of Portland. The Right of Way Engineer explained that the University plans to use the area for parking, academic, and recreation purposes. The lease is proposed to run for 25 years and no consideration is involved. Under the terms of the lease, the lessee is to grade and pave the lot, construct curbs, install drainage, construct certain buildings and maintain the area. No access is to be permitted to the State highway overhead structure. Federal Highway Administration concurrence was requested by letter dated July 13, 1971. The Commission approved the lease subject to concurrence by the Federal Highway Administration and authorized the Secretary to sign the agreement in their behalf.

Confirmation was requested by the Right of Way Engineer for telephone approval given by the Chairman on July 12, 1971, in the award of a demolition contract. The Right of Way Engineer explained

that two bids were received, the low one from Heard Construction Company in the amount of \$8,820 for removal of buildings, debris and grading on the Mt. Hood Highway in the City of Portland, Multnomah County. The Commission confirmed award of the contract to the low bidder and authorized the Secretary to sign the contract in their behalf.

The Right of Way Engineer reported that two bids were received on July 26, 1971, for removal of buildings, debris and rough grading on portions of the East Portland Freeway and Mt. Hood Freeway in the City of Portland, Multnomah County. The estimated cost of the work, he said, is \$8,500. Heard Construction Company submitted the low bid at \$7,780 and he recommended that the contract be awarded to them. The Commission approved the award and authorized the Secretary to sign the contract in their behalf.

The Commission accepted the Chief Counsel's report on cases which have been tried in court since the last Commission meeting, summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
William Hager, et al. L-6207 R-39471	Marion	Silver Creek Falls Highway	\$33,000	\$45,000	\$39,500
Clifford C. Cross, et al. L-6328 R-43628	Mult.	Columbia River Highway	\$ 200*	\$20,000 (Answer)	\$ 5,500

*Review as of April 1970. In October of 1970 a second appraisal was obtained. Value indicated to be \$3,150. Reviewer selected figure of \$200 for purpose of negotiations. Verdict of \$5,500 not excessive in view of testimony in amount of \$3,150.

REPORT OF TRIAL OF OTHER CASES - STATE DEFENDANT

<u>Plaintiff</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Jesse J. Laird L-6215	Coos	Personal Injury	\$76,000.00	\$43,606.00 July 27, 1971

(Report of Trial of other cases - State Defendant Cont.)

<u>Plaintiff</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Dennis Alley Lane and Nation-wide Ins. Co. L-6223		Property Damage	\$1,426.76	Favor of Dfts.
Orville Sloan L-6224	Linn	Property Damage	\$ 246.10 plus \$ 150.00 atty fees	\$ 435.68 inc. atty fees & costs
Howard M. Beasley L-6077	Marion	Personal Injury	\$66,125.00	Dismissed
Roger Joe Tiedemann L-6416	Mult.	Personal Injury	\$261,653.35	Judgment on the Demurrer
Romoldo Leos L-6138	Polk	Wrongful Death	\$33,485.35	Dismissed as to State

(For additional details, see the Chief Counsel's letter dated July 22, 1971, concerning cases tried filed in the Salem Office, General Files).

The Commission also accepted a report made by the Chief Counsel concerning cases which have been settled out of court since the last Commission meeting summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
W. W. Morlan, et al. L-6190 R-43814	Clack.	Mt. Hood Highway	\$2,550 (partial)	\$11,800 (entire)	\$15,000 (entire)
Erosion of remainder property due to State's rip rap procedures may be involved - hence total take.					
Jules E. Thompson, et al. L-6305 R-43985	Curry	Oregon Coast Highway	\$30,300	\$37,850 Revised and Reviewed Appraisal	\$40,000
Elmo Frey, et al. L-6337 R-17596	Marion	Pacific Highway East	\$25,800		Voluntary Nonsuit

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(Report of Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Norwood E. Nash, et al. L-6354 R-43624	Mult.	Columbia River Highway	\$18,300	\$18,300 (partial) \$19,700 (entire)	\$27,000

It is opinion of Counsel, based upon his experience and judgment and in light of his professional knowledge, that there were appraisal deficiencies from both a legal and appraisal standpoint that precluded a successful trial of this condemnation action.

Charles E. Davis, Jr., et al. L-6243 R-43935	Wash.	Sunset Highway	\$22,450	\$25,500	\$30,500
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Damage due to State's decision not to extend a cattle pass is involved in the settlement.

REPORT OF OTHER CASES SETTLED

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Settlement</u>
Forrest F. Dale Campbell L-6290	Dale Bessett, et al.	Douglas	Personal Injury	\$35,769.84	\$22,500.00
Ed. B. Welch L-6313	Ralph Fisher, dba Winston Paving Company and State	Douglas	Wrongful Death	\$102,555.74	\$ 4,500.00
Clarence Hubert Wiseman L-6078	Forrest Cooper, et al.	Marion	Personal Injury	\$283,153.00	Dismissed
Karen D. Saito L-6260	Glenn Thomas Norton and Willard Scofield	Mult.	Personal Injury	\$45,535.00	Dismissed

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(Report of other cases settled Cont.)

Plaintiff	Defendant	County	Cause of Action	Demands of Plaintiff	Settlement
Sidney Brockley L-6400	State of Oregon	Mult.	Property Damage	\$ 100.05	\$ 100.05
Theresa Ellena L-6246	Orpha Marie Wenner, et. al.	Mult.	Personal Injury	\$7,500.00	City of Lake Oswego tendered and accepted defense of the State
R. B. Hartman L-5950	E. J. Hall	Yamhill	Personal Injury	\$5,088.75)))\$3,000.00*
Anna M. Hartman L-5951	E. J. Hall	Yamhill	Personal Injury	\$10,403.00)

*Total settlement for both cases.

(For additional details, see the Chief Counsel's letter dated July 22, 1971, concerning cases settled filed in the Salem Office, General Files.)

The Commission accepted the Chief Counsel's oral report on legal proceedings which have been instituted since the last Commission meeting summarized as follows:

- (1) Jerry S. and Barbara Farmer v. State of Oregon, L-6498: Plaintiffs have filed an inverse condemnation action alleging that the State took a portion of their property in Jackson County without payment of just compensation. They ask compensation in the sum of \$10,000 plus a reasonable attorney fee.
- (2) David J. and Miriam E. Baker v. State of Oregon, L-6499: The plaintiffs allege that a Highway Division truck operator caused gravel to be sprayed on their auto on the Jacksonville Highway in Jackson County causing damages in the sum of \$109.50.
- (3) John Dennison and Loretta Carolyn Peters v. S. D. Spencer & Son, et al., L-6501. Plaintiffs have instituted action against the State of Oregon, Bobby Johnson, Resident Highway Engineer; and S. D. Spencer & Son, a highway contractor, for damages allegedly incurred to a retaining wall on their property in Coos Bay in Coos County. They allege that heavy equipment operated by the contractor caused their wall to crumble. They seek damages in the sum of \$945, plus attorney fees in the sum of \$650.

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- (4) Ivan W. and Helen G. Farmer v. State of Oregon, L-6502: Plaintiffs have filed an inverse condemnation action alleging that the State took an easement for which it failed to pay just compensation. Plaintiff claims the value of the easement is \$50,000 and asks a judgment against the State in that amount plus costs and attorney fees.

- (5) Linda Ann Adams v. State of Oregon, L-6504; Plaintiff has filed action against the State and Lord Bros. Contractors for damages in the amount of \$10,020 resulting from a collision with a highway barrier on August 9, 1970. She alleges that the car in which she was a passenger collided with an unlighted barrier in a vehicle lane on the Pacific Highway at Wilsonville in Clackamas County.

- (6) Lyle Francis Adams v. State of Oregon, L-6503: Plaintiff has brought action against the State and Lord Bros. Contractors for damages in the amount of \$10,665 resulting from a collision with a highway barrier on the Pacific Highway at Wilsonville in Clackamas County.

The Chief Counsel stated that all of these cases are being handled by Assistant Attorney Generals or have been referred to the State Insurance Carrier.

Acquisition of the R. M. Wade & Company property in connection with construction of approaches to the Fremont Bridge on the Stadium Freeway in Portland was brought up by the Chief Counsel. He explained that it will be necessary to acquire all of the Wade property, and due to the nature of their business they will require a minimum of 18 months time before being requested to move. The Federal Highway Administration, he said, has authorized the acquisition of the entire property. The Chairman inquired if the portion of the property not required by construction would be a large enough parcel to sell. The Chief Counsel replied that the remaining portion would be large enough to be attractive to buyers. In response to Commissioner Bruno's inquiry as to how much land is involved, the Chief Counsel replied that approximately two city blocks will be acquired. The Commission authorized acquisition of the Wade property.

An agreement with TA HO Development Company for a connection to an existing sewer system to service the Neskowin Beach State Wayside in Tillamook County was discussed. The Engineer stated that the wayside will be completed near January 1, 1972. The owners of the sewer system are agreeable to a hookup with the State facility for an initial charge of \$300 and a charge thereafter of \$12 per month. The agreement covers a period of five years and he recommended that it be approved. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

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Notifications of intent to improve or change land use under the Scenic Waterways Act were presented by the Engineer. He stated that each of the requests has been carefully investigated as to its effect on the environment. Other governmental agencies involved have been contacted and no objections have been raised. As the requests do not conflict with the Scenic Waterways Act he recommended and the Commission approved the following requests subject to restrictions contained in the letters advising the owners of approval:

- (1) Mrs. Don Lucas' request to construct a trailer slab near the left bank of the Rogue River approximately one-half mile above its confluence with the Illinois River near Agness in Curry County. Verbal approval was given by the Chairman on July 2, 1971.
- (2) The Curry County Road Department requested permission to realign and improve a section of Agness Road No. 375 approximately 1.73 miles easterly from Cougar Lane Store in Agness. Commission approval was given contingent upon the construction being performed in compliance with sketches submitted June 2, 1971, attached to the request for a permit.
- (3) Frank Bigham, Jr., requested permission to construct a residence approximately eight miles above the confluence of the Rogue River and Lobster Creek in Curry County. Verbal approval was given by the Chairman on July 22, 1971.
- (4) Russell and Della West requested permission to construct a dwelling on the left bank of the Rogue River about eight miles upstream from Lobster Creek Bridge in Curry County. Verbal approval was given by the Chairman on July 22, 1971.

Confirmation was requested for verbal Commission approval given June 24, 1971, on an agreement with Marion County for the acquisition of 525 acres on Brown Island immediately south of Salem in connection with the Willamette River Park System. This purchase, the Engineer stated, provides approximately 4,400 lineal feet of river frontage and is an extension of the Minto Island Project approved several months ago. The acquisition has been agreed upon at the appraised value of \$498,800. The State's share, utilizing Willamette River Park Systems funds, is \$124,700 and Marion County is providing a like amount. The Bureau of Outdoor Recreation is financing the balance of the purchase, or \$249,400. The Commission confirmed the agreement and authorized the Secretary to sign it in their behalf.

Consideration was given to the transfer of \$300,000 in quarterly amounts to the State Marine Board. In review of this matter, the Engineer pointed out that it was apparently the intent of the 1971 Legislature that Marine grants should not be made without the approval of the State Marine Board. Senate Bill 154 provides for a revised

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distribution of Marine Board revenues and the Director of the State Marine Board has advised that he would have no objection to assuming the responsibility for the distribution of these funds. The Engineer recommended that the \$300,000 of Marine Funds be transferred to the Marine Board in quarterly amounts of \$37,500 beginning with the quarter ending September 30, 1971. The program heretofore managed by the County and City Section of the Highway Division is to be dropped. The Commission approved the transfer of funds as recommended. Chairman Jackson inquired if previous Marine grants have been expended. The Engineer replied that they have.

The Commission approved an increase in project authorization recommended by the Engineer as follows:

- (1) Contract No. 7505 for landscape improvement in the Neskowin Beach State Wayside in Tillamook County for \$6,821.04 (23%). Modifications to the irrigation, sewer, and electrical systems plus extra engineering caused by the additional work were given as the reasons for the overrun.

Stabilization of a major slide on the Fern Hill-Burnside Section of the Columbia River Highway in Clatsop County was discussed. The Engineer recalled that a consultant had been engaged to make a study of the slide area and his report indicated that a portion of the slide can be stabilized. He recommended the expenditure of \$250,000 for a portion of the slide stabilization project. The Commission approved the expenditure on Federal-Aid Program XII.

Repair of sections of highways damaged by floods and storms in January of 1971 was brought up by the Engineer. Surveys and plans are complete for two projects which are eligible for 100 percent Federal-aid reimbursement under the Emergency Relief Program. Following his favorable recommendation the Commission approved the following projects to be offered for contract bidding as soon as possible:

		Estimated Cost
Salt Creek Slide Sec., Willamette Highway, Lane County, M. P. 51.0-M.P. 51.6	Channel Revetment, Grading and Paving	\$220,000
Cape Meares Loop Rd. & Bay Ocean Rd. Sec., FAS 616, Tillamook County M.P. 1.5 & M.P. 5.2	Slide Correction Grading and Paving	80,000

Confirmation of verbal approval given by the Chairman on June 30, 1971, for payment of a billing presented by Cole & Weber, Inc., was requested by the Engineer. He explained that during the past year Cole and Weber has presented billings for their services on the SOLV and Keep Oregon Livable programs. However, only the portions of these billings

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applicable to highways, parks, beaches and recreational areas were paid, leaving an unpaid balance of \$22,477.90. A legal opinion has been received stating that payment of this remaining amount may be made from funds received for the sale of customized license plates. The Commission confirmed payment of the balance as explained by the Engineer.

A quarterly report on property damage claims for the period April 1 through June 30, 1971, was presented by the Engineer. During this period, he mentioned that \$49,392.62 had been collected and four claims totaling \$2,629.98 were abandoned. The Commission accepted the report.

Attention was given to requests from contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

- (1) Hermiston Construction Company, Contract No. 7457 on FAS 902 in Lake County, requested an additional 49 calendar days in which to complete the contract. The Commission approved an extension of 10 days without assessment of liquidated damages.
- (2) Landscaping, Inc., Contract No. 7508 for landscaping on the East Portland Freeway in Clackamas County requested an extension of two months. The Commission approved an extension of 30 days, without assessment of liquidated damages, thereby establishing a new completion date of June 30, 1971. Approval by the Federal Highway Administration was given by letter dated June 29, 1971.
- (3) Peter Kiewit Sons' Company, Contract No. 7186 for work on the Sunset Highway in Multnomah County, requested an extension of time. The Commission granted an extension to the date of completion, April 28, 1971, thereby eliminating all liquidated damages.
- (4) Asphalt Paving Company, Contract No. 7487 for work on the Klamath Falls-Malin Highway in Klamath County, requested an extension of 30 days without assessment of liquidated damages. The Commission denied the request.
- (5) Ross Bros. Construction, Inc., Contract No. 7425 for work on the "D" River Wayside on the Oregon Coast Highway in Lincoln County, requested a five-month extension of time. The Commission approved the request, thereby establishing a new completion date of May 1, 1971, without assessment of liquidated damages.
- (6) All-City Landscape, Inc., Contract No. 7430 for work in the Sunset Safety Rest Area on the Sunset Highway in Clatsop County, requested a 60-day extension of time. The Commission granted the request thereby establishing a new completion date of August 31, 1971, without assessment of liquidated damages.

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- (7) Rogers Construction, Inc., Contract No. 7274 for work on the Oregon-Washington Highway in Umatilla County, requested an extension of 86 days. The Commission granted an extension of 28 days without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated July 13, 1971.

The Engineer reported that Contract Nos. 7215, 7326, 7338, 7456, 7478, and 7486 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 195," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed verbal award of contracts made on June 28, 1971, on bids which had been received June 24, 1971 and also confirmed authority for the Secretary to sign the following contracts in their behalf:

BIDS RECEIVED IN SALEM JUNE 24, 1971

Contract No. 7597 for illumination on West Linn-S. West Linn Interchange Section in the City of West Linn on East Portland Freeway in Clackamas County. Ten bids were received. The Commission accepted the low bid of General Service Electric, Inc., Bellevue, Washington for \$188,000 and directed the Engineer to award the contract to said bidder when approval is received from the Federal Highway Administration.

Contract No. 7598 for grading and paving entrance road and parking area in Seven Devils State Wayside in Coos County. One bid was received. The Commission awarded the contract to the lone bidder, Martin Kincheloe, Myrtle Point, at \$77,428.50.

Contract No. 7599 for grading, paving and structure on S. Gold Hill Interchange Section of Pacific Highway in Jackson County. Five bids were received. The Commission accepted the low bid of M. R. Holst Construction, Oakridge, for \$284,005 and directed the Engineer to award the contract to said bidder when approval is received from the Federal Highway Administration.

Contract No. 7600 for maintenance painting on the Applegate River Bridges on Jacksonville Highway in Josephine and Jackson Counties. Four bids were received. The Commission awarded the contract to the low bidder, Albert Dierickx Company, Inc., Portland, at \$25,960.

Contract No. 7601 for grading, paving and traffic signals on Mohawk Road-"I" Street in Springfield on Mohawk Blvd. in Lane County. Four bids were received. The Commission accepted the low bid of Hamilton Electric, Inc., Eugene, for \$150,155 and directed the Engineer to award the contract to said bidder when approval is received from the Federal Highway Administration and the City of Springfield, and the City deposits \$36,000.

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Contract No. 7602 for grading, paving, structure and signing on S. P. Railroad Overcrossing (Goshen) Section of the Pacific Highway in Lane County. Four bids were received. The Commission accepted the low bid of Ross Bros. Construction, Inc., Salem, for \$950,000.50 and directed the Engineer to award the contract to said bidder when approval is received from the Federal Highway Administration.

Contract No. 7603 for grading and paving in Roads End Beach State Wayside in Lincoln County. One bid was received. The Commission awarded the contract to the lone bidder, Oceanlake Ready Mix Co., Lincoln City, at \$18,191.25.

Contract No. 7604 for grading and paving on N. W. 1st Avenue in the City of Scio in Linn County. Two bids were received. The Commission accepted the bid of Morse Bros., Inc., Lebanon, for \$19,779.50 and directed the Engineer to award the contract to said bidder when the City of Scio approves the project and deposits \$1,887.

Contract No. 7605 for grading, paving, structures, signs and illumination on N. Fork Jacobsen Gulch-N. Ontario Interchange Section of the Old Oregon Trail in Malheur County. Eight bids were received. The Commission accepted the low bid of J. C. Compton Co. & Ross Bros. Construction, Inc., Salem, for \$4,189,183.70 and directed the Engineer to award the contract to said bidder when necessary right-of-way is acquired and approval is received from the Federal Highway Administration.

Contract No. 7606 for grading and paving on South Street in the City of Silverton in Marion County. Three bids were received. The Commission accepted the low bid of North Santiam Sand & Gravel, Inc., Stayton, for \$24,071.10 and directed the Engineer to award the contract to said bidder when the City of Silverton approves the project and deposits \$6,312.

Contract No. 7607 for O. L. and W. Canal (Power Line Rd.) Bridge on FAS 947 in the City of Umatilla in Umatilla County. Five bids were received. The Commission accepted the low bid of Ray Construction Co., & John Horner, Hermiston, for \$27,767 and directed the Engineer to award the contract to said bidder when Umatilla County approves the project and deposits \$6,400.

Contract No. 7608 for paving on Shevlin Camp Road-Silver Lake Section of Fremont Highway in Klamath and Lake Counties. Four bids were received. The Commission awarded the contract to the low bidder, J. C. Compton Company, McMinnville, for \$817,040.

Contract No. 7609 for grading and paving on 3rd St.-7th St. in the City of Harrisburg on FAS 733 in Linn County. Two bids were received. The Commission accepted the low bid of Wildish Construction Co., Eugene, for \$89,349 and directed the Engineer to award the contract to said bidder when Linn County approves the project and deposits \$6,700.

Richland Rock Production Project on the Baker-Copperfield Highway in Baker County. No bids were received.

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Contract No. 7610 for Eastside (Isthmus Slough) Bridge on the Coos River Highway in Coos County. Four bids were received. The Commission awarded the contract to the low bidder, Powell Roofing & Building Co., Inc., North Bend, for \$37,300.

Contract No. 7611 for grading and paving on Airport Road-Hilton Road Section of FAS 15-107 in Jackson County. Two bids were received. The Commission accepted the low bid of M. C. Lininger & Sons, Inc., Medford, for \$627,055 and directed the Engineer to award the contract to said bidder when Jackson County approves the project and deposits \$143,100.

Contract No. 7612 for Florence (Siuslaw River) Bridge on Oregon Coast Highway in Lane County. Three bids were received. The Commission awarded the contract to the low bidder, B-G Paint Company, Seattle, Washington, for \$43,680.

Elgin Rock Production on Wallowa Lake Highway in Union County. No bids were received.

The Engineer reported that he had awarded contracts which had been referred to him by the Commission to award when certain conditions were fulfilled. The Commission confirmed award of the following contracts:

- (1) West Linn-South West Linn Interchange Section of the East Portland Freeway in Clackamas County. Bids received June 24, 1971. Contract No. 7597 awarded July 1, 1971, to General Service Electric, Inc., Bellevue, Washington, low bidder.
- (2) South Gold Hill Interchange Section of Pacific Highway in Jackson County. Bids received June 24, 1971. Contract No. 7599 awarded July 1, 1971, to M. R. Holst Construction, Oakridge, low bidder.
- (3) Mohawk Road-"I" Street (Springfield) Section of Mohawk Boulevard in Lane County. Bids received June 24, 1971. Contract No. 7601 awarded July 14, 1971, to Hamilton Electric, Inc., Eugene, low bidder.
- (4) S. P. Railroad Overcrossing Section in City of Goshen on the Pacific Highway in Lane County. Bids received June 24, 1971. Contract No. 7602 awarded July 1, 1971, to Ross Bros. Construction, Inc., Salem, low bidder.
- (5) N. W. 1st Avenue in City of Scio in Linn County. Bids received June 24, 1971. Contract No. 7604 awarded July 2, 1971, to Morse Bros., Inc., Lebanon, low bidder.

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- (6) North Fork Jacobsen Gulch-North Ontario Interchange Section of the Old Oregon Trail in Malheur County. Bids received June 24, 1971. Contract No. 7605 awarded July 12, 1971, to J. C. Compton Company and Ross Bros. Construction, Inc., McMinnville, low bidder.
- (7) South Street in City of Silverton in Marion County. Bids received June 24, 1971. Contract No. 7606 awarded July 8, 1971, to North Santiam Sand and Gravel, Inc., Stayton, low bidder.
- (8) 3rd Street-7th Street Section in City of Harrisburg on FAS 733 in Linn County. Bids received June 24, 1971. Contract No. 7609 awarded July 1, 1971, to Wildish Construction Company, Eugene, low bidder.
- (9) Airport Road-Hilton Road Section of FAS 15-107 in Jackson County. Bids received June 24, 1971. Contract No. 7611 awarded July 1, 1971, to M. C. Lininger and Sons, Inc., Medford, low bidder.
- (10) O. L. & W. Canal (Power Line Road) Bridge Section of FAS Route 947 in Umatilla County. Bids received June 24, 1971. Contract No. 7607 awarded July 21, 1971, to Ray Construction Company and John Horner, Hermiston, low bidder.

The Commission considered requests from the Cities of Grants Pass, Gresham, Lebanon, Newport, and West Linn for Federal-Aid TOPICS Projects. The Engineer mentioned that the projects have been investigated and are eligible for funding under the TOPICS Program. Following his favorable recommendation, the Commission approved the following projects and authorized the Secretary to sign construction agreements:

FISCAL YEAR 1970 & 1971 PROJECTS

CITY	SECTION	PROGRAMMED AMOUNT	STATE COST
GRANTS PASS	Grants Pass Urban Area Areawide TOPICS Plan	\$ 10,355	\$ 2,071
GRANTS PASS	4th St.-5th St., Bridge St. Grading, paving, and channelization.	55,000	11,000
GRESHAM	Powell Blvd. @ Hood Ave. Traffic signal.	22,000	4,400
LEBANON	Oak St. @ 2nd St. & Park St. and Grant St. @ Williams St. Traffic signals.	49,000	9,800

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(Fiscal Year 1970 & 1971 Projects Cont.)

CITY	SECTION	PROGRAMMED AMOUNT	STATE COST
NEWPORT	Oregon Coast Hwy.-Waterline Dr. Naterlin Dr.; Grading, paving, channelization, and landscaping.	\$ 25,000	\$ 5,000
WEST LINN	S. Marylhurst Dr.-10th St., Portland Ave. & 7th Ave. Grading, paving, channelization, & clearing.	63,000	12,600

TOTAL NEW PROJECTS \$224,355 \$44,871

SUMMARY BY FISCAL YEAR	1970	1971	TOTAL
Allocated funds	\$2,742,000	\$2,730,000	\$5,472,000
Approved Projects (corrected to date)	2,742,000	1,469,000	4,211,000
Unprogrammed Balance	0	1,261,000	1,261,000
Proposed Projects: 7/27/71	- - -	224,355	224,355
Unprogrammed Balance	\$ 0	\$1,036,645	\$1,036,645

The Commission also considered requests from Deschutes, Malheur, and Umatilla Counties for Federal-Aid Secondary projects, and a request from Umatilla County for cancellation of a project. The Engineer stated that the projects have been investigated and are eligible for the use of FAS funds. The Commission accepted his recommendation for approval and authorized the Secretary to sign routine construction agreements on the following projects:

COUNTY	FAS	SECTION & DESCRIPTION	PROGRAMMED AMOUNT	STATE SHARE
DESCHUTES	325	C.O.I. Canal (Deschutes Station) Bridge Section. Structure, grade, drain, and pave.	\$ 50,000	\$10,000
MALHEUR	23-107	Bully Creek (Greenfield Road) Bridge Section. Structure.	75,000	15,000
UMATILLA	470	West Pendleton Interchange, Rieth Road. (To be 80% Federal funds and 20% State funds for this project.)	360,000	72,000
TOTAL NEW PROJECTS			\$485,000	\$97,000

CANCELLATION OF PREVIOUSLY APPROVED PROJECT

UMATILLA	470	Barth Crossing-U.S. 30 Connection, Rieth Road. (Transfer \$9,910 County Federal Aid funds to State Highway funds.)	200,000
TOTAL CANCELLATION			\$200,000
TOTAL			\$285,000

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(FAS Project Funds Cont.)

Note: Total Federal funds transferred \$9,910.
 \$9,910 of Federal funds is equal to \$17,000
 FAS funds.

SUMMARY BY FISCAL YEARS	1971	1972	TOTAL
Allocated funds	\$5,067,000	\$5,054,000	\$10,121,000
Approved Projects (corrected to date)	5,067,000	4,095,000	9,162,000
Unprogrammed Balance	- - -	959,000	959,000
Projects Proposed 7/14/71	- - -	285,000	285,000
Transferred FAS Funds	- - -	17,000	17,000
Unprogrammed Balance	- - -	\$ 657,000	\$ 657,000

The Engineer reported that under ORS 366.525 the counties are entitled to receive from the State 20% of all funds received from motor vehicle taxes and fees for the period April 1, 1971, to June 30, 1971. The amount credited to the counties totals \$5,628,297.13 and he recommended that it be released as apportioned by law. The Commission approved release of the funds.

A resolution to establish a reduced speed zone on the Pacific Highway West southwest of Tigard in Washington County was discussed. The Engineer explained that recent residential and commercial developments have increased the accident potential in this area and the number of accidents, although not high in number, have been high in terms of severity and injuries. He recommended that a 50 mile-per-hour speed zone be established from the south city limits of Tigard at M.P. 10.75 to a point 200 feet southwest of Royalty Parkway at M.P. 11.25. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 586," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was also given to the extension of a reduced speed zone on the Jacksonville Highway north of the city of Jacksonville in Jackson County. The Engineer mentioned that recent roadside construction in this section makes it desirable to extend the speed zone. He recommended the establishment of a 35 mile-per-hour speed zone from the north city limits of Jacksonville at M.P. 34.03 to a point 0.17 mile northerly thereof at M.P. 34.20. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 587," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer stated that a request had been received for the extension of a reduced speed zone on the Pacific Highway West south of Corvallis in Benton County. An investigation disclosed an unfavorable accident record on this section and he recommended that "Speed Zone Resolution No. 384," dated March 14, 1963, be rescinded and the following speed zones established:

40 miles per hour from the south city limits of Corvallis at M.P. 85.60 to a point 0.19 mile south of Goodnight Lane at M.P. 85.71.

50 miles per hour from M.P. 85.71 to a point 0.10 mile south of Airport Road at M.P. 87.63.

The Commission accepted the recommendation and thereupon adopted "Speed Zone Resolution No. 588," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer also reported that several requests have been received for a reduced speed zone on the Warm Springs Highway near the Warm Springs Agency and the Deschutes River crossing in Jefferson County. He stated that at present there are 35, 45, and 55 mile-per-hour speed zones through this community. A traffic engineering investigation indicates that a lower speed should be indicated in a portion of the community. He recommended that "Speed Zone Resolution No. 551," dated November 18, 1969 be rescinded and the following speed zones established:

45 miles per hour from a point 0.41 mile northwest of Warm Springs Agency entrance at M.P. 102.84 to a point 0.20 mile north of the north end of the Deschutes River Bridge at M.P. 105.00, except for a 20 mile per hour speed zone during the hours of school crossings between M.P. 103.13 and M.P. 103.35.

35 miles per hour from M.P. 105.00 to a point 0.22 mile south of the south end of the Deschutes River Bridge at M.P. 105.50.

The Commission accepted the recommendation and thereupon adopted "Speed Zone Resolution No. 589," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution was presented by the Engineer providing for abandonment to Klamath County of a section of the old Lake of the Woods Highway following completion of the Geary Ranch-Green Springs Interchange (Orindale Draw) Section. He recalled that the abandonment of the old section is included in the terms of an agreement with the County dated December 14, 1965. As the new highway section is now completed and open to public travel, he recommended that the old section of approximately 5.3 miles be abandoned. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 440," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer reported that under an agreement with Marion County dated April 21, 1970, the County is to accept a portion of the Silver Creek Falls Highway on Lancaster Drive between State Street and the North Santiam Highway east of Salem as a part of the County road system after its reconstruction to a four-lane facility. The agreement also provides that a portion of State Street east of the Salem city limits between Airport Road and Lancaster Drive, is to be transferred to the County. Construction on Lancaster Drive, he said, has been completed and he recommended that the aforementioned portions of the highway be transferred to the County by resolution.

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In connection with the abandonment action, the Engineer stated that it is necessary to redesignate the secondary highway system in this area because of the transfer. The proposed redesignation will reroute the North Santiam Highway from a junction with North Capitol Street in Salem, thence along Marion and Center Streets to 12th Street, and along State Street, Airport Road, Mission Street and the existing highway (ORE 22) to its present terminus at the junction of the Santiam Highway (US 20) at Santiam Junction in Linn County. The portions of the existing Silver Creek Falls Highway to be retained on State Street within the Salem city limits is to be designated as the Four Corners Connection of the North Santiam Highway. The Silver Creek Falls Highway (ORE 214) is to be routed from a junction with the North Santiam Highway at the Shaw Interchange east of Salem easterly over its present routing via Silver Creek Falls State Park to Silverton. The Engineer recommended redesignation of the highways as presented. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 507" and "Secondary Highway Designation Resolution No. 75," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A supplemental agreement with Cornell, Howland, Hayes and Merryfield was presented by the Engineer. He explained that in January 1971 an agreement had been entered into with them to conduct a noise study on the Salem Spur (I-305) in the northerly part of Salem. It is now desirable that additional work be performed pertaining to highway noise levels. This additional work will require extension of the agreement for 30 days and an additional cost of \$525. Verbal approval has been received from the Federal Highway Administration. The Commission accepted his favorable recommendation and authorized the Secretary to sign the supplemental agreement in their behalf.

The Commission also considered a supplemental agreement with Lane Council of Governments for an extension of time on an agreement pertaining to the Dual Independent Map Encoding Program for the collection of socio-economic and land use data in the Eugene metro area. The Engineer mentioned that the request for the extension of time also included a request for \$6,215 additional funds. Problems such as Census Bureau map errors, delays in receiving Census Bureau tapes and difficulties in transferring Census Bureau information to local maps were given as the principal reasons for the extension and increase in funds. The Federal Highway Administration has approved the use of Highway Planning and Research money required by the supplemental agreement. The Engineer stated that in his opinion the request is in order and he recommended approval. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Chairman Jackson inquired as to what results can be expected. The Deputy Engineer replied that the data secured from the study is basically census tract statistics, and is being placed in the computer for future traffic origin - destination information. The Engineer commented that the information being compiled is required by the Federal Government in order to qualify the metropolitan area for Federal Aid.

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Consideration was given to a combination throughway and air space lease agreement with the City of Eugene incorporating the multiple-use concept on the 7th Avenue-Willamette River Section of the Eugene-Springfield Highway. The Engineer mentioned that the agreement provides for right-of-way acquisition, construction work, and maintenance by the State. The City has agreed to cooperate in the adjustment of utilities and in closure of certain city streets. All of the land within the right-of-way, including the air space beneath the structure, is to be developed for recreational purposes and is to be maintained by the City when the project is completed. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An additional expenditure of \$4,500 for improvement of a traffic signal installation at the intersection of the I-105 off-ramp and Country Club Road at Eugene, Lane County, was considered. The Engineer recalled that the original agreement provided for a total expenditure of \$12,000 but since that time it has been deemed advisable to install a more sophisticated control system. The total additional expenditure is estimated at \$9,000 to be shared equally by the State and the County. The Commission approved the additional expenditure from State Construction Funds.

An agreement with the City of Junction City for conversion of the existing traffic signals at the intersection of Ivy Street (Pacific Highway West) and 6th Avenue in Lane County was brought up by the Engineer. Under terms of the agreement the State and the City are to share equally the cost of the conversion estimated at \$15,000. The State's share of \$7,500 is to be included in the current State Construction Program. The City agrees to provide for all future maintenance and power consumption costs. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered an agreement with the City of Gresham for installation of a pedestrian signal on the Mt. Hood Highway at Walters Road near Gresham Grade School in Multnomah County. Under terms of the agreement the State and City are to share equally in the installation cost which is estimated at \$7,000. The City is to provide for all future maintenance and power consumption costs. The State's share of the cost, \$3,500, is to be charged to the construction project on the Ava Avenue-Burnside Section of the Mt. Hood Highway of which the installation will be a part. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

Attention was given to an agreement with the Neighborhood Youth Corps Programs Sponsor to employ eligible youths during the summer months. The Engineer explained that the Corps was established by the Economic Opportunity Act and is funded through the U. S. Department of Labor. The Highway Department, he continued, has many meaningful jobs which youth can perform in maintenance and park operations, including construction of new trails and cleanup work. The agreement has been executed with five of the directors of the Neighborhood Youth Corps and work was started in the first week of July.

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Telephonic approval was given by the Chairman on July 8, 1971. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

The Chairman inquired as to how many young people have been employed to date. The Engineer replied that slightly less than a hundred have been put to work consisting of 16 to 20 year olds. Jobs have been available for 450 young people. In addition to the 94 young people that are employed in the Federal funded program 72 are engaged in the litter pick up program. The Chairman inquired as to the nature of work required in the 450 positions to which the Engineer replied that this work included odd jobs in the shops area, painting of maintenance sheds, litter pickup in parks and minor construction in parks and recreational areas. Commissioner Hill inquired if the young people are required to work a great distance from their homes. The Engineer replied negatively. The Chairman commented on the effort that the Highway Division has put in to provide the jobs only to find that they cannot find young people to fill them. Commissioner Bruno inquired if the job openings are well publicized. The Engineer replied that close contact has been maintained with each of the sponsoring groups. Whatever the reason might be that the job opportunities cannot be filled, the Chairman stated that the record should show that the Highway Division had made the opportunities available. Concerning the litter control program the Engineer stated that the 72 young people involved in this work have done an outstanding job and are covering a lot of ground. However, within two or three weeks the highways are again littered and the job must be repeated. Commissioner Hill mentioned that the quick relittering of highways should be publicized. Chairman Jackson expressed the opinion that to secure lasting results in the litter problem, it will be necessary to attack the problem at its source through a public educational program, otherwise the control of litter is discouraging.

An agreement with Union Pacific Railroad Company pertaining to construction of an access road along the south edge of the Railroad right-of-way beneath the three overcrossing structures on the North Powder-Powder River Section of the Old Oregon Trail in Baker County was discussed. The Engineer mentioned that the road is being constructed for the contractor's benefit. The State in the first instance is to reimburse the Railroad for any expense incurred by the Railroad, but all obligations and liabilities are to be assumed eventually by the contractor. Following the Engineer's favorable recommendation, the Commission approved the agreement.

The Commission also considered an agreement with Union Pacific Railroad Company and Multnomah County concerning installation of crossing gates at the Arata Road grade crossing near Wood Village on the Columbia River Highway in Multnomah County. The Engineer stated that the agreement provides that the County collect \$4,000 from outside parties and that the Railroad, County and State share equally the balance of the costs. He estimated the cost of the project at \$12,110 to be allocated as follows:

Outside parties	\$4,000
Union Pacific Railroad Company	2,704
Multnomah County	2,703
State of Oregon	2,703

The Railroad is to bear all costs of maintenance of the installation. The Commission accepted the Engineer's recommendation for approval.

An agreement with Cranston-Higbee Ditch (Participants) pertaining to reconstruction of their irrigation facilities on the Richland Interchange-South Baker Interchange Section of the Old Oregon Trail in Baker County was brought up by the Engineer. He estimated the cost of the work at \$17,000 which is included in the State Highway Construction contract. The agreement also provides for certain items of maintenance to be performed by the State and the Participants and provides further for an exchange of right-of-way. If future adjustments of the facilities are required, such adjustment is to be at State expense. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was also given to an agreement with Williams-McDougall Ditch (Participants) covering reconstruction of their irrigation facilities on the Richland Interchange-South Baker Interchange Section of the Old Oregon Trail in Baker County. The Engineer stated that the work consists of construction of two concrete box culverts at an estimated cost of \$22,000 which is included in the Highway Construction contract. The agreement also provides for certain maintenance operations to be performed by the State and the Participants and provides further that the Participants deed all their rights within the right-of-way in exchange for a perpetual right to operate and maintain their facilities within the Highway right-of-way. Future adjustments of the facilities are to be performed at State expense. The Engineer recommended approval of the agreement. The Commission accepted his recommendation and authorized the Secretary to sign the agreement for them.

Attention was given to a cooperative construction-finance agreement with the City of Baker concerning improvement of the Ash Street-Main Street (Campbell Street) Section of the Baker-Copperfield Highway in Baker County. This agreement provides that the cost of the project, estimated at \$240,000 not including right-of-way, is to be borne 75 percent by the State and 25 percent by the City. The City is to obtain the necessary right-of-way. The Engineer stated that the City has requested that the project be contracted as soon as possible and has agreed to deposit one-half of their 25 percent share prior to construction and the remainder by December 31, 1971. The State's share of this project is estimated at \$180,000 and the City's share \$60,000 plus the cost of right-of-way. He recommended approval of the agreement. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

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The Engineer presented an agreement with the Secretary of the Department of Transportation to permit compliance with the Federal Outdoor Advertising requirements. He stated that the agreement was prepared subsequent to the passage of House Bill 1861, and he recommended that it be approved. The Commission approved the agreement and authorized the Secretary to sign it for them.

The Chairman inquired as to funds that would be available this year. The Engineer replied that it appears that there will be somewhere between \$200,000 and \$300,000 and approval of the agreement is necessary to secure these funds. The Commission instructed that the sign removal authorized under the Federal law be pursued as rapidly as possible with the funds available and that first attention be given to cleaning up the signs on the Pacific Highway (I-5) between Salem and Portland.

The Commission confirmed the next regular meeting date for September 7, 1971, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for October 19, 1971.

The Engineer stated that a film had been secured from the Minnesota Highway Department showing the results of the use of studded tires on highways in Minnesota. The Chairman inquired if the Highway Commission records would show that the damage caused by studded tires had been presented to the 1971 Legislature. He recalled that the Highway staff had expressed the opinion that studded tires were causing excess maintenance costs in the deterioration of highways and that the suggestion had been made to limit or eliminate the use of studs entirely. He also mentioned that as an end result of the presentation made to the Legislature that they had cut down the use of studded tires by one month in the spring and one month in the fall limiting use of the studs from November 1 to April 30.

The Engineer stated that he did appear before the Senate Highway Committee and had presented oral information on the wear caused by studded tires and had given to them a number of pictures, news releases and the results of studies in other states concerning the damage caused by studded tires. The pictures presented were taken on highways in the Portland area which showed surface wear of one-fourth inch on pavement laid in 1969 and wear of up to one inch on pavement laid before the use of studs was legalized in 1967. (A test was conducted by the State Highway Materials Laboratory in 1965 to determine if studded tires would damage highway surfaces. The tests indicated that damage would be caused but the results were not conclusive as to the amount of damage.) The evidence secured from these tests was presented to the 1965 Legislature and may have been influential in deferring until 1967 passage of the law allowing studded tires.

The film shown explained the steps that were taken and the methods used by the Minnesota Highway Department to determine damage caused by studded tires. Tires without studs and tires with studs were run side by side over identical types of highway surfacing with identical loads. At the conclusion of the tests, the wear caused by the studded tires in some instances was 100 times greater than the wear caused by tires without studs.

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The Commission instructed the Engineer to make available to members of the Legislature the facts which have been determined as to damage to highways caused by studded tires. Chairman Jackson inquired as to the comparable wear to pavements caused by chains. The Engineer replied that there is no doubt that the chains do cause damage but as they are a nuisance to use on bare pavement, people only use them when they absolutely have to. Studded tires, however, are put on in the fall and are not required to be removed until spring.

The Chief Counsel commented on the Administrative Procedures Act passed by the 1971 legislature. The bill, which goes into effect September 9, 1971, means that the Highway Division will come under the act and unless the Division is declared exempt any action taken by the Commission in the nature of an order, a rule, or a policy it will be necessary to give the public a chance to be heard. However, the Governor has authority to grant exemptions which would be in effect only until the next Legislature meets. The Engineer stated that under the terms of the act, it would probably be necessary to have a hearing's officer who is versed in the rules of evidence and law, as the hearing would probably be of an adversary type.

The Chief Counsel stated that the Act is quite lengthy but, in going over it quickly, it appears that all permits granting load limits, park rules, speed zone resolutions and other similar actions would have to be proposed prior to being put into effect. The Act, he continued, covers practically every department in the State and after he has had time to make a more detailed study, he would make a full report to the Commission.

Under the provisions of ORS 366.785 to 366.820 the Engineer stated that 12 percent of all monies credited to the Highway Fund are to be appropriated to the various cities. The apportionment by law is based on the population of each city. He recommended the allocation of \$6,565,465.31, which is the City's share of revenue collected from January 1 through June 30, 1971. The Commission approved the allocation and thereupon adopted "City Allocations of State Highway Funds Resolution No. 53", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission gave attention to the renewal of contracts with Oregon Welcome, Inc., which expired June 30, 1971. The Engineer reported that changes have been made in the agreements which have been combined from three agreements into two. The sales offices in Los Angeles and San Francisco are to be closed and substitute in lieu thereof a telephone number which is to be connected to Portland by a WATS line. The annual cost of the WATS line and the related information service is not to exceed \$15,600 over a period of one year. One agreement includes the functions of the "coordinator" and handling of travel agent groups. The annual cost of the combined functions is not to exceed \$34,400. The Commission approved the agreements as presented by the Engineer and authorized the Secretary to sign them in their behalf.

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The Commission on recommendation of the Engineer approved eliminating US Route 99 and substituting in lieu thereof Oregon State Route 99 which is to include 99W as well as 99E.

Consideration was given to an additional extension of an agreement with Oregon-Washington Railroad and Navigation Company; its lessee, Union Pacific Railroad Company and Southern Pacific Transportation Company covering the use by the State of the upper deck of the Steel Bridge over the Willamette River in Portland. The Engineer recalled that the original agreement dated February 28, 1941, had been previously extended to expire August 31, 1971, and he recommended that it be extended for a period of six months which would be up to and including the 29th day of February 1972 with the terms and conditions of the original agreement to remain in effect during the extended term. The Commission approved the extension.

The Commission authorized the employment of a Public Information Director and instructed the Engineer to present the request to the Emergency Board.

The Commission signed, or authorized the Secretary to sign, the following agreements, deeds and other papers:

"Agreement" with R. M. Wade and Co.; R. M. Wade and Co., Tractor Sales Division; Goulds Pumps Western, Inc. for acquisition and possession of certain property in Multnomah County.

"Bargain and Sale Deed" to August F. and Beverly A. Evert covering the sale of 2.6 acres of land on Lava Falls-E. Forest Boundary Section of the Century Drive Highway in Deschutes County.

"Release" to Shaw School District No. 80 covering 1.0 acre of land on Shaw Section of Silver Creek Falls Highway in Marion County.

"Bargain and Sale Deed" to City of Coquille covering 5.1 acres on Coquille Section of Oregon Coast Highway in Coos County.

"Bargain and Sale Deed" to Fred P. and Florence V. Thompson covering the sale of 0.35 acre on Black Bridge-Richland Section of Baker-Homestead Highway in Baker County.

"Agreement" with TA HO Development Company for a sewer system to Neskowin Beach State Wayside.

"Agreement" with Marion County for acquisition of 525 acres known as Brown Island as an extension of the Minto Island Project in connection with Willamette River Park System.

"Agreement" with Cornell, Howland, Hayes and Merryfield for an extension of 30 days and an additional expenditure of \$525 for conducting a noise study on I-305 in the Salem area.

"Supplemental agreement" with Lane Council of Governments for a 6 month extension of time on a June 2, 1970, agreement and \$6,215 additional funds for the development of the Dual Independent Map Encoding Program.

"Combination throughway and air space lease agreement" with City of Eugene incorporating multiple-use concept on the 7th Avenue-Willamette River Section of Eugene-Springfield Highway.

"Agreement" with City of Junction City for conversion of existing traffic signals at intersection of Ivy Street (Pacific Highway West) and 6th Avenue.

"Agreement" with City of Gresham for installation of a pedestrian signal on the Mt. Hood Highway at Walters Road in the vicinity of the Gresham Grade School.

"Agreement" with Neighborhood Youth Corps Program Sponsor to employ youths during summer months.

"Agreement" with Union Pacific Railroad Company providing for construction of a contractor's access road along the south edge of the Railroad R/W beneath the three overcrossing structures on the N. Powder River Section of I-80N.

"Agreement" with Union Pacific Railroad Company and Multnomah County providing for installation of crossing gates on the existing flashing light signals at the Arata Road Grade Crossing near Wood Village adjacent to the Arata Road Interchange on I-80N.

"Agreement" with Cranston-Higbee Ditch covering reconstruction of their irrigation facilities in conflict with Richland Interchange-South Baker Interchange Section of I-80N in Baker County.

"Agreement" with Williams-McDougall Ditch covering reconstruction of their irrigation facilities in conflict with Richland Interchange-South Baker Interchange Section of I-80N in Baker County.

"Agreement" with City of Baker concerning improvement of Ash Street-Main Street (Campbell St.) Section of Baker-Copperfield Highway.

"Agreement" with Secretary of Department of Transportation to permit compliance with the Federal Outdoor advertising requirements.

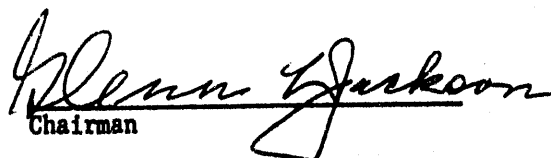
"Agreement" with Union Pacific Railroad Company and Southern Pacific Transportation Company covering an extension of the Steel Bridge lease for a period of 6 months.

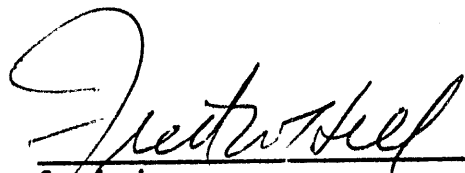
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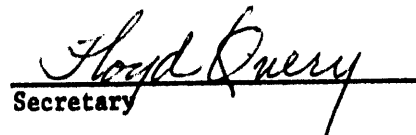
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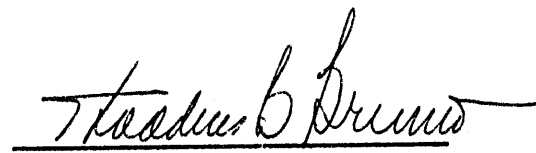
The meeting was adjourned by the Chairman at 10:10 a.m.


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

September 8, 1971
Salem, Oregon

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
George W. Baldwin, Administrator
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
E. S. Hunter, Assistant State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Others present were: R. E. Simpson, Division Engineer of the Federal Highway Administration; C. W. Head, Assistant Secretary; L. H. Young, Program and Planning Engineer; V. E. Skoog, Controller; Victor D. Wolfe, Administrative Assistant; David G. Talbot, Parks Superintendent; John R. Oakes, Assistant Right of Way Engineer; Donald N. Harwell, Coordinating Engineer; Kenneth Chatwood, Administrative Right of Way Engineer; John J. Earley, Information Officer; Robert K. Potter, Coordinator, Scenic Waterways; and R. B. Sipprell, Liaison Engineer. A. E. Johnson, Assistant Highway Engineer, was excused.

The Commission approved the minutes of the meeting held on July 27, 1971.

The Right of Way Engineer presented a list of options, Pages 1 through 66, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised values and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 79," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from July 16 to August 26, 1971, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$70,536.00; land sales \$22,742.00; timber sales \$27,598.65; and rental receipts for July 1971 were \$39,443.75.

A list of properties needed for highway and other uses was presented by the Right of Way Engineer. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to

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price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2593," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed a report made by the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the institution of condemnation proceedings as follows:

ALDER CREEK-WILDWOOD SECTION OF THE MT. HOOD HIGHWAY - CLACKAMAS COUNTY

R-33092 - Sherman W. Workman et ux. For access control purposes. Offer \$50.00.

CAPE ARAGO HIGHWAY-WOODLAND DRIVE SECTION OF THE EMPIRE-COOS BAY HIGHWAY - COOS COUNTY

R-34928 - Dewey H. Martin et ux. 2,250 sq. ft. for right of way purposes. Offer \$3,350.00.

R-44668 - Leo D. Main, Jr., et ux. 2,140 sq. ft. for right of way purposes. Offer \$1,150.00.

COLUMBIA RIVER BRIDGE-N. E. SANDY BOULEVARD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-44179 - Marie J. Mueller. 40,000 sq. ft. for right of way purposes. Offer \$9,300.00.

R-44223 - Original Mink Oil, Inc., et al. Parcel 1: 0.32 acre for right of way purposes; Parcel 2: 0.08 acre for temporary easement. Offer - \$14,725.00.

R-45662 - Russell S. Lunning. 0.08 acre for right of way purposes. Offer \$1,000.00.

R-45665 - Dan N. Wilson et ux. 0.09 acre for right of way purposes. Offer - \$725.00.

CRANE CREEK ROAD-COGSWELL CREEK SECTION OF THE FREMONT HIGHWAY - LAKE COUNTY

R-41937 - Ebb Huggins et al. 2.9 acres for right of way purposes. Offer \$1,710.00.

FREMONT INTERCHANGE-MARQUAM BRIDGE SECTION OF THE STADIUM FREEWAY - MULTNOMAH COUNTY

R-45630 - Conrad J. Lehl, Jr., et ux. 4,467 sq. ft. for right of way purposes. Offer \$16,000.00.

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LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-44529 - Walter E. Larsen et ux. 1,550 sq. ft. for right of way purposes. Offer \$2,000.00.

N.E. GLISAN ST.-S.E. DIVISION ST. UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-45424 - Richard L. Buckley et ux. 15,036 sq. ft. for right of way purposes. Offer \$13,400.00.

RICKREALL-INDEPENDENCE JUNCTION SECTION OF THE WILLAMINA-SALEM HIGHWAY - POLK COUNTY

R-43230 - John H. Stewart et al. 4.1 acres for right of way purposes. Offer \$2,275.00.

S.E. HINKLEY AVENUE-LAKE ROAD INTERCHANGE UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-45651 - Charles Wesley Schickling. 56,022 sq. ft. for right of way purposes. Offer \$7,500.00.

WILDWOOD-FOREST BOUNDARY SECTION OF THE MT. HOOD HIGHWAY - CLACKAMAS COUNTY

R-33106 - Harvey C. Fullman et ux. 9,600 sq. ft. for right of way purposes. Offer \$1,650.00.

R-33169 - John H. Seward. 0.17 acre for right of way purposes. Offer \$2,300.00.

R-43574 - John C. Peery et ux. 0.31 acre for right of way purposes. Offer \$2,450.00.

R-43576 - Harry L. Perkins et ux. 0.23 acre for right of way purposes. Offer \$4,900.00.

WINSTON-SHADY INTERCHANGE SECTION OF THE COOS BAY-ROSEBURG HIGHWAY - DOUGLAS COUNTY

R-45081 - Carlos E. Cooley et ux. 0.82 acre for right of way purposes. Offer \$2,300.00.

SANDY-GLISAN SECTION OF I-205 - MULTNOMAH COUNTY (Maywood Park)

R-44948 - E. J. Burrows. Offer \$34,500.

Authorization was requested by the Right of Way Engineer to offer at public sale two parcels of property which are no longer needed for highway purposes. The minimum sale price is based on competent appraisals

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and access and other conditions of sale are consistent with situations existing in the vicinity of each property. The Commission authorized public sale as follows and thereupon adopted "Real Property Resolution No. 554," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) 0.57 acre of land, File 1565, located on the northeasterly side of the former route of the Coos Bay-Roseburg Highway in the town of Bridge in Coos County for not less than \$525. Signboard and junkyard exclusion clauses are to be included in the deed and approval by the Federal Highway Administration is not required. This parcel of land is a former stockpile site.
- (2) 0.39 acre of land being an old stockpile site, File 1990, located on the westerly side of the Oregon Coast Highway near the town of Harbor in Curry County for not less than \$6,500. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required. (See "Real Property Resolution No. 554.")

The Right of Way Engineer also requested authority to make direct sales on four parcels of land which are no longer needed for highway purposes. Because of peculiarities of location and other conditions, salability is restricted to one party. Sale prices have been determined by competent appraisers. The Commission approved sale of the following properties and thereupon adopted "Real Property Resolution No. 555," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) To M. Darlene Jaeger, the adjacent owner, 2,375 square feet of land, File 38448, located in the northwest corner of Sellwood Street and the Clackamas Highway intersection in the City of Milwaukie, Clackamas County, for \$600. No access is to be permitted to the Clackamas Highway and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required.
- (2) To Jackson County, 1.78 acres, Files 10674 and 10675, located on the Kirtland County Road approximately four miles north of Central Point in Jackson County, for \$600. The County plans to keep a 20-foot strip for additional right-of-way and use the remainder to purchase right-of-way from an adjoining owner. The sale is to include the standard signboard and junkyard restriction clauses. Approval by the Federal Highway Administration was given by letter dated August 20, 1971.

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- (3) City of Mitchell, 1.73 acres, File 27075, located on the south side of the Ochoco Highway east of Nelson Street in the town of Mitchell, Wheeler County, for \$1,000. Signboard and junkyard exclusion clauses are to be included in the deed and the State is to be held free from liability because of future flooding. No access is to be permitted to the Ochoco Highway and approval by the Federal Highway Administration is not required. (See "Real Property Resolution No. 555.")
- (4) To Clinton P. Martin, 540 square feet of land, File 40779, located on the N. E. Sandy Boulevard-S. E. Hinkley Boulevard Section of the East Portland Freeway in Multnomah County. The Right of Way Engineer explained that this parcel of land was conveyed to adjacent property owners approximately eight years prior to the State's acquiring its deed. A quitclaim deed from the State to Clinton P. Martin will clear the cloud on the title. Martin is to pay the State \$513.

A relinquishment of title to the City of Grants Pass on 0.09 acre of land, File 27827, located on the Redwood Interchange Section of the Redwood Highway in Josephine County was recommended by the Right of Way Engineer. He explained that only 0.09 acre can be relinquished out of the original parcel of 0.18 acre as the remainder is needed for future highway construction. Approval by the Federal Highway Administration was given by letter dated February 23, 1965. The Commission approved relinquishment of 0.09 acre to the City without consideration.

Indentures of Access pertaining to three parcels of property were recommended by the Right of Way Engineer for changes in location and widening. The Commission approved the following indentures:

- (1) Thurman property, File 33155, for a change in location of one unrestricted point of access 35 feet wide on the north side of the relocated Mt. Hood Highway in the community of Wemme in Clackamas County. Approval by the Federal Highway Administration is not required.
- (2) Nolte and Chandler property, File 43842, for a change in location of one unrestricted point of access 35 feet wide on the west side of the relocated Oregon Coast Highway south of Brookings in Curry County. Federal Highway Administration approval is not required.
- (3) Barron property, File 27402, for widening to 35 feet of one unrestricted point of access on the south side of the relocated Green Springs Highway southeast of the City of Ashland in Jackson County. Federal Highway Administration approval is not required.

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Confirmation was requested by the Right of Way Engineer for approval given by the Chairman on August 19, 1971, for the award of a demolition contract on the East Portland Freeway in Multnomah County. Two bids were received. The low bidder was R. A. V. Wrecking Company in the amount of \$7,640 for removal of buildings, debris and rough grading. The Commission confirmed award of the contract to the low bidder and authorized the Secretary to sign the contract.

The Commission accepted the Chief Counsel's report on cases which have been tried in court since the last Commission meeting summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
Richard Eugene Wonderly, et al. L-6204 R-43375	Benton	Corvallis-Newport Highway	\$ 3,000	\$13,800 (plus fence)	\$4,550*

*Fencing item added. Increase more nearly reflects market value.

Robert L. Allenby, et al. L-6309 R-44017	Curry	Oregon Coast Highway	\$ 1,000	\$ 6,500	\$1,500
Ralph Ebert, et al. L-6315 R-43982	Curry	Oregon Coast Highway	\$19,350	\$25,000	\$23,500
Marvin Berry, et ux. L-6412 R-44273	Marion	Albany-Lyons Highway	\$ 1,550	\$75,000 (Answer)	\$6,000

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REPORT OF TRIAL OF OTHER CASES - STATE PLAINTIFF

<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Donald D. Hartman, et al. L-6505	Clack.	Forcible Entry and Detainer	Possession	Restitution granted
James Torrance L-6506	Clack.	Forcible Entry and Detainer	Possession	For Dft.
Carole Goodman L-6432	Mult.	Forcible Entry and Detainer	Possession	Restitution of premises

REPORT OF TRIAL OF OTHER CASES - STATE DEFENDANT

<u>Plaintiff</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
City of Maywood Park, et al. L-6477	Mult.	Suit to restrain use of Federal funds in the building of I-205 through Maywood Park	Injunction	Dismissed as to Highway Comm.

(For additional information, see the Chief Counsel's letter dated September 2, 1971, entitled Report of Cases Tried in the Salem Office, General Files.)

The Chairman inquired as to the status of the appeal on the Astoria Bridge-DeLong case. The Chief Counsel replied that DeLong's appeal would be argued before the Court of Appeals on September 27, 1971. Arguments on the Fultz case, he added, are to be presented on September 10, 1971.

The Commission also accepted a report made by the Chief Counsel concerning cases which have been settled out of court since the last Commission meeting summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Portland General Electric, et al. L-6225 R-44078	Clack.	East Portland Freeway	\$9,600	\$9,600	\$14,000*

*Trial counsel, right of way Supervisor and negotiator are of opinion market data indicates settlement amount to be more reflective of market value than State's offer.

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(Report of Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Albert T. Strand, et al. L-6332 R-33005	Clack.	Mt. Hood Highway	\$ 3,425	\$ 4,720	\$ 5,750*
*Settlement is within the range of market value.					
William L. Fornas L-6014 R-42023	Clatsop	Columbia River Highway	\$43,600	\$56,500	\$48,000*
*Case is over two years old. PPM's permit consideration of the costs of trial in arriving at a settlement. It is opinion of Chief Counsel the cost of trying this case to be at least \$5,000.					
Gilbert M. Riutta, et al. L-6015 R-41851	Clatsop	Columbia River Highway	\$ 7,650	\$ 6,810	\$ 9,000*
*Case is over two years old. Costs of trial were considered in the settlement.					
Clyde L. Head, et ux. L-6375 R-44488	Coos	Coos Bay-Myrtle Point Highway	\$ 500	\$ 500	\$ 900
R. C. Mullen, et al. L-6463 R-34939	Coos	Cape Arago Highway	\$ 800	\$ 800	Dedicated to State
Roderick P. Gudger, et al. L-6319 R-43996	Curry	Oregon Coast Highway	\$10,700	\$12,950	\$10,700
Winston W. Ebmeyer L-6413 R-19545	Marion	Champoeg State Park	\$92,000	\$92,000	\$140,000

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(Report of Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Luther Neil Ellsworth, et al. L-6489 R-44221	Mult.	East Portland Freeway	\$27,050	\$29,900	\$31,750
Elsie Monson, et al. L-6511 R-43885	Polk	Salem-Willamina Highway	\$ 7,500 (verbal)	\$ 5,300	\$ 7,500*
*Right of way made offer to settle in amount of \$7,500 which was previously refused. Settlement reflects damage not considered by appraisers.					
Arch R. Hiatt, et al. L-6099 R-34178	Union	Old Oregon Trail	\$ 150	\$ 150	\$ 150
Gerald C. Wood, et al. L-6425 R-37341	Marion	Champoeg State Park	\$15,150 (for fee title, including lease)	\$15,150	\$ 1,000*
*Partial settlement. Lessee's interest only.					
Gerald C. Wood, et al. L-6425 R-37341	Marion	Champoeg State Park	\$20,000 (verbal)	\$15,150	\$23,000*
*It is judgment of trial counsel our appraisals are deficient respecting value of a quarry situate in the taking and that the settlement amount more nearly represents market value.					
Cloyd A. Looney, et ux. L-6415 R-43791	Clack.	Clackamas Highway	\$ 2,200	\$ 2,025	\$ 3,500

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(Report of Condemnation Cases Settled Cont.)

Defendant	County	Highway	State's Offer	State's Highest Appraisal	Amount of Settlement
Doreen F. Freitas, et al. L-6363 R-43790	Clack.	Clackamas Highway	\$ 4,100	\$ 5,300	\$ 7,500*

*Trial Counsel is of opinion defendants have adverse possession to R. R. property abutting the taking. No severance was applied nor considered in original offer. As part of settlement, defendants are quit claiming to the State their interest in the abutting R. R. property.

Benbuilt Homes, Inc. L-6333 R-43456	Mult.	East Portland Freeway	\$37,100 (partial taking)	\$100,000 (entire taking)
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REPORT OF OTHER CASES SETTLED

Plaintiff	Defendant	County	Cause of Action	Demands of Plaintiff	Settlement
State of Oregon L-6249	Arrow Transportation Co., et al.	Douglas	Property Damage	\$11,486.79	\$9,500.00

(For additional information, see the Chief Counsel's letter dated September 2, 1971, entitled Report of Cases Settled, in the Salem Office, General Files.)

A report was also made by the Chief Counsel and accepted by the Commission regarding legal proceedings which have been instituted since the last Commission meeting, summarized as follows:

- (1) Lawrence J. Stroda v. State of Oregon, by and through its Highway Commission; John Doe Johnson; WEC, Inc.; Ray V. Walter; Junction City Water Control District; the City of Junction City, Oregon; and C and H Durbin Construction Co., L-6523. Plaintiff seeks to recover damages in the sum of \$506,171.50 for injuries sustained when a tree fell on his auto on the Pacific Highway West in Lane County.
- (2) James D. Stroda v. State of Oregon, by and through its Highway Commission; John Doe Johnson; WEC, Inc.; Ray V. Walter; Junction City Water Control District; the City of Junction City, Oregon; and C and H Durbin Construction Co., L-6524. The allegations in this case are the same as in the Lawrence J. Stroda case. James Stroda, who was a passenger in the car driven by Lawrence Stroda, ask damages in the sum of \$28,117.80 for personal injuries.

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- (3) Patricia S. Stroda v. State of Oregon, by and through its Highway Commission; John Doe Johnson; WEC, Inc.; Ray V. Walter; Junction City Water Control District; the City of Junction City, Oregon; and C and H Durbin Construction Co., L-6522. The allegations in this case are the same as in the case of Lawrence J. Stroda. Patricia, his wife, alleges loss of consortium and asks judgment in the amount of \$250,000.

All three of the Stroda cases have been referred to the State insurance carrier.

- (4) Jon A. Joseph, Administrator of the Estate of Samuel Swagerty, deceased v. State of Oregon, by and through its Highway Commission; John Doe Johnson; WEC, Inc.; Ray V. Walter; Junction City Water Control District; the City of Junction City, Oregon; and C & H Durbin Construction Co., L-6525. This is a companion case to the Stroda cases. Swagerty was a passenger in the car operated by Stroda and died from injuries received when the tree fell on the Stroda car. Damages in the amount of \$51,244.98 are asked.
- (5) Betty O'Neal vs. Betty Orr, the City of Ontario, Oregon, Oregon State Highway Commission and Guld and Western Industries, a corporation, L-6526. Plaintiff alleges that on November 6, 1969, at the intersection of State Route 201 (4th Avenue) and 4th Street in Ontario, Malheur County, the plaintiff's vehicle was struck by a vehicle operated by Betty Orr. The accident was alleged to have been caused by the failure of traffic lights to operate properly at said intersection. Plaintiff asks damages in the sum of \$32,259.22.
- (6) Pacific Northwest Bell Telephone Company v. W. A. McWaters and D. P. Easterling dba McWaters Construction Co., and the State of Oregon, by and through the Oregon State Highway Commission, L-6527. Plaintiff seeks damages for injury to its telephone cable in the amount of \$1,703.20 plus costs and disbursements incurred. The complaint alleges that McWaters Construction Company, a subcontractor to Rogers Construction Company, on the Bonneville-Hood River Line Section of the Columbia River Highway in Multnomah County damaged the telephone cable in the fall of 1969 in placing highway reflector posts near the Eagle Creek Fish Hatchery access road. Negligence on the part of the State is alleged in directing the placing of the reflector posts.

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- (7) Pacific Northwest Bell Telephone Company v. Coral Corporation and the State of Oregon, by and through the Oregon State Highway Commission, L-6528. Plaintiff seeks damages for injury to its telephone cable in the amount of \$483.21 plus costs, disbursements and a reasonable attorney fee. The complaint alleges that Coral Corporation, a subcontractor to Rogers Construction Company, damaged the cable in the fall of 1969 while placing a highway sign near the Eagle Creek Hatchery access road on the Columbia River Highway in Multnomah County. Plaintiff alleges that the State was negligent in directing the placement of the sign.

The Chief Counsel made an oral report on the possible effects of the Administrative Procedures Act, Chapter 734, Oregon Laws 1971, which becomes effective September 9, 1971.

Under the Act, the Highway Division must prepare and file with the Secretary of State a description of its organization and the methods whereby the public may obtain information and make submissions or requests.

The Act provides that the Commission adopt rules of practice and procedure setting forth the nature and requirements for all formal and informal procedures and hearings.

The Act also requires that before adopting, eliminating or changing a rule the Commission must give the public at least 20 days' notice by publishing the proposed action in a bulletin to be published by the Secretary of State. A date for a hearing may be included in the publication. Rules must be adopted whereby individuals can file petitions with the Commission to determine whether or not their particular activity does or does not come under the rule.

There is a provision having to do with contested cases concerning legal rights, duties, and privileges of individuals, or where an agency has a discretion to suspend or revoke a right or a privilege. In such instances it will be necessary for the Commission to have a hearing's officer who will hear these matters under an adversary proceeding.

In addition the law provides that an interested person may petition the Highway Division requesting an amendment to a rule or the repeal of a rule or a promulgation which must be acted upon within 30 days.

It was the Chief Counsel's opinion that all of the permits presently being issued, scenic waterway provisions, state parks and rules provisions, and about 24 different types of resolutions probably will come under the provisions of the Act, such as speed zones, turning prohibitions, parallel parking, no parking permits, footpath construction and the like. The Governor may exempt rules, but such exemption would be effective only until the next Legislative session.

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The Chairman instructed the Engineer to prepare a documentation of the problems involved in trying to build highways and the responsibility of the Highway Commission under the terms of this Act.

The Chief Counsel stated that in negotiations for the acquisition of the R. M. Wade property in connection with the construction of the West Fremont Interchange, Unit 2, of I-405 in Portland, Multnomah County, Wade has indicated that they would like to move in the near future and have asked that the previous agreement heretofore entered into be amended in accordance with the terms of a letter dated September 3, 1971, addressed to L. I. Lindas, signed by John L. Schwabe for the R. M. Wade Company. The Commission approved the action as presented by the Chief Counsel and also approved the addition of a parcel of property, the description of which had been erroneously omitted in the existing agreement.

Confirmation was requested by the Engineer for telephonic approval given by the Chairman on August 16, 1971, for the purchase from Mrs. Clara Martensen, of approximately 16 acres of land along the Wilson River Highway in Tillamook County. The property he said is about 15 miles easterly from Tillamook and borders the Wilson River for approximately 1,200 feet. The property has been appraised at \$33,600 including merchantable timber. The owner has offered to sell the property for \$30,000. The Commission confirmed the purchase at that figure as a part of the Wilson River Wayside Corridor.

Notifications of Intent to Improve or Change Land Use under the Scenic Waterways Act were presented by the Engineer. He said that each of the requests has been carefully investigated as to its effect on the environment, and other governmental agencies involved have been contacted. Based on the Engineer's recommendations, the Commission took action on the requests as follows:

- (1) Request from Mr. and Mrs. Clifton P. Ravencroft of Grants Pass to construct a residence on the easterly bank of the Rogue River approximately 1½ miles upstream from Robertson Bridge in Josephine County. The Commission confirmed telephonic approval given by the Chairman on August 23, 1971, with certain provisions on the maintenance of vegetation and obligations to other governmental agencies.
- (2) Request from Mr. and Mrs. Carl H. Ravencroft of Grants Pass to construct a residence on the easterly bank of the Rogue River approximately 1½ miles upstream from the Robertson Bridge in Josephine County. The Commission confirmed telephonic approval given by the Chairman on August 27, 1971, with certain provisions regarding the maintenance of vegetation and obligations to other governmental agencies.

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- (3) Request from Major Karl W. Speltz of Grants Pass to construct a residence within the Rogue River Scenic Waterway in Township 34 South, Range 8 West, Section 36, Josephine County, adjoining the Eugene Gilpin residence. The Commission confirmed oral approval given by the Chairman August 23, 1971, with certain provisions regarding the maintenance of vegetation and obligations to other governmental agencies.
- (4) Request of Western Recreation, Inc., and Chaparral Recreation Association to construct a trailer park on the east bank of the John Day River approximately five miles south of Clarno in Wheeler County. The Commission denied the request as the proposed installation would impair substantially the natural beauty of the John Day River Scenic Waterway.
- (5) Request of Curry County to remove between 500 and 5000 cu. yds. of gravel from Blondell Bar in the Illinois River about three-quarters of a mile above its confluence with the Rogue River in Curry County. The Commission denied the request as not compatible with the Scenic Waterways Act.

The Chairman inquired if the Federal and State Waterways Acts overlap. The Engineer replied that the two Acts are compatible but the State cannot turn its authority over to the Federal jurisdiction. The Chairman also inquired that in granting or denying permits within the Scenic River areas if the Commission is setting precedents. The Engineer replied in the affirmative. The Chairman requested the Engineer to make a report to the Commission concerning a policy to be followed in the future in the granting of Scenic River permits. The need for a definite policy, he said, will become more urgent as the population of the State increases.

Consideration was given to an agreement with Linn County for the acquisition of 6.5 acres of land known as Cartney Park approximately 3½ miles northeast of Harrisburg in Linn County as a part of the Willamette River Park System. The Engineer commented that this is the second of two parcels for this park approved by the Governor's Willamette River Park System Committee and would add approximately 1,250 lin. ft. of frontage along the Willamette River. The total cost of the project, he said, is estimated at \$6,442 of which the State's share would be approximately \$1,610.50 or one-fourth of the total. The remaining cost is to be derived from Federal and local funds. The Commission approved the acquisition and authorized the Secretary to sign an agreement in behalf of the Commission.

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The Engineer reported that corridor and design surveys have been completed on two sections of State highways. The required public hearings have been held and design approval has been requested from the Federal Highway Administration. The Commission approved the following surveys and thereupon adopted "Highway Corridor and Design Resolutions Nos. 401 and 402," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) Sodaville Road-Vail Creek Section of the Santiam Highway in Linn County. (See "Highway Corridor and Design Resolution No. 401")
- (2) Pleasant Valley-Green Timber Road Section of Oregon Coast Highway in Tillamook County. (See "Highway Corridor and Design Resolution No. 402")

Consideration was given to the acquisition of right-of-way for two footpaths and bicycle trails under provisions of the law passed by the 1971 Legislature. The Engineer stated that careful consideration had been given to the location of the paths and that public hearings had been held. Following the Engineer's favorable recommendation, the Commission authorized acquisition of right-of-way and placement on the current Construction Program of the following bicycle and footpaths and thereupon adopted "Bicycle and Footpath Resolutions Nos. 1 and 2," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) The old Portland Traction Company railroad route between Johnson Creek near Milwaukie and Abernethy Creek near Oregon City in Clackamas County. A public hearing was held August 26, 1971, and all of the testimony received was favorable. (See "Bicycle and Footpath Resolution No. 1")
- (2) North Bank Park (Alton Baker Park) in the vicinity of Coburg Road and the Valley River Shopping Center, partially within the City of Eugene, Lane County. A public hearing was held August 31, 1971, and all of the testimony received was favorable. (See "Bicycle and Footpath Resolution No. 2")

Consideration was given to a restudy of approximately 300 right-of-way files on the Interstate and on the ABC Highway systems pertaining to Federal participation in the Federal Relocation Act. The Engineer explained that complete compliance with the Federal law was not possible until Oregon House Bill 1933 became effective on May 7, 1971. The Federal Act was effective January 2, 1971. From January 2, 1971, to May 7, 1971, only partial payments could be made to relocatees. He recommended that relocation assistance be allowed to the full allowable standard for the approximate 300 right-of-way files. The total cost of the restudy and additional payments was estimated at \$28,000. The Commission approved the restudy and the additional payments.

Confirmation was requested by the Engineer for approval given by the Chairman on August 13, 1971, for an improvement project in the City of Jordan Valley in Malheur County. He explained that the City of Willamina had been granted the project for 1971 but had requested that the project be withdrawn as the City did not have funds to cover the

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overrun above \$25,000. A contractor is working near Jordan Valley and can economically perform the work for the City. The project is estimated to cost \$20,000 to be carried out on a negotiated basis. The Commission confirmed the project.

Confirmation for the approval of four emergency relief projects caused by flood and storm damage in January 1971 was requested by the Engineer. The Commission confirmed the following projects which had been approved by the Chairman on August 2, 1971.

Beaver Hill Fill Slide Sec., Ore. Coast Hwy., Coos Co.: Grade, Pave	\$ 30,000
Mile Post 39.2 Slide Sec., Sunset Hwy., Wash. Co.: Grade, Pave	\$160,000
Sawyers Rapids and Elkton Slide Sec's., Umpqua Hwy., Douglas Co.: Grade, Pave	\$250,000
Harder (M.P. 7.5) and Thompson Falls (M.P. 12.4) Slide Sec., FAS 608, Lewis & Clark Rd., Clatsop Co.: Slide Correction	\$ 25,000

Replacement of the Meader Bridge over the Little Nestucca River on the Little Nestucca Highway in Tillamook County was discussed. The Engineer stated that the bridge constructed in 1941 is narrow and on poor alignment. It was not designed for log truck traffic and was recently damaged by a truck. He recommended that the bridge be replaced on new alignment at an estimated cost of \$275,000 on the current State Construction Program. The Commission approved the project.

The expenditure of an additional \$2,400 to include a bicycle path along the west side of Coburg Road beneath the Eugene-Springfield Highway in the City of Eugene, Lane County, was considered. The Engineer pointed out that an agreement had been entered into with the City of Eugene to construct a five-foot concrete sidewalk in this area. It is now desirable to widen the sidewalk section to eight feet to allow for the bicycle path at an additional cost of \$2,400. The Commission approved the additional expenditure which is to be borne by the State.

The disposal of 89 volumes of California Reports and 18 volumes with indexes of U. S. Supreme Court Digests was brought up by the Engineer. Since the Legal staff has been transferred to the Attorney General, the volumes are of no further value to the Highway Division and he recommended that they be transferred to the Willamette University Law Library which is interested in obtaining them. The Commission approved the transfer without charge.

Payment of a claim submitted by Mrs. Eva M. Barnes was discussed. The Engineer explained that Mrs. Barnes claimed that her sewer had been damaged in the amount of \$393.65 in construction of the Pendleton Bypass in Umatilla County. The contract in this area has been completed and the contractor released. Although the responsibility for the damage can not be positively identified because of the uncertainty of the situation, the Engineer recommended that Mrs. Barnes be reimbursed for the amount claimed. The Commission approved the payment.

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Purchase of six copies of the film entitled "Sparkle" regarding litter in relation to streams was considered. The Engineer stated that the film, produced in State and U. S. Forest Service parks, was viewed by Kessler R. Cannon of the Governor's staff who wishes to obtain six copies for use in SOLV. Travel information funds budgeted to Environmental Control may be used for purchase of the film. The Commission approved purchase of six copies at a total price of \$600.

Consideration was given to the application of a 1971 Oregon law concerning retained percentage on contracts. The Engineer stated there is some confusion as to whether the terms of the law apply to contracts which were in existence prior to September 9, 1971, when the law went into effect. He recommended that if there is an option, that the provisions of the law apply only to contracts entered into September 9, 1971, and later. The Commission accepted his recommendation.

Requests were considered from the Cities of Cottage Grove, Newberg, and Woodburn for Federal-Aid TOPICS projects. The Engineer stated that the projects have been investigated and are eligible for funding under the TOPICS Program. Following his favorable recommendation, the Commission approved the following projects and authorized the Secretary to sign project agreements in their behalf.

CITY	SECTION	PROGRAMMED AMOUNT	STATE COST
Cottage Grove	Cottage Grove Urban Area Areawide TOPICS Plan	\$ 4,890	\$ 978
Newberg	Newberg Urban Area Areawide TOPICS Plan	5,900	1,180
Woodburn	Woodburn Urban Area Areawide TOPICS Plan	6,000	1,200
TOTAL NEW PROJECTS		\$16,790	\$3,358

SUMMARY BY FISCAL YEAR	1970	1971	TOTAL
Allocated funds	\$2,742,000	\$2,730,000	\$5,472,000
Approved Projects (corrected to date)	2,742,000	1,777,000	4,519,000
Unprogrammed Balance	0	953,000	953,000
Proposed Projects: 7/27/71	- - -	17,000	17,000
Unprogrammed Balance	\$ 0	\$ 936,000	\$ 936,000

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Consideration was given to requests from contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

- (1) Landscaping, Inc., Contract No. 7509 on the East Portland Freeway in Clackamas and Washington Counties, requested a 60-day extension of time. The Commission granted an extension of 10 calendar workdays without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated July 21, 1971.
- (2) Gordon H. Ball, Inc., Contract No. 7367 on the La Grande-Baker Highway in Union County, requested an extension of 39 calendar days. The Commission granted an extension of 26 calendar days without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated July 22, 1971.
- (3) Ross Bros. Construction, Inc., Contract No. 7401 for buildings in Midland Information Center on The Dalles-California Highway in Klamath County, requested an extension of the completion date from November 30, 1970, to April 14, 1971. The Commission assessed liquidated damages for the period December 1 to December 14, 1970, (the time consumed beyond the specified completion date in completing the facility less the area illumination) and waived liquidated damages beyond that date.
- (4) Garrett and Thomas Construction, Contract No. 7444 on the Green Springs Highway in Klamath County, requested an extension of 57 days. The Commission granted an extension of 10 calendar workdays without assessment of liquidated damages.
- (5) Cascade Construction Co., Inc., Contract No. 7439 on the Columbia River Highway in Multnomah County, requested an extension of 65 days. The Commission granted an extension of 65 days without assessment of liquidated damages.
- (6) Ross Bros. Construction, Inc., Contract No. 7504 for work on a bridge in Champoege Park in Marion County, requested an extension of 14 calendar days. The Commission granted a 7-day extension without assessment of liquidated damages.

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- (7) Sims Electric, Inc., Contract No. 7478 on the Pacific Highway in Jackson County, requested an extension of 32 calendar days. The Commission denied the request. Federal Highway Administration concurrence was given by letter dated August 23, 1971.
- (8) Willamette River Constructors, Contract No. 7312 on the East Fremont Interchange Section of the Stadium Freeway in Portland, Multnomah County, requested an extension of 95 calendar workdays on Unit C. The Commission granted an extension of 95 calendar days without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated August 17, 1971.
- (9) E. F. Philpott, Contract No. 7490 for work on the Jordan Creek Bridge on a Malheur County road, requested an extension of five calendar days. The Commission denied the request.
- (10) Asphalt Paving Company, Contract No. 7487 on FAS 415 in Klamath County, requested an extension of 39 days. The Commission granted an extension of 28 days to October 15, 1971, without assessment of liquidated damages.
- (11) Paul Zimmerly, Contract No. 7353 on the Corvallis-Newport Highway in Benton County, requested an extension of 30 days. The Commission granted an extension of eight calendar workdays without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated August 30, 1971.

The Engineer reported that Contract Nos. 7330, 7421, 7437, 7439, 7440, 7457, 7490, 7496, 7504, 7512, 7533, 7543, 7565, 7571, 7584, 7589, and 7595 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 196," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed verbal award of contracts made on August 2, 1971, on bids received July 29, 1971, and also confirmed authority for the Secretary to sign the following contracts in their behalf.

BIDS RECEIVED IN SALEM JULY 29, 1971

Grading and paving on Third Street in the City of Haines in Baker County. No bids were received.

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Contract No. 7613 for paving parking areas in Fort Stevens State Park in Clatsop County. One bid was received. The Commission awarded the contract to the lone bidder, Palmberg Paving Company, Inc., Seaside, at \$76,184.

Contract No. 7614 for maintenance painting on the Coos Bay (McCullough) Bridge at North Bend on the Oregon Coast Highway in Coos County. One bid was received. The Commission awarded the contract to the lone bidder, C. H. Savage Co., Portland, at \$363,000.

Contract No. 7615 for grading, paving and facilities in Brookings Safety Rest Area in Curry County. Four bids were received. The Commission awarded the contract to the low bidder, Redwood Empire Aggregates, Inc., Arcata, California, at \$327,610.

Contract No. 7616 for a traffic signal installation on 6th Street-Stewart Avenue in the city of Medford on the Rogue Valley Highway (Riverside Street) in Jackson County. Four bids were received. The Commission accepted the low bid of Steeck Electric Co., Medford, at \$60,800 and the Engineer was directed to award the contract to said bidder when approval is received from the Federal Highway Administration and the City of Medford, and the City deposits \$14,415.

Contract No. 7617 for grading and paving on the Deschutes River-Pelton Dam Road Section of the Warm Springs Highway in Jefferson County. Four bids were received. The Commission awarded the contract to the low bidder, R. L. Coats, Bend, at \$364,688.

Contract No. 7618 for the Midland Information Center on The Dalles-California Highway in Klamath County. Four bids were received. The Commission awarded the contract to the low bidder, Aichele Landscaping, Inc., Portland, at \$130,091.50.

Contract No. 7619 for traffic signals on Olive Street in Newport on the Oregon Coast Highway in Lincoln County. Four bids were received. The Commission accepted the low bid of Steeck Electric Co., Medford, at \$11,500 and the Engineer was directed to award the contract to said bidder when approval is received from the Federal Highway Administration and the City of Newport, and the City deposits \$2,950.

Contract No. 7620 for maintenance painting on the Newport (Yaquina Bay) Bridge in the City of Newport on the Oregon Coast Highway in Lincoln County. Two bids were received. The Commission awarded the contract to the low bidder, A-1 Sandblasting & Steam Cleaning Co., Inc., Portland, at \$206,410.

Contract No. 7621 for grading and paving on the M.P. 85.5-Blue Mountain Pass Section of the I. O. N. Highway in Malheur County. Five bids were received. The Commission accepted the low bid of L. W. Vail Co., Inc., Pasco, Washington, at \$677,477.50 and the Engineer was directed to award the contract to said bidder when approval by the Federal Highway Administration is received.

Contract No. 7622 for grading and paving on Mission Street S. E. at 25th Street S. E. in the City of Salem in Marion County. Three bids were received. The Commission accepted the low bid of Cushing Bros., Inc., Salem, at \$338,076 and the Engineer was directed to award the contract to said bidder when approval is received from the Federal Highway Administration and the City of Salem, and the City deposits \$52,400.

Contract No. 7623 for grading, paving, structure, signing and illumination on the West Fremont Interchange (Unit 2) Section of the Stadium Freeway and Columbia River Highways in Multnomah County. Two bids were received. The Commission accepted the low bid of Drake-Willamette, Portland, at \$3,270,487 and the Engineer was directed to award the contract to said bidder when necessary agreements are signed by the City of Portland and Federal Highway Administration approval is received.

Contract No. 7624 for signing on Ross Island Bridge-S. E. Reedway Street Section in Portland on the Pacific Highway East in Multnomah County. Two bids were received. The Commission accepted the low bid of Coral Corporation, Gladstone, at \$34,682 and the Engineer was directed to award the contract to said bidder when approval by the Federal Highway Administration is received.

Contract No. 7625 for building demolition and topsoil excavation on N. E. Marine Drive-N. E. Holman Street Section of the East Portland Freeway in Multnomah County. Six bids were received. The Commission accepted the low bid of Gibbons and Reed Co., Portland, at \$156,268 and the Engineer was directed to award the contract to said bidder when approval by the Federal Highway Administration is received.

Contract No. 7626 for illumination of Rufus Interchange on the Columbia River Highway in Sherman County. Four bids were received. The Commission accepted the low bid of Steeck Electric Co., Medford, at \$37,700 and the Engineer was directed to award the contract to said bidder when approval by the Federal Highway Administration is received.

Contract No. 7627 for landscape improvement in Nehalem Bay State Park at Manzanita in Tillamook County. Seven bids were received. The Commission awarded the contract to the low bidder, Paul Gannon Landscaping, Portland, at \$48,950.

Contract No. 7628 for a toilet building in Neskowin Beach State Wayside in Tillamook County. Seven bids were received. The Commission awarded the contract to the low bidder, John C. Sandford, Junction City, at \$36,588.

Grade, pave and structure on the La Grande Section of the Old Oregon Trail in Union County. Two bids were received. The Commission rejected both bids.

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Contract No. 7630 for grading and structure on Grande Ronde River Bridge Section of FAS Route 948 in Union County. Two bids were received. The Commission accepted the low bid of Target Dredging and Piledriving Co., Portland, at \$129,344 and the Engineer was directed to award the contract to said bidder when Union County approves the project and deposits \$29,400.

Contract No. 7631 on the Fern Hill Slide Section of the Columbia River Highway in Clatsop County. Eight bids were received. The Commission accepted the low bid of J & T Construction, Inc., Eugene, at \$207,330 and the Engineer was directed to award the contract to said bidder when approval by the Federal Highway Administration is received.

Contract No. 7632 for an overnight camp area in Clyde Holliday State Wayside on the John Day Highway in Grant County. Four bids were received. The Commission awarded the contract to the low bidder, James A. Seiwald, North Bend, at \$131,790.

Contract No. 7633 for the Ladd Canyon Sand Shed in Union County. Four bids were received. The Commission awarded the contract to the low bidder, Walt Rohde Construction Co., Pendleton, at \$30,690.

Contract No. 7634 for a drainage structure on Murray Blvd. at South Fork Beaverton Creek on FAS Route 630 (S. W. 145th Ave.) in Washington County. Four bids were received. The Commission accepted the low bid of Aldrich Construction Company, Portland, at \$33,767.76 and the Engineer was directed to award the contract to said bidder when Washington County approves the project and deposits \$7,900.

The Commission also confirmed verbal award of contracts made on August 30, 1971, on bids received August 26, 1971, and confirmed authority for the Secretary to sign the following contracts in their behalf.

BIDS RECEIVED IN SALEM AUGUST 26, 1971

Landscape improvement in Farewell Bend State Park in Baker County. Four bids were received. The Commission rejected all bids.

Contract No. 7636 for landscape improvement in The Cove Palisades State Park in Jefferson County. Five bids were received. The Commission awarded the contract to the low bidder, Cascadian Landscapers, Inc., Portland, at \$63,577.

Contract No. 7637 for grading, paving, structures and traffic control devices on 7th Avenue-Willamette River (Eugene) Section of the Eugene-Springfield Highway in Lane County. Six bids were received. The Commission accepted the low bid of Donald M. Drake Company, Portland, at \$6,772,717.90 and the Engineer was directed to award the contract to said bidder when approval is received from the Federal Highway Administration.

Traffic signals on Country Club Road Interchange Section of the Eugene-Springfield Highway in Lane County. This project was withdrawn from bid letting.

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Contract No. 7638 for traffic signals on Ivy Street at 6th Avenue of Pacific Highway West in Junction City, Lane County. Five bids were received. The Commission accepted the low bid of Hamilton Electric, Inc., Eugene, at \$15,251 and the Engineer was directed to award the contract to said bidder when the City of Junction City approves the project and deposits \$9,000.

Contract No. 7639 for slide correction on the Salt Creek Section of the Willamette Highway in Lane County. Four bids were received. The Commission accepted the low bid of Wildish Construction Company, Eugene, at \$159,405 and the Engineer was directed to award the contract to said bidder when approval of the Federal Highway Administration is received.

Contract No. 7640 for landscape improvement in Driftwood Beach State Wayside in Lincoln County. Seven bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, at \$16,104.50.

Contract No. 7641 for grading, paving and facilities in Devils Punch Bowl State Park in Lincoln County. Three bids were received. The Commission awarded the contract to the low bidder, Road and Driveway Co., Inc., Newport, at \$68,958.20.

Grading, base and structure on Malheur River (Malheur Butte) Bridge Section of FAS 23-109 in Malheur County. One bid was received. The Commission rejected the lone bid.

Contract No. 7643 for landscape improvement in Champoeg State Park in Marion County. Nine bids were received. The Commission awarded the contract to the low bidder, Carl B. Alleman Wholesale Nursery, Salem, at \$9,274.

Slide correction on Cape Meares Loop Road Section and Bay Ocean Road Section on county roads in Tillamook County. One bid was received. The Commission rejected the bid.

Grading and paving on Cape Meares State Park in Tillamook County. Two bids were received. The Commission rejected both bids.

Contract No. 7646 for the Mission Junction Sand Shed on the Old Oregon Trail in Umatilla County. Three bids were received. The Commission awarded the contract to the low bidder, Hough Construction, Inc., Milton-Freewater, at \$33,440.

Contract No. 7647 for a traffic signal installation on the Tualatin Valley Highway-Farmington Highway (Beaverton) Section of Cedar Street in Washington County. Four bids were received. The Commission accepted the low bid of Graham Electric Company, Portland, at \$16,575 and the Engineer was directed to award the contract to said bidder when the City of Beaverton approves the project and deposits \$10,000.

The Engineer reported that he had made awards of contracts which had been referred to him by the Commission to award when certain conditions were fulfilled. The Commission confirmed award of the following contracts:

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- (1) Traffic signal installation on 6th Street-Stewart Avenue (Medford) Section of Rogue Valley Highway in Jackson County. Bids received July 29, 1971. Contract No. 7616 awarded August 9, 1971, to Steeck Electric Company, Medford, low bidder.
- (2) Traffic signals on Oregon Coast Highway at Olive Street in Newport. Bids received July 29, 1971. Contract No. 7619 awarded August 9, 1971, to Steeck Electric Company, Medford, low bidder.
- (3) M. P. 85.5-Blue Mountain Pass Section of I. O. N. Highway in Malheur County. Bids received July 29, 1971. Contract No. 7621 awarded August 3, 1971, to L. W. Vail Co., Inc., Pasco, Washington, low bidder.
- (4) Mission Street, S. E., at 25th Street, S. E., in the City of Salem, Marion County. Bids received July 29, 1971. Contract No. 7622 awarded August 17, 1971, to Cushing Bros., Inc., Salem, low bidder.
- (5) West Fremont Interchange (Unit 2) Section of the Stadium Freeway and the Columbia River Highway in Multnomah County. Bids received July 29, 1971. Contract No. 7623 awarded August 26, 1971, to Drake-Willamette, Portland, low bidder.
- (6) Signing on Ross Island Bridge-S. E. Reedway Street Section of Pacific Highway East in Multnomah County. Bids received July 29, 1971. Contract No. 7624 awarded August 12, 1971, to Coral Corporation, Gladstone, low bidder.
- (7) N. E. Marine Drive-N. E. Holman Street Section of East Portland Freeway in Multnomah County. Bids received July 29, 1971. Contract No. 7625 awarded August 3, 1971, to Gibbons and Reed Company, Portland, low bidder.
- (8) Rufus Interchange of the Columbia River Highway in Sherman County. Bids received July 29, 1971. Contract No. 7626 awarded August 3, 1971, to Steeck Electric Company, Medford, low bidder.
- (9) Grande Ronde River Bridge Section of FAS 948 in Union County. Bids received July 29, 1971. Contract No. 7630 awarded August 24, 1971, to Target Dredging and Pile Driving Company, Portland, low bidder.
- (10) Slide correction project on the Fern Hill Section of the Columbia River Highway in Clatsop County. Bids received July 29, 1971. Contract No. 7631 awarded August 3, 1971, to J and T Construction, Inc., Eugene, low bidder.

- (11) Drainage structure on Murray Boulevard at South Fork Beaverton Creek Section of FAS 630 in Washington County. Bids received July 29, 1971. Contract No. 7634 awarded August 19, 1971, to Aldrich Construction Company, Portland, low bidder.
- (12) 7th Avenue-Willamette River Section of Eugene-Springfield Highway in Lane County. Bids received August 26, 1971. Contract No. 7637 awarded August 30, 1971, to Donald M. Drake Co., Portland, low bidder.
- (13) Salt Creek Section of Willamette Highway in Lane County. Bids received August 26, 1971. Contract No. 7639 awarded August 30, 1971, to Wildish Construction Co., Eugene, low bidder.

Consideration was given to a request from Benton County for a Federal Aid Secondary Project. The Engineer reported that the request had been investigated and is eligible for the use of FAS funds. Following his favorable recommendation, the Commission approved the following project and authorized the Secretary to sign an agreement in their behalf.

COUNTY	FAS	SECTION & DESCRIPTION	PROGRAMMED AMOUNT	STATE SHARE
BENTON	209	Ward Road-Polk County Line Section, Maxfield Creek Road. 2.15 miles.	\$220,000	\$44,000
		(To be 80% Federal funds and 20% State funds for this project.)		
		TOTAL NEW PROJECT	\$220,000	\$44,000

SUMMARY BY FISCAL YEARS	1971	1972	TOTAL
Allocated funds	5,067,000	5,054,000	10,121,000
Approved Projects (corrected to date)	5,067,000	4,466,000	9,533,000
Unprogrammed Balance	--	588,000	588,000
Projects Proposed 9/7/71	--	220,000	220,000
Unprogrammed Balance	--	368,000	368,000

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The abandonment by the State of four claims for damages totaling \$1,292.26 was discussed. The Engineer stated that the Justice Department has recommended that attempts to collect be abandoned for reasons indicated in the following:

CAO 70-256 - Mickel J. Yanosko
Date of Accident - June 7, 1971
Amount - \$429.01. Damage to Dairy Creek Bridge
Unemployed with wife and two children
Legal action would be futile

CAO 70-473 - Ernest E. Scroggins
Date of Accident - December 1, 1970
Amount - \$270.51. Damage to guardrail
Sold car and was in jail at time of accident
Title never transferred out of his name.

CAO 71-157 - John Stover
Date of Accident - April 28, 1971
Amount - \$341.24. Damage to guardrail
Subject lives in Idaho and cost of litigation would be more than amount of claim.

CAO 71-211 - Erskine E. White
Date of Accident - May 5, 1971
Amount - \$251.50. Damage to guardrail
Subject disabled and on welfare. Gets \$122 a month.

The Commission approved abandonment of the claims.

As required in Oregon House Bill 1700 the Engineer submitted a report concerning plans for footpaths and bicycle trails in projects on which bids are to be received September 30, 1971. The Commission accepted the following report:

1. Memaloose Safety Rest Area, Columbia River Highway.

Footpaths or bicycle trails are not incorporated in this project as no highway construction, reconstruction or relocation is involved. The project covers only the building of a well.

2. Patterson St.-Malin Junction Section, Klamath Falls-Lakeview Highway.

Sidewalks are being provided throughout the length of this project.

3. S. W. Allen Boulevard at Western Avenue (Beaverton) Section, FAS 840.

This is an industrial park. No footpaths or bicycle trails are planned as it is deemed to be contrary to public safety, under which conditions footpaths and trails are not required under Section 2(2)(a), House Bill 1700. This is a traffic signal installation.

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4. S. W. Erickson Avenue-S. W. Main Avenue (Beaverton) Section.

This project has existing sidewalks throughout, making additional construction unnecessary.

5. S. E. McLoughlin Boulevard at S. E. Glen Echo Avenue (Gladstone) Section, Pacific Highway East.

Footpaths and bicycle trails were eliminated on this project under authority granted by Section 2 (2) (a), it being deemed such paths and trails would be contrary to public safety. This is a traffic signal installation.

6. Malheur River (Malheur Butte) Bridge, FAS 23-109.

Cancelled.

7. Mile Point 39.2 Slide Section, Sunset Highway.

No footpaths or bicycle trails planned for this project because of its isolation; and, since it does not connect with any existing community, the cost would be excessively disproportionate to the need or probable use, as provided for under Section 2(2)(b).

8. Cape Meares Loop Road and Bay Ocean Road Slide Sections, FAS 616.

9. Sawyers Rapids and Elkton Slide Sections, Umpqua Highway.

Same as No. 7.

10. Beaver Hill Fill Slide Section, Oregon Coast Highway.

Same as No. 7.

11. Pieper Canyon Road-Bunker Hill Road Section, Heppner Highway.

No footpaths or bicycle trails planned, as provided under Section 2(2)(c). The sparsity of population indicates an absence of need for such paths and trails. This project does not connect with any existing community and there are only three residences within the project limits.

12. Emigrant-Frazer (Pendleton) Couplet Section, Pendleton-John Day Highway.

Sidewalks are provided throughout the project on both sides.

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13. Country Club Road Interchange Section, Eugene-Springfield Highway.

Pedestrian signals and the necessary appurtenances to move both bicycle riders and pedestrians through the intersections are provided.

14. Cape Blanco State Park.

Bicycle trails are not included because of a lack of demonstrated need. Existing and proposed park roadways will be adequate to handle both bicycle and automobile use anticipated for the immediate future.

The Engineer reported that studies have been made on several sections of highways to reduce the accident potentials caused by roadside development, volume of traffic and other conditions. As a result of these investigations it is deemed advisable that reduced speed zones be established in the following areas and he so recommended. The Commission approved the speed zones and thereupon adopted "Speed Zone Resolutions Nos. 590, 591, 592, and 593," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) 50 miles per hour on the Oregon Coast Highway in Lincoln County from a point 300 feet north of the south junction of the Gleneden Beach County Road, (M.P. 122.42) to the south boundary of Fogarty Creek State Park at M.P. 125.46 (See "Speed Zone Resolution No. 590.")
- (2) Speed zones varying from 45 miles per hour to 70 miles per hour on the Sunset Highway in Multnomah, Clatsop, Tillamook and Washington Counties between M.P. 0.00 at the junction of the Oregon Coast Highway and M.P. 71.95 at the west city limits of Portland. These speed zones are to become effective when the Wilson River Highway-North Plains Section is completed, possibly in October 1971, and at that time "Speed Zone Resolution No. 574" dated February 16, 1971, is rescinded. (See "Speed Zone Resolution No. 591")
- (3) 45 miles per hour on the Crater Lake Highway in Jackson County from a point 0.13 mile southwest of Union Creek at M.P. 55.86 to a point 450 feet north-east of Union Creek at M.P. 56.07. (See "Speed Zone Resolution No. 592")

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- (4) 30 miles per hour from a point 0.13 mile north of the frontage road to Wallowa Lake State Park at M.P. 5.78 to the southerly terminus of the Joseph-Wallowa Lake Highway at M.P. 6.94, and 25 miles per hour on the frontage road to Wallowa Lake State Park from its junction with the Joseph-Wallowa Lake Highway to the Wallowa Lake State Park boundary in Wallowa County. This resolution rescinds "Speed Zone Resolution No. 564," dated August 18, 1970. (See "Speed Zone Resolution No. 593")

Resolutions were recommended by the Engineer for the abandonment of portions of State highways which have been replaced by newly constructed sections. The abandonment of these old portions, he said, conforms to agreements previously approved by the Counties. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolutions Nos. 412 and 508," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) Abandonment to Klamath County of portions of the Weyerhaeuser-Holiday Ranch Section on the Green Springs Highway in Klamath County (See "Abandonment Resolution No. 508")
- (2) Abandonment of portions of the old route of the Eightmile Creek-Tygh Valley Section of The Dalles-California Highway to Wasco County and certain portions to the abutting property owners. (See "Abandonment Resolution No. 412")

Consideration was given to the designation of the Lower Antelope County Road in Jefferson and Wasco Counties as a Secondary State Highway. The Engineer recalled that on October 10, 1963, an agreement had been entered into with Wasco County that this highway be placed on the State Secondary Highway System following completion of the Eightmile Creek-Tygh Valley Section of The Dalles-California Highway. In exchange for the State taking over the county road, Wasco County has agreed to assume jurisdiction of approximately 10.5 miles of the old state highway. Jefferson County approved the designation by County resolution on June 5, 1963. As the Eightmile Creek-Tygh Valley Section is now complete, the Engineer recommended that the Commission take formal action to place the Lower Antelope Road on the State Secondary System to be known as the Antelope Secondary Highway No. 293, 13.52 miles in length. The Commission accepted the recommendation and thereupon adopted "Secondary Highway Designation Resolution No. 76," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission considered an agreement with J. Donald Kroeker and Associates, Consultants, to perform a preliminary study for the installation of a complete air-conditioning system in the State Highway Building in Salem. The firm has agreed to make a preliminary study

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with estimates of cost and recommendations for types of installation for an amount not to exceed \$2,593. The firm has also agreed to prepare construction plans, specifications and estimates and assist in supervision of construction for an amount not to exceed \$59,595. The Engineer stated that this arrangement was approved by the Chairman on August 16, 1971, and he asked for confirmation. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf. The Chairman inquired as to whether there is any information on when the Highway Division is to move out of the building it now occupies. The Engineer replied that the Executive Department is working on this matter.

Attention was given to a supplemental agreement with Union Pacific Railroad Company pertaining to liability insurance furnished by the State in favor of the Railroad for snow removal which could affect the railroad along the Columbia River Highway in Multnomah, Hood River and Wasco Counties. The Engineer reported that upon investigating the renewal of the insurance it was found that the existing comprehensive liability insurance policy carried by the State adequately covers any damage by State forces to Railroad property. He, therefore, recommended elimination of Section 7 of the 1962 agreement which requires that an insurance policy in favor of the Railroad and the State be kept in force at all times. The Commission accepted his recommendation.

Consideration was given to an agreement with Southern Pacific Transportation Company for installation of crossing gates at the Cedar Street Grade Crossing on the Tualatin Valley Highway-Farmington Highway Section in Beaverton in Washington County. Under the agreement the Engineer stated that the Railroad is to remove the existing wigwag signal and install crossing gates to facilitate signalization at the intersections. Total cost of the project is estimated at \$27,260 to be shared on a 50-50 basis between the State and Railroad. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered an agreement with Southern Pacific Transportation Company for reconstruction of the 14th Street Undercrossing in Oregon City on the Cascade Highway in Clackamas County. The purpose of the agreement, the Engineer stated, is to provide standard clearance beneath the Railroad bridge. He estimated total cost of the project at \$50,030 which is to be shared on a 50-50 basis by the State and Railroad. Upon completion of construction the Railroad is to maintain its facilities at its expense and the State is to maintain the roadway, drainage, sewers, etc., at State expense. The Commission approved the agreements and authorized the project to be added to the State Construction Program.

Confirmation was requested by the Engineer for approval given by the Chairman on August 13, 1971, on an agreement with Portland Traction Company to allow the State to enter upon Railroad property. The Engineer stated that the agreement was drawn to expedite work by

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the contractor on a portion of the Gladstone Interchange-Oregon City Interchange Section of the East Portland Freeway in Oregon City, Clackamas County. The agreement will allow the deposit of fill material and the installation of a storm drain. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

An agreement with Central Oregon Irrigation District for relocation and adjustment of their facilities in the Redmond Section of The Dalles-California Highway in Deschutes County was discussed. The Engineer stated that the work to be done is necessary to permit widening of the highway. The State is obligated to bear the cost of adjusting the District's facilities, which the Engineer estimated at \$37,000. Future adjustments if necessary are also to be made at State expense. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

The Engineer requested confirmation for telephonic approval given by the Chairman on August 13, 1971, extending a supplemental agreement with the Planning Research Corporation from August 13 to October 15, 1971. The Engineer commented that the supplement added a Spot Improvement Evaluation Task to the Traffic Accident Analysis Project. No additional funds are required. The Commission confirmed the extension of the agreement.

Attention was given to a letter-form agreement with Multnomah County nullifying a prior understanding of July 24, 1967, pertaining to a project on the 91st Avenue-Sandy Boulevard Section of the N. E. Portland Highway. The Engineer stated that the 1967 agreement provided for construction of an interchange and other facilities at N. E. Columbia Boulevard. Subsequently the design of the East Portland Freeway (I-205) was completed and agreements reached concerning construction. As a result Multnomah County has agreed to the nullification of the July 24, 1967 agreement. The Commission approved the nullification.

An agreement with the office of the Governor of Oregon, through the Economic Development Division, for assembly and classification of information on scenic areas, historic sites, highways, roads, streets, parks and recreation areas was considered. Under the terms of the agreement the Engineer stated that an amount not to exceed \$60,000 from the Travel Information Environmental Control Budget item is available for the project. The Economic Development Division is to provide overall supervision of the project and maintain relations and liaison with all public agencies involved. The Division is also to underwrite the cost of certain services and personnel. Following the Engineer's favorable recommendation, the Commission approved the agreement.

Confirmation was requested for telephonic approval given by the Chairman on July 28, 1971, on an agreement with the City of Toledo for improvement of the French Avenue-Third Street Section of Toledo Service Road (US20), in Lincoln County. The Engineer commented that the City is to perform all work on the storm drainage system, curbs

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and sidewalks in 1971, 1972 and 1973. Upon completion of the City's work, the State is to pave the area between the new curbs and the existing pavement. In addition the State is to pay the City upon the completion of each City unit, \$2,800 for 1971 and \$1,400 in each of the years 1972 and 1973 for a total expenditure of \$5,600 from Minor Betterment Funds. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

The Commission considered an agreement with the Morrow County Court pertaining to the Pieper Canyon Road-Bunker Hill Road Section of the Heppner Highway between Heppner and Lexington. The agreement provides that the State acquire right-of-way, perform construction and maintenance of the project. The County agrees to cooperate in the adjustment of utility facilities and in the closure of certain County roads. The County is to continue to exercise jurisdiction over the Bunker Hill Road, including a connection to the highway. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

Consideration was given to changes in a service contract with Digital Equipment Corporation for the maintenance of computer equipment located at Albany in Linn County for fog warning and other emergency periods in the Murder Creek area on the Pacific Highway. The Engineer advised that the Corporation has requested renegotiation of the contract on a two-year, year-round basis with an increase in the monthly charge from \$130 to \$145. Experience, he said, has indicated that the nine-month service period in the original agreement is not satisfactory and that the service contract should be in force on a year-round basis. The project is financed by Highway Planning and Research Funds. The Commission accepted his recommendation for approval and authorized the Secretary to sign the revised contract in their behalf.

The Chairman inquired as to how effective the fog warning system has been. The Deputy Engineer stated that the accident record in this area has improved greatly but there has not been a great amount of foggy weather. The Chairman then inquired if the installation in the Murder Creek area would be practical in other areas. The Engineer replied that this type of installation would not be practical for a fog belt that extended over several miles. In response to the Chairman's inquiry as to whether there are other fog areas similar to Murder Creek, the Engineer replied negatively.

An agreement with Klamath County for construction of the Patterson Street-Malin Junction Section of the Klamath Falls-Lakeview Highway was discussed. The Engineer mentioned that the agreement provides that the State acquire right-of-way and perform construction and maintenance on the project. The County has agreed to cooperate in the adjustment of utility installations and has agreed to the closure of Vermont Avenue. The agreement also stipulates that the County is to assume jurisdiction of the road connections to be constructed as a part of the project. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

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The Commission considered a policy statement concerning the sharing of costs for installation, maintenance and power for traffic signals and lighting in cities. The Engineer stated that the policy prepared on a population basis, has been worked out with the League of Oregon Cities and has been approved by the League. Negotiations are underway with the Association of Oregon Counties pertaining to a similar policy with the counties. Based on the Engineer's favorable recommendation, the Commission approved the policy statement regarding cities and authorized the Secretary to sign it in their behalf.

An agreement was considered with the City of Tigard for installation of traffic signals at the intersection of the Pacific Highway West and Johnson Street in Washington County. This agreement, the Engineer said, was drawn up under the new policy and under its terms the State is to pay 75% cost of the installation and the City 25%. The City is to provide for power consumed and the State is to provide maintenance. The estimated cost of the installation is \$20,000 and the State's share of \$15,000 is to be charged to Minor Betterment Funds. It was his recommendation that the agreement be approved. The Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission considered another agreement with the City of Tigard for installation of traffic signals at the intersection of the Pacific Highway West and Bull Mountain Road in Washington County. This agreement also was prepared on the basis that the State pay 75% and the City 25% of the cost of installation. In this instance, the City is to provide for maintenance and power consumption. The total cost of the installation is estimated at \$9,000 and the State's share of \$6,750 is to be charged to Minor Betterment Funds. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on August 19, 1971, on an agreement with the City of Salem for conversion of a flashing beacon at the intersection of the Pacific Highway East and Hyacinth Drive to a fully actuated traffic signal. The Engineer estimated the cost of the work at \$17,000 with the City to pay one-half the cost of installation and provide for all maintenance and power consumption. The State's share of \$8,500 is to be charged to Minor Betterment Funds. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

Another agreement with the City of Salem for installation of traffic signals at the northbound offramp from the Pacific Highway (I-5) to Market Street was considered. Under the terms of this agreement, the Engineer stated that the State is to make the installation and pay for the cost thereof, which he estimated at \$25,000 as an Interstate Project. The City is to provide all maintenance and power costs. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

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Revision of traffic signals at four intersections on the Clackamas Highway was discussed. The Engineer pointed out that the revision is needed to interconnect with traffic signals at two intersections at the Lake Road Interchange on the East Portland Freeway. He estimated the cost of the revision at \$30,000 to be performed as a part of the overall contract on this project and to be charged to State Construction Funds. The Commission approved the revision expenditure.

An agreement with Washington County and the City of Hillsboro for installation of traffic and railroad grade crossing signals at the intersection of the Tualatin Valley Highway and Witch Hazel Road was considered. The Engineer estimated the cost of the traffic signal portion at \$28,000 with the State to pay 50% and the County and the City to each pay 25%. The City is to provide for all future maintenance and power needs. The County and the City are to pay all costs of the Railroad grade crossing signals. The Commission accepted the Engineer's recommendation for approval with the State's share of the cost to be charged to Minor Betterment Funds. The Secretary was authorized to sign the agreement in behalf of the Commission.

Consideration was given to an agreement with Clackamas County for the installation of traffic signals at the intersection of the Cascade Highway and Otty Road south of Portland. Under terms of the agreement, the County is to pay 1/3 of the cost of the installation and pay for electrical energy required. The State is to pay for 2/3 of the installation cost and provide maintenance. Total estimated cost of the installation is \$25,000 with the State's share to be charged to Minor Betterment Funds. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered an agreement with the City of Portland for installation of a pedestrian-actuated school traffic signal at the intersection of the N. E. Portland Highway and North Fenwick Avenue. This agreement provides that the City is to make the installation and provide for future maintenance and power needs. The State is to pay one-half the cost of the installation but not to exceed \$2,500 which is to be charged to Minor Betterment Funds. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with Scappoose School District No. 1J on the Lower Columbia River Highway in Columbia County was brought up by the Engineer. He explained that the agreement covers provisions for access to the highway from the new high school near the City of Scappoose and outlines obligations to be performed by the State and the School District. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Engineer presented for the Commission's consideration a letter-form supplemental agreement with Clackamas County pertaining to the Milwaukie-Cascade Highway Section of the Clackamas Highway. The supplement provides for transfer to the County of additional right-of-way along Lake Road westerly from the Harmony Road Interchange. The County also agrees to maintain a frontage road on the southerly side of the interchange. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Engineer reported that snow removal agreements have been requested by 12 ski resort operators for the 1971-72 season, similar to agreements in effect for the past several years. Each of the resort operators has secured proper consent from the U. S. Forest Service and has provided the required financial statement and insurance endorsements. The Engineer recommended approval of the agreements. The Commission approved agreements with the following resorts and authorized the Secretary to sign the agreements in their behalf:

Site	Anticipated Cost
Mt. Ashland (Mt. Ashland Corp.)	\$ 48,000
Bachelor Butte (Mt. Bachelor, Inc.)	64,500
Fish Lake (Fish Lake Resort)	250
Hoodoo (Hoodoo Ski Bowl Developers, Inc.)	9,500
Lake of the Woods (Lawore, Inc.)	250
Multorpor (Multorpor, Inc.)	3,500
Mt. Hood Meadows (Mt. Hood Meadows Ore., Ltd.)	47,000
Snow Bunny (Snow Bunny Lodge, Inc.)	2,000
Timberline (R. L. K. & Co.)	105,000
Tomahawk (Tomahawk Ski Bowl, Inc.)	200
Warner Canyon (Fremont Highlanders Ski Club)	300
Willamette (Willamette Pass Recreation, Inc.)	1,500
Total	\$282,000

Confirmation was requested by the Engineer for approval given by the Chairman on August 30, 1971, of an agreement with Prepakt Concrete Company for work on the McKenzie River Bridge piers on the Pacific Highway in Lane County. The Engineer reported that recent inspections on the bridge showed the need for underwater grouting around the piers. Work of this nature is highly specialized and he recommended that an agreement be entered into with Prepakt Concrete Company to perform the work on a cost-plus basis with a top limit of \$25,000. The Federal Highway Administration has indicated that Federal Funds are available to apply to the work. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

The next Commission meeting date was confirmed for Tuesday, October 19, 1971, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for Tuesday, November 30, 1971.

Consideration was given to a request made by the Oregon Chapter of Pacific Northwest Travel Association for an increase in the membership fee paid by the State Highway Division for the promotion of tourist traffic. The Commission approved payment of \$4,000 covering a period of one year from July 1, 1971, to June 30, 1972. Previous membership payment had been \$1,500 per year.

The Engineer called to the Commission's attention a request made by a delegation June 22, 1971, that the State participate in development of Catherine Creek Park on the Medical Springs Highway south of the town of Union in Union County. He pointed out that the request has been carefully studied and because of tight budgetary limitations and the low cost-benefit ratio for this park compared with other projects under consideration he recommended that the State not participate financially in this project. The Commission accepted his recommendation.

An agreement with Oregon State University and Bardsley and Haslacher concerning an air pollution survey was brought up by the Engineer. He explained that the agreement provides for interviewing four hundred adults concerning certain economic, behavioral, and demographic characteristics. Participation by the State Highway Commission was requested by Mr. Kessler Cannon, Assistant to the Governor. The Commission approved a contribution of \$2,500 in the cost of the survey and authorized the Secretary to sign the agreement in their behalf.

The Chairman recalled that about a year ago, after consultation with the Governor, a program was set up to try to bring the public into participation in environmental control which arose out of the litter program. Public cooperation is needed as anti-pollution laws do not provide a complete answer. The program was stopped because the Attorney General's office ruled that highway dedicated funds could not be used for this purpose even though it was a part of the overall travel information responsibility. The Governor has asked that the situation be reviewed to determine if the program can be legally reactivated. The Chairman requested the Chief Counsel to investigate and report.

The Commission signed, or authorized the Secretary to sign, the following papers:

"Bargain and Sale Deed" to Everett Paul and Agnes Edith Allen regarding 240 square feet, more or less, on Garden Valley Road-Fairgrounds Road Section of the Pacific Highway in Douglas County, for \$75.

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"Quitclaim Deed" to Clinton P. Martin regarding 540 square feet, more or less, in town of Lent, City of Portland.

"Relinquishment of Title" to City of Grants Pass regarding 0.09 acre, more or less, on the Redwood Interchange Section of Redwood Highway in Josephine County.

"Indenture of Access" to Jeanne E. Thurman regarding Wildwood-Forest Boundary Section of Mt. Hood Highway in Clackamas County.

"Indenture of Access" to George E. and Ed Lee Nolte and Wm. J. and Lenore Chandler regarding Brookings-Winchuck River Section of the Oregon Coast Highway in Curry County.

"Indenture of Access" to Hugh F. Barron and Mildred A. Barron regarding Emigrant Reservoir Section of Green Springs Highway in Jackson County.

"Supplemental agreement" with Union Pacific Railroad Company pertaining to liability insurance for snow removal along Columbia River Highway in Multnomah, Hood River and Wasco Counties.

"Agreement" with Southern Pacific Transportation Company providing for installation of crossing gates at the Cedar Street grade crossing on Tualatin Valley Highway-Farmington Highway Section in Beaverton.

"Agreement" with Southern Pacific Transportation Company providing for reconstruction of 14th Street undercrossing in Oregon City to provide standard clearance beneath the railroad bridge.

"Agreement" with Portland Traction Company allowing the State to enter upon Railroad property to deposit fill material and install a storm drain which are a necessary part of work to be performed at intersection of 15th Street and Pacific Highway East in Oregon City.

"Agreement" with Central Oregon Irrigation District to relocate and adjust its facilities adjacent to Redmond Section of The Dalles-California Highway in Deschutes County to allow widening of a bridge and roadway to provide four lanes and erosion control.

"Agreement" with Governor of Oregon, through the Economic Development Division, for assembly and classification of information regarding scenic areas, historical sites, highways, roads, streets, parks and recreation areas.

"Agreement" with City of Toledo for improvement of French Avenue-3rd Street Section of Toledo Service Road.

"Agreement" with Morrow County concerning construction of Pieper Canyon Road-Bunker Hill Road Section of Heppner Highway.

"Service contract" with Digital Equipment Corporation for maintenance of the surveillance computer equipment located at Albany for a 2-year period.

"Agreement" with Klamath County for construction of Patterson Street-Malin Junction Section of Klamath Falls-Lakeview Highway.

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"Policy Statement" approved by League of Oregon Cities involving the sharing of costs for installation, maintenance, and power for traffic signals and lighting in cities.

"Agreement" with City of Tigard for installation of traffic signals at intersection of Pacific Highway West and Johnson Street.

"Agreement" with City of Tigard for installation of traffic signals at intersection of Pacific Highway West and Bull Mountain Road.

"Agreement" with City of Salem for conversion of existing flashing beacon at intersection of Pacific Highway East and Hyacinth Drive in Salem.

"Agreement" with City of Salem for installation of traffic signals at northbound off ramp from I-5 to Market Street.

"Agreement" with Washington County and City of Hillsboro for installation of traffic and railroad grade crossing signals at intersection of Tualatin Valley Highway and Witch Hazel Road.

"Agreement" with Clackamas County for installation of traffic signals at intersection of Cascade Highway and Otty Road, south of Portland.

"Agreement" with City of Portland for installation of a pedestrian-actuated school traffic signal at intersection of NE Portland Highway and North Fenwick Avenue.

"Agreement" with Scappoose School District No. 1J regarding access to new high school adjacent to Lower Columbia River Highway.

"Letter-form supplemental agreement" with Clackamas County pertaining to Milwaukie-Cascade Highway Section of Clackamas Highway.

"Agreements" for snow removal with Mt. Ashland Corp., Mt. Bachelor, Inc., Hoodoo Ski Bowl Developers, Inc., Lawore, Inc., Multorpor, Inc., Mt. Hood Meadows, Ore. Ltd., Snow Bunny Lodge, Inc., RLK & Co., Tomahawk Ski Bowl, Inc., Fremont Highlanders Ski Club, Wm. Pass Recreation, Inc.

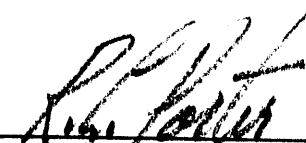
"Agreement" with The Prepakt Concrete Company for streambed stabilization under Piers 2N and 2S of the McKenzie River Bridge on the Pacific Highway in Lane County.

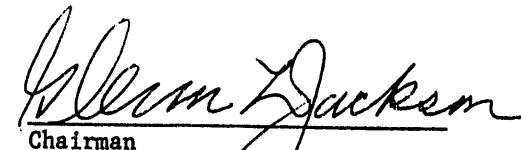
"Agreement" with State of Oregon, acting by and through its State Board of Higher Education on behalf of Oregon State University, regarding contribution to Bardsley and Haslacher air pollution survey.

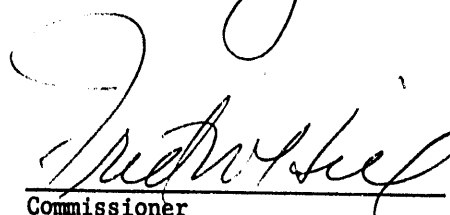
"Agreement" with Linn County for acquisition of 6.5 acres of land, known as Cartney Park, as a part of Willamette River Park System.

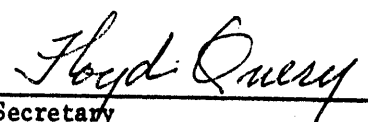
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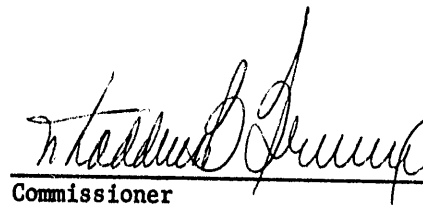
The meeting was adjourned by the Chairman at 10:15 a.m.


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

September 8, 1971

October 19, 1971
Salem, Oregon

The Oregon State Highway Commission met in regular session at 9:20 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
George W. Baldwin, Administrator
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
E. S. Hunter, Assistant State Highway Engineer
Frank McKinney, Assistant Attorney General
David H. Moehring, Right of Way Engineer
C. W. Head, Assistant Secretary

The Commission was delayed in arriving in Salem because of an accident which blocked traffic on the southbound lanes of the Pacific Highway near Portland. Floyd Query, Secretary, was excused due to illness. L. I. Lindas, Chief Counsel, was excused to prepare for a trial.

Others present were: R. E. Simpson, Division Engineer of the Federal Highway Administration; L. H. Young, Program and Planning Engineer; V. E. Skoog, Controller; David G. Talbot, Parks Superintendent; John Widmer, Administrative Assistant, Commission Secretary's Office; Gary Sund, Public Affairs Director; Robert K. Potter, Coordinator, Scenic Waterways; John J. Earley, Information Officer; Donald N. Harwell, Coordinating Engineer; and John R. Oakes, Assistant Right of Way Engineer.

The Commission approved the minutes of the meeting held September 8, 1971.

The Right of Way Engineer presented a list of options, Pages 1 through 61, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised values and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 80," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from August 26 to October 8, 1971, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled

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\$40,583; land sales \$3,375; and timber sales \$33,495.87. Rental receipts for August, 1971 were \$40,894.81 and for September \$40,279.33.

A list of properties needed for highway and other uses was presented by the Right of Way Engineer. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2594," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed an earlier report made by the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the institution of condemnation proceedings as follows:

BOONES FERRY ROAD-PACIFIC HIGHWAY EAST SECTION OF THE HILLSBORO-SILVERTON HIGHWAY, MARION COUNTY

R-45399 - Harry V. Russell et ux. Parcel 1: 1.3 acres and Parcel 2: 0.07 acre for right of way purposes; Parcel 3: 1.3 acres for temporary easement. Offer \$9,200.00.

R-45409 - Elfa L. Fikan and Mary Annette McLaughlin. Parcel 1: 0.54 acre and Parcel 2: 0.09 acre for right of way purposes. Offer \$5,300.00.

CAPE ARAGO HIGHWAY-WOODLAND DRIVE SECTION OF THE EMPIRE-COOS BAY HIGHWAY, COOS COUNTY

R-44697 - Ocean Boulevard Development Company. Parcel 1: 0.05 acre and Parcel 2: 0.07 acre for right of way purposes. Offer \$1,600.00.

CHEMAWA ROAD-HAYESVILLE SECTION OF THE PACIFIC HIGHWAY EAST - MARION COUNTY

R-17596 - Elmo W. Frey et ux. Parcel 1: 0.05 acre and Parcel 2: 0.5 acre for right of way purposes. Offer \$50,600.00.

CHEMAWA ROAD-HICKORY STREET SECTION OF THE SALEM FREEWAY - MARION COUNTY

R-46779 - Marvin J. Lowen et ux. 22,024 sq. ft. for right of way purposes. Offer \$15,000.00.

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GARDEN VALLEY ROAD-FAIRGROUNDS SECTION OF THE PACIFIC HIGHWAY - DOUGLAS COUNTY

R-44900 - Robert D. Horn. 5,015 sq. ft. for right of way purposes. Offer \$28,975.00.

NEHALEM-MANZANITA SECTION OF THE OREGON COAST HIGHWAY - TILLAMOOK COUNTY

R-46125 - Engleman Associates. Parcel 1: 0.04 acre and Parcel 2: 0.04 acre for right of way purposes. Offer \$725.00.

N. E. SANDY BOULEVARD-N. E. GLISAN STREET UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-44252 - Empire Building Material Co. 19.8 acres for right of way purposes. Offer \$512,000.00.

PATTERSON STREET, KLAMATH FALLS-MALIN JUNCTION SECTION OF THE KLAMATH FALLS-LAKEVIEW HIGHWAY - KLAMATH COUNTY

R-44982 - Robert H. Buck et ux. Parcel 1: 3,300 sq. ft. for right of way purposes; Parcel 2: 1,155 sq. ft. for permanent easement; Parcel 3: 2,950 sq. ft. for temporary easement. Offer \$1,525.00.

R-44988 - J. D. Finchum et ux. Parcel 1: 13,750 sq. ft. for right of way purposes; Parcel 2: 10,690 sq. ft. permanent easement; Parcel 3: 450 sq. ft. temporary easement. Offer \$5,900.00.

R-44991 - Robert J. Krusmark et al. Parcel 1: 4,720 sq. ft. for right of way purposes; Parcel 2: 630 sq. ft. permanent easement; Parcel 3: 2,430 sq. ft. temporary easement. Offer \$4,575.00.

R-44993 - Ernest E. Wallin. Parcel 1: 8,540 sq. ft. for right of way purposes; Parcel 2: 8,800 sq. ft. permanent easement; Parcel 3: 1,930 sq. ft. temporary easement. Offer \$4,625.00.

R-44999 - Glenn Lee Hilyard et al. Parcel 1: 16,570 sq. ft. for right of way purposes; Parcel 2: 29,100 sq. ft.; Parcel 3: 360 sq. ft.; Parcel 4: 240 sq. ft., all for permanent easements; Parcel 5: 7,595 sq. ft. temporary easement. Offer \$2,350.00.

S. E. DIVISION STREET-S. E. FOSTER ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-45964 - Nelson C. Wright et ux. 7,266 sq. ft. for right of way purposes. Offer \$17,500.

S. E. FOSTER ROAD-S. E. HINKLEY STREET UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - CLACKAMAS COUNTY

R-46163 - Bruno Gerer. 2.78 acres for right of way purposes. Offer \$37,600.00.

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S. E. HINKLEY AVENUE-LAKE ROAD INTERCHANGE UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - CLACKAMAS COUNTY

R-43750 - Milwaukie Union High District 5. Parcel 1: 1.0 acre; Parcel 2: 0.13 acre for right of way purposes; Parcel 3: 0.34 acre temporary easement. Offer \$9,400.00.

R-43900 - Eternal Memorial Gardens. 6.7 acres for right of way purposes. Offer \$37,600.00.

R-46200 - Mary C. Bradley. 1.43 acres for right of way purposes. Offer \$26,000.00.

R-46208 - Oral J. Love et ux. 4.57 acres for right of way purposes. Offer \$29,000.00.

R-46209 - Clella E. Hollimon. Parcel 1: 4.5 acres for right of way purposes; Parcel 2: 0.23 acre permanent easement. Offer \$36,300.00.

SUNSET HIGHWAY-PACIFIC HIGHWAY SECTION OF THE BEAVERTON-TIGARD HIGHWAY WASHINGTON COUNTY

R-33284 - John H. Smith III et ux. Parcel 1: 0.12 acre; Parcel 2: 0.40 acre for right of way purposes. Offer \$4,750.00.

R-45807 - Robert L. Stelzer and Elizabeth J. Stelzer. 0.04 acre for right of way purposes. Offer \$1,650.00.

R-45808 - Cleveland C. Cory et ux. Parcel 1: 0.12 acre and Parcel 2: 0.10 acre for right of way purposes. Offer \$7,700.00.

R-45809 - Pearl Polsky Nemiro. 0.18 acre for right of way purposes. Offer \$1,350.00.

Authorization was requested by the Right of Way Engineer to offer at public sale two parcels of property which are no longer needed for highway purposes. The minimum sale price is based on competent appraisals and access and other conditions of sale are consistent with situations existing in the vicinity of each property. The Commission authorized public sales as follows and thereupon adopted "Real Property Resolution No. 556," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) 18,026 square feet of land, formerly West Cliff Manor Apartments property, Files 39921, 41379, 41380 and 41381, located on the Clackamas River-West Linn Section of the East Portland Freeway in Clackamas County, for not less than \$85,000. No access is to be allowed to the East Portland Freeway and sign-board and junkyard exclusion clauses are to be included in the deed. Sale is subject to approval by the Federal Highway Administration, which approval was requested by letter dated October 5, 1971. (See "Real Property Resolution No. 556.")

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- (2) 1.0 acre, File Q-186, located on the westerly side of the former route of the Columbia River Highway (Columbia County Road) approximately 2½ miles east of Clatskanie in Columbia County, for not less than \$600. A junkyard exclusion clause is to be included in the deed. Approval by the Federal Highway Administration is not required.

Confirmation for verbal authority of September 8, 1971, to make a direct sale was requested by the Right of Way Engineer on a parcel of property which is no longer needed for highway purposes. Peculiarities of location restricts salability of the property to one party. The sale price has been determined by competent appraisers. The Commission confirmed sale of the following property:

- (1) To the City of Canby, File 19622, 1.5 acres of land located south of Knights Bridge Road, west of East Street in the City of Canby, Clackamas County for \$675. The City wishes to use the property to enable them to build water intake facilities during periods of low water. A junkyard exclusion clause is included in the deed. Federal Highway Administration approval is not required.

A relinquishment of title to Morrow County on 0.46 acre of land located on an old highway connection between the former Boardman Junction-Irrigon Section of the Columbia River Highway and the Old Oregon Trail was presented by the Right of Way Engineer (File 19441). The Right of Way Engineer commented that the area to be relinquished is no longer needed for highway purposes and he recommended that it be relinquished to Morrow County without charge. The Commission accepted his recommendation.

Indentures of Access pertaining to three parcels of property were recommended by the Right of Way Engineer for changes in location and widening. The Commission approved the following Indentures:

- (1) Davis property, File 40600, for a change in location of one unrestricted point of access 35 feet wide on the northerly side of the relocated Corvallis-Newport Highway east of Blodgett in Benton County. Approval by the Federal Highway Administration was given on August 27, 1971.
- (2) T. C. Wildish Co. property, Files 37300 and 37430, for a change in location of one unrestricted point of access 35 feet wide on the relocated McVay Highway approximately two miles southeast of Eugene in Lane County. Federal Highway Administration concurrence is not required.
- (3) Johnson property, File 26806, for a change in location and widening to 35 feet on one unrestricted point of access, on the easterly side of the relocated Springfield-Creswell Highway at the easterly edge of Creswell in Lane County. Federal Highway Administration approval was received July 20, 1971.

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Consideration was given to a request made by Elmer and Hazel Yoder and their contract purchaser Daniel K. Stuiwenga (File 24109) for a change in use restriction on one 35-foot wide point of access on the southerly side of the relocated Salmon River Highway approximately five miles east of Valley Junction in Polk County. The Right of Way Engineer explained that the approach was originally granted for residential and transportation of farm products use. The property has been sold and a request has been made to lift the use restriction. The present owner will be required to extend the culvert and widen the paved approach to the highway. Federal Highway Administration concurrence was received August 16, 1971. The Commission accepted the Right of Way Engineer's recommendation for the change in use restriction.

Consideration was given to a request made by Thomas E. and Ruth McCullough and Nellie C. McCullough for one unrestricted point of access 35 feet wide on the easterly side of the relocated Pendleton-John Day Highway approximately five miles northerly from Mt. Vernon in Grant County. An existing approach was overlooked when the highway was constructed. No consideration is involved and approval by the Federal Highway Administration is not required. Following the Right of Way Engineer's favorable recommendation, the Commission approved the Grant of Access.

Confirmation was requested by the Right of Way Engineer for verbal authority given by the Commission on awards of demolition contracts. The Commission confirmed award of the following contracts and authority for the Secretary to sign the contracts in their behalf:

- (1) Demolition & Excavating submitted the only bid received for demolition, rough grading and removal of debris on the Florence-Eugene Highway in Lane County in the amount of \$1,195. (Commission approval received September 21, 1971.)
- (2) Two bids were received for the removal of a building, grading and removal of debris on the Chemawa Road-Hickory Street Section of the Salem Freeway in Marion County. The low bid was submitted by William Engelhardt, for \$2,100. (Commission approval received September 21, 1971.)
- (3) Three bids were received for removal of buildings, grading and removal of debris on the East Portland Freeway and the Mt. Hood Highway in Multnomah County. The low bid was submitted by Heard Construction Company in the amount of \$5,310. (Commission approval received September 28, 1971.)
- (4) Two bids were received for removal of buildings, rough grading and removal of debris on the East Portland Freeway in Multnomah County. The low bid was submitted by Heard Construction Company for \$7,340. (Commission approval received September 21, 1971.)

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Confirmation was requested by the Right of Way Engineer for approval given by the Commission on October 11, 1971, on an agreement with Cornell, Howland, Hayes and Merryfield, Inc., to make a vibration study on the Enoch Manufacturing Building on the East Portland Freeway in Clackamas County. The cost of the study is not to exceed \$5,500. The Commission confirmed the agreement and authority for the Secretary to sign it.

The Commission accepted a report submitted by the Assistant Attorney General on cases which have been tried in court since the last Commission meeting summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
H. D. Tibbals, et al. L-6161 R-43468	Benton	Albany-Corvallis Highway	\$10,000	\$41,000	\$15,000
Dette Olibell Brymer and Marian Bronson L-6300 R-43977	Curry	Oregon Coast Highway	\$27,325	\$78,000	\$40,000*
Antone G. Rose L-6314 R-43843	Curry	Oregon Coast Highway	\$25,500	\$40,000	\$38,000
Gladys H. McLean L-6285 R-42767	Mult.	East Portland Freeway	\$14,650	\$18,000	\$16,000
Benjamin Morlock, Jr. L-6355 R-43637	Mult.	Columbia River Highway	\$18,850*	\$32,000	\$25,500

*Revised taking to include additional 2.4 acres. Appraisals were revised and testimony for State was \$36,350 and \$40,400.

*This figure does not include \$5,000 additive also offered defendant.

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(Report of Condemnation Cases Tried Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
Clifford N. Stephens, et al. L-6382 R-43649	Mult.	Columbia River Highway	\$23,300	\$32,000	\$27,566.50
Blanche McCulloch L-6318 R-43986	Curry	Oregon Coast Highway	\$16,700	\$34,000	\$18,250
John N. Hooper L-5677A R-39953	Supreme Court	Decision: Reversed the Court of Appeals and trial court and gave the State a new trial.			

REPORT OF TRIAL OF OTHER CASES - STATE PLAINTIFF

<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
West Coast Truck Lines L-6500	Coos	Damage to Bridge	\$3,764.46	Dismissed
Richard C. Bolin L-6559	Mult.	Forcible Entry and Detainer	Possession of premises	Possession of premises

REPORT OF TRIAL OF OTHER CASES - STATE DEFENDANT

<u>Plaintiff</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
David H. Pfenning L-6065	Marion	Property Damage	\$199.00	Dismissed

(For additional details, see the Assistant Attorney General's letter dated October 15, 1971, entitled Report of Cases Tried in the General Files, Salem.)

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The Commission also accepted a report made by the Assistant Attorney General concerning cases which have been settled out of court since the last Commission Meeting and summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
James McEnroe L-6241 R-42397	Baker	Old Oregon Trail	\$10,050	\$10,050	\$17,000
Lee Savely L-6279 R-42389	Baker	Old Oregon Trail	\$ 6,000	\$ 6,000	\$ 6,900
Elmo A. Wehnert, et ux. L-6205 R-43483	Benton	Corvallis- Newport Highway	\$ 800	\$ 1,000	\$ 1,750
Francis B. Kroll, et ux. L-6213 R-43435	Clack.	East Portland Freeway	\$ 6,200	\$12,700	\$ 7,500
William O. Moore, et al. L-6227 R-42430	Clack.	East Portland Freeway	\$76,000	\$113,095 now re- viewed at \$109,250	\$115,000
Kattie Jones, et vir. L-6348 R-43793	Clack.	Clackamas Highway	\$ 1,825	\$ 1,825	\$ 3,250
Jack W. Kellendonk L-6368 R-43794	Clack.	Clackamas Highway	\$ 1,950	\$ 1,950	\$ 3,350
Lawrence D. Looney L-6420 R-43792	Clack.	Clackamas Highway	\$ 1,925	\$ 1,925	\$ 3,750

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(Report of Condemnation Cases Settled Cont.)

Defendant	County	Highway	State's Offer	State's Highest Appraisal	Amount of Settlement
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Harvey C. Fullman L-6534 R-33106	Clack.	Mt. Hood Highway	\$ 1,650	\$ 1,650	\$ 2,500*
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*Amount of settlement previously offered by right of way. Chief Counsel concurs.

John H. Seward L-6535 R-33169	Clack.	Mt. Hood Highway	\$ 2,300	\$ 2,300	\$ 2,500
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Sam Choat and Port of Coos Bay L-6323 R-44339	Coos	Coos River Highway			Dismissed
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Bee Langworthy L-6303 R-44022	Curry	Oregon Coast Highway	\$19,100	\$17,950 plus signs & fixtures	\$23,500*
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*Sign and fixture appraisals total \$4,615.50 or total high appraisal of \$20,760.50. Increase is justified on basis of recent court verdicts on the same line.

Lloyd R. Pettinger L-6307 R-43981	Curry	Oregon Coast Highway	\$ 1,500	\$ 2,600	\$ 3,000
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Lloyd A. Read, et al. L-6371 R-42584	Curry	Oregon Coast Highway	\$12,850	\$14,250	\$15,350
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Esther Bentley, et al. L-6507 R-40962	Douglas	Pacific Highway	\$ 3,850	\$ 8,500	\$10,000
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Lottie L. Benedict L-6272 R-43589	Lane	Florence-Eugene Highway	\$ 6,721	\$16,920	\$18,000*
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*Case consolidated with L-6274 for a settlement of \$20,000.

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(Report of Condemnation Cases Settled Cont.)

Defendant	County	Highway	State's Offer	State's Highest Appraisal	Amount of Settlement
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Walter H. Beers L-6274 R-43590	Lane	Florence-Eugene Highway	\$ 880	\$ 1,750	\$ 2,000*
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*Case consolidated with L-6272 for a settlement of \$20,000.

Benbuilt Homes, Inc. L-6333 R-43456	Mult.	East Portland Freeway	\$37,100 for 1.01 acres	\$37,100	\$100,000* total taking
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*Approved NOA at September 8, 1971, Commission Meeting.

Atlas Construction Co. L-6345 R-42722	Mult.	East Portland Freeway	\$186,200	\$186,200	\$205,000*
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*Interim use value of improvements not considered by writer of the approved appraisal.

Marie J. Mueller L-6519 R-44179	Mult.	East Portland Freeway	\$ 9,300	\$ 9,300	\$ 9,300
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Rudy F. Calaba, et al. L-6426 R-43115	Polk	Willamina-Salem Highway	\$10,000	\$14,000	\$17,500
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Helen Agnes, Winn, et al. L-6512 R-43226	Polk	Willamina-Salem Highway	\$ 200	\$ 200	\$ 700
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William R. Banister (Louis S. Wells and Robert G. Wells) L-6491 R-45727	Umatilla	Pendleton-John Day Highway	\$40,600	\$40,600	\$58,500*
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*Optioned September 7, 1971 by Right of Way. Increase justified by discovery of pertinent market data missed by State appraisers.

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REPORT OF OTHER CASES SETTLED

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demand of Plaintiff</u>	<u>Settlement</u>
Clifford E. Samuels L-6079	Abner Springer	Benton	Property Damage	\$282.88 plus \$250.00 atty fees	\$357.88*

*Settled by our insurance carrier.

Armstrong Buick, Inc. L-6251	State	Clack.	Damage to Personal Property	\$880.00	\$580.20*
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*Settled by our insurance carrier.

State L-6454	Roy W. Hawkins	Clack.	Damage to Fence	\$118.26	\$199.00*
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*Settlement included damages of \$118.26 plus \$8.00 filing fee; plus \$15.40 Sheriff's fee; plus \$57.34 attorney fees.

State L-6437	Robert W. Adams	Curry	Damage to Bridge	\$368.34	\$368.43
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Underwood & Richards L-6216	State	Klamath	Action on Contract	\$102,370.78	\$20,000.00
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Albert Macho L-6388	R. P. Oliver	Mult.	Personal Injury	\$ 42,500.00	\$ 5,000.00*
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*Settled by our insurance carrier.

(For additional details, see the Assistant Attorney General's letter dated October 15, 1971, entitled Report of Cases Settled in the General Files, Salem.)

A report was presented by the Assistant Attorney General and accepted by the Commission regarding legal proceedings which have taken place since the last Commission meeting as follows:

- (1) Richard E. Daugherty representing the Estate of Mary L. Daugherty, deceased v. State, L-6541. Plaintiff seeks damages in the sum of \$151,875 because of an accident on December 3, 1969, on the Tualatin Valley Highway at Scoggin Creek in Washington County which caused the death of Mary Daugherty. The complaint alleges negligence on the part of the defendant in failing to provide proper maintenance and warning signs regarding the icy condition of the highway.

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- (2) Frank K. Wheaton, a Minor, by his guardian at litem, Helen R. Wheaton v. Southern Pacific Transportation Company, the Oregon State Highway Commission and the Oregon State Public Utility Commissioner, L-6543. Plaintiff alleges negligence by the Highway Commission in failing to properly mark the crossing on the Silver Creek Falls Highway near Shaw in Marion County and failure to require Southern Pacific to install adequate protection devices. Damages are sought in the amount of \$75,872.10.
- (3) American Star Insurance Company v. Allstate Insurance Company and the Oregon State Highway Commission, L-6562. Plaintiff requests the Court to construe the two insurance contracts and make a declaration as to the rights of the parties thereunder in connection with three injury claims totaling \$29,050.
- (4) The Willamette Heights Neighborhood Association et al., v. John A. Volpe and the Oregon State Highway Commission, L-6563. Plaintiff seeks an injunction restraining defendants from purchasing further rights of way and constructing temporary off ramps from the Fremont Bridge on the Stadium Freeway in Portland until it can be shown that comparable replacement housing has been constructed on a one-to-one basis, and public hearings have been held.
- (5) Richard W. Snyder v. State and Jack Fisher, L-6561. Plaintiff seeks damages in the sum of \$28,724 alleging that Fisher who was operating a State Highway Division truck, drove the truck into the left side of the plaintiff's auto damaging the auto and causing physical injuries to the plaintiff. The accident occurred on the Columbia River Highway (I-80N) on-ramp to Bridal Veil Falls in Multnomah County on February 28, 1971.
- (6) Linda Marie Bridgham v. State, et al., L-6564. Plaintiff seeks \$100,000.00 for damages resulting from an auto accident October 15, 1969, on Bayshore Drive in Coos Bay, Coos County. Plaintiff was a passenger in an auto driven by Beverly Jean Maurer when the car was driven into a body of water over the highway and subsequently collided with a light pole. Negligence is alleged in failing to place warnings, failing to remove the water and failure to maintain proper road grade for drainage purposes and failing to keep the storm drain system open.
- (7) Beverly Jean Maurer v. State, et al., L-6565. Plaintiff was the driver of the vehicle in which Linda Marie Bridgham was injured and she seeks damages for injury in the sum of \$280,000 alleging the same negligent omissions by the State.

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Consideration was given to Mr. J. F. Wickham's notification of intent to construct a summer home within the Rogue Scenic Waterway adjoining Alameda Park in Josephine County. The Engineer stated that Mr. Wickham has maintained a 30-foot trailer house on his property for approximately eight years. The proposed house would be visible from the river and replace the trailer which would be removed. The trailer house is not visible from the river. He mentioned that comments were solicited from the Josephine County Planning Commission, Board of Commissioners, County Sanitarian and the Bureau of Land Management with no negative replies. The Chairman commented that the Commission is up against a policy problem in that it has been approving new homes and various improvements to existing homes and other changes in the environment on the Rogue each of which works to establish a precedent. Also there is a combination of the application of the State law as well as the Federal law over the same areas. In time additional construction will eat the available area insofar as the "set aside" is concerned. He stated that the State should get together with the County and the Federal Government to establish a policy as to how far to go. The Engineer replied that a report is now being prepared in the form of a policy for consideration concerning this matter which should be completed within the next two months. The Commission deferred action on Mr. Wickham's request until a general policy has been established.

Consideration was given to the reallocation of unobligated 1970 TOPICS funds to the Cities of Cottage Grove, Monmouth, Newberg and Woodburn. The Engineer mentioned that all cities except Dallas had made use of their 1970 funds. With the League of Oregon Cities' concurrence, and since the amount to be reallocated is so small, he recommended that it be divided on a per capita basis among the four cities that become eligible for TOPICS funds after the 1970 census. The Commission approved the reallocation to the following cities:

CITY	POPULATION 4/1/70	FEDERAL FUNDS	TOTAL FUNDS
			Includes State and Local Matching Money (Rounded to Thousands)
COTTAGE GROVE	6,004	\$ 2,475	\$ 4,000
MONMOUTH	5,237	2,159	4,000
NEWBERG	6,507	2,683	4,000
WOODBURN	7,495	3,090	5,000
TOTAL	25,243	\$10,407	\$17,000

Consideration was also given to changing the route of US395 in the westerly portion of the City of Pendleton in Umatilla County. The Engineer pointed out that the highway is now routed over SW 12th and 13th Streets which are nonhighway city streets. For safer traffic conditions at the railroad grade crossing and in the vicinity of the school, he recommended establishing a route via S. W. Court Place and SW 20th Street. The Commission accepted his recommendation changing the route of 395 to read as follows:

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Over the Columbia River Highway, US730, from the Washington State Line near Wallula, Washington, southwesterly (common with US730) to its junction with the Pendleton-Cold Springs Highway; thence southeasterly over the Pendleton-Cold Springs Highway to its junction with US30 in Pendleton; thence easterly over the Pendleton Highway (common with US30) in Pendleton to its intersection with S. W. Court Place; thence southerly via S. W. Court Place and S. W. 20th Street to the intersection of the Pendleton-John Day Highway.

Thence southerly over the Pendleton-John Day Highway via Pilot Rock, Dale and Long Creek to its junction with the John Day Highway, US26, at Mt. Vernon; thence easterly over the John Day Highway (common with US26) to its junction with the John Day-Burns Highway in John Day; thence southerly over the John Day-Burns Highway via Canyon City and Silvies to its junction with the Central Oregon Highway, US20, approximately two miles northeast of Burns.

Thence southwesterly over the Central Oregon Highway, US20, (common with US20) via Burns and Hines to its junction with the Lakeview-Burns Highway near Riley; thence southwesterly over the Lakeview-Burns Highway via Wagontire to its junction with the Fremont Highway at Valley Falls; thence southerly over the Fremont Highway via Lakeview to the California State Line at New Pine Creek (common with ORE140) for five miles north of Lakeview.

The Commission considered the annual payment to the AASHO Materials Reference Laboratory. The Engineer mentioned that Oregon's assessment has been \$4,400 for the past several years but the sub-committee voted to increase the amount to \$5,000 due to general inflation, payable by October 1, 1971. The Reference Laboratory works with aggregates, soils, and bituminous materials and its function is to tour highway department laboratories to check testing procedures and to calibrate testing machines. Upon his favorable recommendation, the Commission approved the continued support of the AASHO Materials Reference Laboratory and payment of \$5,000 for the year beginning 10-1-71.

Consideration was given to the Associated General Contractors' request for the Commission to reconsider its action of September 8, 1971, concerning the applicability of House Bill 1232 to retainage on contracts which were in existence prior to September 9, 1971. The Engineer

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stated that the law permits contractors to post securities that are approved by the State Treasurer in lieu of cash retainages that the State withholds under the contract provisions. The request does not pertain to contracts that are executed after the law went into effect on September 9, 1971, but does pertain to the existing contracts that were already in effect at the time the law became effective. The Chairman mentioned that these contracts were bid on the basis of the then existing law. He also stated that the State Forestry Department and the State Board of Higher Education have turned down the request of the Associated General Contractors and in view of their action and the impact of the return of these funds on highway financing, the Commission goes on record as denying this request.

Adjustment of an agreement with General Services Division pertaining to maintenance of the State Highway Building in Salem was discussed. The Engineer mentioned that the Executive Department had stated that because of an oversight the matter of increasing the maintenance rates had not been discussed previously. The 1971-1973 highway budget contains a provision for increasing the rate from 9 cents per sq. ft to 11 cents per sq. ft. The Engineer recommended that the rate be increased to 11 cents per sq. ft. retroactive to July 1, 1971. The Commission approved the increase.

Confirmation was requested on verbal approval given by the Chairman on October 4, 1971, for a contribution in the amount of \$8,000 to help support a Natural Resource Program Coordinator for the Willamette Valley. The Engineer explained that the Governor's Office is undertaking this program which will cover land use planning, industrial development, recreation, transportation and other features. The Commission confirmed payment of \$8,000 for the 1971-1973 biennium.

A quarterly report of property damage claims from July 1, 1971, through September 30, 1971, was presented by the Engineer and accepted by the Commission. During this period, \$43,379.14 was collected and nineteen claims totaling \$3,332.04 were abandoned as not being feasible to collect. Under uncollected judgments the Engineer pointed out that \$240,000 remains to be collected in the case of State vs. the Tug Go-Getter.

The Commission confirmed publication by the Secretary of State of a proposed Rule under the Administrative Procedure Act which would allow the Highway Division to continue to hold hearings and adopt routes or corridors under State and Federal regulations in effect as of September 8, 1971. The Engineer recalled that this matter had been approved verbally by the Chairman on October 4, 1971, and copies of the notice had been sent to the Secretary of State for publication in the October 15, 1971, issue of the "Administrative Rules Bulletin."

Consideration was given to requests from contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests had been carefully investigated and the results of the investigations had been reported to the Commission by letter. The Commission took action as follows:

- (1) Salem Road and Driveway Company, Contract No. 7482 on FAS 159 in Marion County, requested a 40-day extension of time. The Commission granted an extension of 39½ days thereby deleting all liquidated damages.
- (2) Cascade Construction Co., Inc., Contract No. 7567 on the Beaverton-Hillsdale Highway in Washington County, requested an extension of 109 days. The Commission granted an extension of 109 days without assessment of liquidated damages.
- (3) White Bros., Construction Co., Inc., & Ross Bros. Construction, Inc., Contract No. 7349 on the Old Oregon Trail in Umatilla County, requested an extension of 9 days. The Commission denied the request.
- (4) Mann Construction Company, Inc., Contract No. 7440 on the Wallowa Lake Highway in Union County, requested an extension of 19 calendar days. The Commission granted an extension of 5 calendar days without assessment of liquidated damages.
- (5) E. C. Hall Construction Company, G. L. Compton, J. C. Compton Company and John C. Compton, Contract No. 7399 on the Columbia River Highway in Gilliam County, requested an extension of 28½ days. The Commission denied the request.
- (6) Electric Corporation, Contract No. 7421 for traffic signals on Commercial Street at Madrona Avenue in Salem in Marion County, requested an extension of 147 calendar days. The Commission granted an extension of 145 days without assessment of liquidated damages and waived liquidated damages for the time spent on force account work after the signals were activated.
- (7) Peter Kiewit Sons' Company, Contract No. 7415 on the Pacific Highway in Jackson County, requested an extension of 21 days. The Commission approved an extension of 21 days without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated October 5, 1971.
- (8) Corvallis Sand and Gravel Company, Contract No. 7553 in the City of Corvallis, Benton County, requested an extension of 7 days. The Commission approved an extension of 7 days without assessment of liquidated damages. This is a TOPICS project and the extension was approved by the Federal Highway Administration in a letter dated October 7, 1971.

- (9) Berry Creek Construction Company, Contract No. 7535 for work in the Driftwood Beach Wayside in Lincoln County, requested an extension of 30 days. The Commission granted an extension of 26 days without assessment of liquidated damages.
- (10) Sims Electric, Inc., Contract No. 7497 on The Dalles-California Highway in Klamath County, requested an extension of 69 calendar days. The Commission granted an extension of 2 days without assessment of liquidated damages.
- (11) B & K Paving Company, Contract No. 7596 on the Oregon Coast Highway in Tillamook County, requested an extension of 40 days. The Commission granted an extension of 11 calendar days without assessment of liquidated damages.

The Engineer reported that Contract Nos. 7331, 7362, 7397, 7425, 7444, 7465, 7468, 7497, 7519, 7545, 7556, and 7570 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 197," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed verbal award of contracts made on October 4, 1971, on bids received September 30, 1971 and confirmed authority for the Secretary to sign the following contracts in their behalf.

BIDS RECEIVED IN SALEM SEPTEMBER 30, 1971

Contract No. 7648 for traffic signal installation on S. E. McLoughlin Boulevard at Glen Echo Avenue in Gladstone in Clackamas County. Four bids were received. The Commission accepted the low bid of Olson Electric Company, Inc., Vancouver, Washington, at \$24,900 and the Engineer was directed to award the contract to said bidder when the Federal Highway Administration and the City of Gladstone approve the project and the City deposits \$5,900.

Contract No. 7649 for an overnight camp area in Cape Blanco State Park in Curry County. Seven bids were received. The Commission awarded the contract to the low bidder, James & Stritzke Construction Co., Roseburg, at \$278,345.

Contract No. 7650 for grading, paving and signing on the Patterson Street-Malin Junction Section of the Klamath Falls-Lakeview Highway in Klamath County. Two bids were received. The Commission awarded the contract to the low bidder, Klamath Rock Products, Klamath Falls, at \$747,548.85.

Contract No. 7651 for traffic signals on Country Club Road Interchange Section of the Eugene-Springfield Highway in Lane County. Five bids were received. The Commission accepted the low bid of Kern Electric Company, Inc., Albany, at \$16,267 and the Engineer was directed to award the contract to said bidder when Lane County approves the project and deposits \$9,500.

Contract No. 7652 for grading, paving and structures on Pieper Canyon Road-Bunker Hill Road Section of the Heppner Highway in Morrow County. Six bids were received. The Commission awarded the contract to the low bidder, L. W. Vail Co., Inc., Pasco, Washington, at \$438,745.20.

Contract No. 7653 for grading, paving, and signing on Emigrant-Frazer (Pendleton) Couplet Section of the Pendleton-John Day Highway in Umatilla County. One bid was received. The Commission accepted the lone bid of Rogers Construction, Inc., Portland, at \$647,186 and the Engineer was directed to award the contract to said bidder when the City of Pendleton approves the project and deposits \$75,000.

Contract No. 7654 for well exploration in Memaloose Safety Rest Area in Wasco County. Two bids were received. The Commission accepted the low bid of PROJECT: Corporation, Milton-Freewater, at \$8,795 and the Engineer was directed to award the contract to said bidder when approval by the Federal Highway Administration is received.

Contract No. 7655 for grading, paving and traffic signals on S. W. Allen Blvd. at Western Avenue (Beaverton) in Washington County. Two bids were received. The Commission accepted the low bid of Al Kalkhoven, Beaverton, at \$63,030 and the Engineer was directed to award the contract to said bidder when the Federal Highway Administration and the City of Beaverton approve the project and the City deposits \$15,850.

Contract No. 7656 for grading and paving on S. W. Erickson Avenue-S. W. Main Avenue in Beaverton in Washington County. Two bids were received. The Commission accepted the low bid of Al Kalkhoven, Beaverton, at \$27,283 and the Engineer was directed to award the contract to said bidder when the Federal Highway Administration and the City of Beaverton approve the project and the City deposits \$6,520.

Contract No. 7657 for grading and paving on Mile Point 39.2 Slide Section on the Sunset Highway in Washington County. Nine bids were received. The Commission accepted the low bid of S. D. Spencer & Son, Vancouver, Washington, at \$141,403 and the Engineer was directed to award the contract to said bidder when the Federal Highway Administration approves the project.

Contract No. 7658 for slide and flood damage repair on the Beaver Hill Fill Slide (M. P. 249.6) Section on Oregon Coast Highway in Coos County. Two bids were received. The Commission accepted the low bid of Slate-Hall, Portland, at \$87,781 and the Engineer was directed to award the contract to said bidder when approval by the Federal Highway Administration is received.

Contract No. 7659 for slide correction on Cape Meares Loop Road Section and Bay Ocean Road Section on county roads in Tillamook County. Two bids were received. The Commission accepted the low bid of Garrett & Thomas Construction, Dallas, at \$73,461 and the Engineer was directed to award the contract to said bidder when approval by the Federal Highway Administration is received.

The Engineer reported that he had awarded contracts which had been referred to him by the Commission to award when certain conditions were fulfilled. The Commission confirmed his award of the following contracts.

- (1) Grading and paving on M.P. 39.2 Slide Section of Sunset Highway in Washington County. Bids received September 30, 1971. Contract No. 7657 awarded October 5, 1971, to S. D. Spencer and Son, Vancouver, Washington, low bidder.
- (2) Memaloose Safety Rest Area in Wasco County. Bids received September 30, 1971. Contract No. 7654 awarded October 7, 1971, to Project: Corporation, Milton-Freewater, low bidder.
- (3) Traffic signal installation on S. E. McLoughlin Boulevard at Glen Echo Avenue in Gladstone, Clackamas County. Bids received September 30, 1971. Contract No. 7648 awarded October 6, 1971, to Olson Electric Company, Inc., Vancouver, Washington, low bidder.
- (4) Traffic signal installation on the Tualatin Valley Highway-Farmington Highway Section in Beaverton of the Tualatin Valley and Farmington Highways in Washington County. Bids received August 26, 1971. Contract No. 7647 awarded September 22, 1971, to Graham Electric Company, Portland, low bidder.
- (5) Traffic signal installation on Ivy Street at 6th Avenue in Junction City on the Pacific Highway West in Lane County. Bids received August 26, 1971. Contract No. 7638 awarded September 22, 1971, to Hamilton Electric, Inc., Eugene, low bidder.
- (6) S. W. Allen Boulevard at Western Avenue in the City of Beaverton on FAS 840 in Washington County. Bids received September 30, 1971. Contract No. 7655 awarded October 13, 1971, to Al Kalkhoven, Beaverton, low bidder.
- (7) S. W. Erickson Avenue-S. W. Main Avenue (Beaverton) Section of S. W. 6th Street in Washington County. Bids received September 30, 1971. Contract No. 7656 awarded October 13, 1971, to Al Kalkhoven, Beaverton, low bidder.

- (8) Slide and flood damage repair on Beaver Hill Fill Slide (M.P. 249.6) Section of the Oregon Coast Highway in Coos County. Bids received September 30, 1971. Contract No. 7658 awarded October 15, 1971, to Slate-Hall, Portland, low bidder.
- (9) Slide correction on Cape Meares Loop Road and Bay Ocean Road Section of FAS 616 in Tillamook County. Bids received September 30, 1971. Contract No. 7659 awarded October 15, 1971, to Garrett and Thomas Construction, Dallas, low bidder.

Increases in project authorizations on two contracts were requested by the Engineer and approved by the Commission as follows:

- (1) Contract 7603 for work in the Roads End Beach State Wayside approximately one mile north of Lincoln City, north of the Oregon Coast Highway in Lincoln County for an increase of \$16,806.20 (80.69%). The Engineer explained that after the project was under way it was found desirable to construct a turn around to allow vehicles to reverse direction because they had missed the entrance to the new parking area.
- (2) Contract No. 7430 for work in the Sunset Safety Rest Area on the Sunset Highway in Clatsop County for an increase of \$23,351.59 (6.4%). Additional paving quantities, construction of a left-turn refuge and upgrading of an existing drinking fountain were given as principal reasons for the overrun.

Attention was given to a request from Clatsop County for a Federal-Aid Secondary Project on FAS 912. The Engineer stated that the project has been investigated and is eligible for use of FAS Funds and he recommended approval. The Commission approved the following project, and authorized the Secretary to sign a Construction agreement.

COUNTY	FAS	SECTION & DESCRIPTION	PROGRAMED AMOUNT	STATE SHARE
CLATSOP	912	Humbug Creek (Lower Nehalem Road) Bridge Section.	\$ 120,000	\$ 42,000
		Structure		
		TOTAL	\$ 120,000	\$ 42,000

SUMMARY BY FISCAL YEARS	1971	1972	TOTAL
Allocated funds	\$5,067,000	\$5,054,000	\$10,121,000
Approved Projects (corrected to date)	5,067,000	4,819,000	9,886,000
Unprogrammed Balance	- - -	235,000	235,000
Projects Proposed	- - -	120,000	120,000
Unprogrammed Balance	0	\$ 115,000	\$ 115,000

The Commission also considered a request from the City of The Dalles for a TOPICS Project and the cancellation of a previously approved TOPICS project. The Engineer stated that in regards to the request for cancellation, the project had been investigated further and it is the opinion of City, State and Federal Personnel that the project would not economically accomplish the desired traffic improvement. He recommended cancellation of the project. The proposed new project will open a main arterial street. The project has been reviewed by State and Federal personnel and as it is eligible for funding under the TOPICS Program the Engineer recommended approval. The Commission approved the proposed project and authorized the Secretary to sign a project agreement in their behalf. The Commission also approved cancellation of the traffic improvement project.

CITY	SECTION	PROGRAMED AMOUNT	STATE COST
THE DALLES	Cherry Hts. Road-Wright Street, West 10th Street.	\$ 100,000	\$ 20,000
	Grading, paving and drainage structure.		
	TOTAL NEW PROJECTS	\$ 100,000	\$ 20,000

CANCELLATION OF PREVIOUSLY APPROVED PROJECT

THE DALLES	4th St. (@ Union & Washington Sts.) and Kelly St. (E. 10th St.-E. 12th St.).	60,000	12,000
	Signals and widening.		
	Approved by Highway Commission 6/22/71.		
	TOTAL CANCELLATION	\$ 60,000	\$ 12,000
	TOTAL	\$ 40,000	\$ 8,000

SUMMARY BY FISCAL YEARS	1970	1971	TOTAL
Allocated funds	\$2,742,000	\$2,730,000	\$5,472,000
Approved Projects (corrected to date)	2,742,000	1,803,000	4,545,000
Unprogrammed Balance	0	927,000	927,000
Projects Proposed	- - -	40,000	40,000
Unprogrammed Balance	0	\$ 887,000	\$ 887,000

A request from Clatsop County for an Emergency Relief Assistance Project to correct a slide on the Lewis and Clark County Road was brought up by the Engineer. He explained that the slide was caused by a rain storm in January 1971. The project is eligible for the use of Emergency Relief Funds and will be financed 100% by the Federal Highway Administration. Following his favorable recommendation, the Commission approved the project and authorized the Secretary to sign the project agreement in their behalf.

The Highway Engineer stated that under ORS 366.525 Oregon Counties will be eligible to receive \$6,283,186.04 as their share of highway user taxes collected during the period July 1, 1971, to September 30, 1971. It is planned to release these funds to the counties October 19, 1971. The Commission approved release of the funds.

The Engineer stated that in 1965 the Highway Division adopted a standard "Snow Zone" warning sign which is now contained in the Oregon Manual on Uniform Traffic Control Devices. To provide more exact information on the use of tire chains he recommended that the old wording be rescinded and the following wording be approved:

- (1) Blank
- (2) CARRY TIRE CHAINS
- (3) TIRE CHAINS ADVISED
- (4) TIRE CHAINS REQUIRED

The Commission accepted his recommendation.

Abandonment of sections of two State highways was brought up by the Engineer. Disposition of these sections he said is covered by agreements previously entered into with the Counties. The old portions can now be formally abandoned as the new sections have been completed. Following his favorable recommendation, the Commission approved abandonment of the following sections and thereupon adopted "Abandonment Resolutions Nos. 307 and 488," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) Portion of the old highway in the Fern Hill-Burnside Section of the Columbia River Highway in Clatsop County to the County. (See "Abandonment Resolution No. 488.")
- (2) A segment of the old highway on the Newport-Toledo Section of the Corvallis-Newport Highway in Lincoln County to the abutting property owners. (See "Abandonment Resolution No. 307.")

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Attention was given to an agreement with the City of Coos Bay pertaining to the abandonment of two parcels of land on the Woodland Drive-Central Avenue Unit of the Empire-Coos Bay Highway in Coos County. The Engineer explained that the agreement provides that the City of Coos Bay is to accept the two parcels of old highway when construction of the new alignment is completed. The Commission approved the abandonment agreement and authorized the Secretary to sign it in their behalf.

The Engineer also presented a resolution formally abandoning to the City of Coos Bay the two parcels of land on the Woodland Drive-Central Avenue Unit of the Empire-Coos Bay Highway. Construction of the new highway he said has been completed and he recommended adoption of the resolution. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 523," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to an agreement with the City of Paisley concerning abandonment to the City of a parcel of old highway right-of-way on the Paisley Section of the Fremont Highway in Lake County. Under the terms of this agreement the Engineer stated that the City agrees to accept a portion of the old right-of-way when the new highway section is completed. The Commission approved the abandonment agreement and authorized the Secretary to sign it in their behalf.

An abandonment resolution also was presented by the Engineer formally abandoning to the City of Paisley a portion of the old right-of-way on the Paisley Section of the Fremont Highway in Lake County. He mentioned that the new section of highway has been completed and the old section can now be abandoned and he so recommended. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 524," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission also considered an agreement with Deschutes County for an exchange of property pertaining to Tumalo State Park. The Engineer explained that due to recent completion of the Deschutes River (Tumalo) Bridge Section of FAS 946 an exchange of right-of-way through Tumalo State Park becomes necessary. Under the agreement the County is to transfer to the State any of its old right-of-way not needed outside of the reconstructed line. Any interest the State may have within the reconstructed line is to be transferred to the County. He recommended approval of the agreement. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Engineer also presented an abandonment resolution in which the State formally abandons to Deschutes County a portion of the former route of FAS 946. Following the Engineer's favorable recommendation, the Commission approved the abandonment of a portion of the former route to the County and thereupon adopted "Abandonment Resolution No. 525," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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Confirmation of an agreement with SOLV, Inc., providing for financial assistance in mitigating litter and vandalism problems in the State was brought up by the Engineer. He mentioned that the program has the strong support of the Governor and the agreement was verbally approved by the Chairman on September 13, 1971. The Commission confirmed the expenditure of \$25,000 through the period ending June 30, 1972, and authority for the Secretary to sign the agreement in their behalf.

Attention was given to a petition for deletion of highway rights-of-way from irrigation district boundaries. The Engineer stated that specifically the petition requests exclusion of 156 acres of right-of-way from the Gold Hill Irrigation District affecting the Pacific Highway in Jackson County. To compensate for the exclusion he recommended payment of \$33,851.50 as Interstate right-of-way acquisition cost. The Commission accepted his recommendation and authorized the Secretary to sign the petition in their behalf.

An agreement with Lane County for construction of a bicycle-pedestrian underpass beneath the Southern Pacific Transportation Company railroad tracks near the Autzen Football Stadium in Eugene, Lane County, was discussed. Under the terms of the agreement, the Engineer stated that Lane County is to design, supervise, construct, and maintain the underpass. The State is to contribute 60 percent of the total estimated cost of \$50,000. Lane County, the City of Eugene, and the University of Oregon are to provide the remaining 40 percent. The Engineer also commented that this agreement is the first one to be presented under House Bill 1700, known as the Bicycle Bill. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Attention was given to a construction agreement with Gilliam County pertaining to the South Unit, Condon-Thirtymile Creek Section of the John Day Highway. Under this agreement, the Engineer stated that the State is to acquire right-of-way, perform construction and maintenance. The County agrees to cooperate in the adjustment of utility installations and upon completion of the project agrees to accept complete jurisdiction over a new connection to Thirtymile Creek-Trailfork Road. Segments of the old highway to be bypassed by new construction are to be abandoned to the abutting property owners. The Engineer's recommendation for approval was accepted by the Commission and the Secretary was authorized to sign the agreement for them.

The Commission also considered a supplemental agreement with Clackamas County concerning construction of the Boring Road Interchange Section of the Mt. Hood Highway. The Engineer pointed out that under this agreement the State is to acquire right of way, construct, and maintain the project. The County agrees to the closure of the existing Epperson Road and also agrees to assume jurisdiction over the reconstructed portions of Boring and Epperson Roads. In recommending approval of the project, the Engineer also commented that construction of this interchange will eliminate a very hazardous at-grade crossing. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

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Attention was given to an agreement with the City of Brookings for installation of traffic signals at the intersection of Chetco Avenue (Oregon Coast Highway) and Oak Street in Curry County. By terms of the agreement, the State is to pay for the installation at an estimated cost of \$20,000 from Minor Betterment Funds and is to provide for future maintenance. The City will pay for all electric energy required. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on September 29, 1971, covering a Permit of Entry from Union Pacific Railroad Company granting the State access to Railroad property in construction of the Pieper Canyon Road-Bunker Hill Road Section of the Heppner Highway in Morrow County. The Engineer mentioned that an easement will be negotiated at a future date. The State is obligated to reimburse the Railroad for their expenses which the Engineer estimated at \$2,000. The Commission approved the Permit of Entry.

Consideration was given to an agreement with Washington County and Tualatin Development Company pertaining to realignment of Durham Road in order to provide an improved connection with the Pacific Highway West near King City south of Tigard. Under terms of this agreement, the Engineer stated that the Tualatin Development Company is to acquire all right-of-way, perform construction, adjustment of utilities and other matters in a manner satisfactory to the State and the County, and pay for all costs of the project. The Company also is to reimburse the State for any inspection services furnished by the State. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement for them.

The Commission considered a throughway agreement with Washington County pertaining to construction of the South Tigard Interchange-East Portland Freeway Interchange Section of the Pacific Highway (I-5). The Engineer mentioned that the State is to acquire right-of-way and perform construction and maintenance. The County agrees to cooperate in the adjustment of all utility installations and in the closure of certain county roads. In addition the County agrees to accept complete jurisdiction over certain frontage roads which are to be constructed as a part of the project. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered a supplemental throughway agreement with Clackamas County concerning the Causey Avenue-Gladstone Interchange Section of the East Portland Freeway (I-205). The Engineer mentioned that the original agreement was approved December 14, 1965. The supplemental agreement provides that the State acquire right-of-way and perform construction and maintenance. The County agrees to cooperate in the adjustment of utility installations, the closure of certain county roads, and to assume complete jurisdiction over certain frontage roads which are to be constructed as a part of the project. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

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Consideration was given to a supplemental throughway agreement with Union County pertaining to the Ladd Canyon-North Powder Section of the Old Oregon Trail. The Engineer stated that the County has requested that the original agreement of September 30, 1970, be modified to provide more adequate land service to the public and to residents of the area. Approval has been obtained from the Federal Highway Administration to implement the plan for the location of interchanges and the arrangement of frontage roads. The original agreement, except as modified, is to remain in effect. Upon completion of the project the County is to assume complete jurisdiction over the frontage roads which are to be constructed as a part of the project. Based on the Engineer's favorable recommendation, the Commission approved the supplemental agreement and authorized the Secretary to sign it for them.

Attention was given to an agreement with Deschutes County allowing the County to maintain a County road connection with The Dalles-California Highway southerly from Bend as long as it remains a part of their road system. The Engineer stated that the road had been used for many years by the Brooks-Scanlon Lumber Company, by the public and adjacent property owners, possibly before construction of the present The Dalles-California Highway. As a result of a development by the Way West Subdivision, Deschutes County has adopted a resolution establishing this and other roads as County roads for use by the public. The State assumes no expense in this transaction. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to a supplemental agreement with Washington County pertaining to construction of the Walker Road Interchange Section of the Beaverton-Tigard Highway. Under the original agreement dated July 13, 1965, provision was made for an interchange at this location but the map did not show sufficient detail on the realignment of Walker Road or the necessity of closing the existing road. The County agrees to the closure of the existing Walker Road and to assume complete jurisdiction over the portion of road to be constructed on new alignment as a part of the project. The Engineer recommended approval of the agreement. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

A cooperative construction agreement with the City of Newport for improvement of the Oregon Coast Highway-Grant Street Section of the Corvallis-Newport Highway in Lincoln County was considered. The City is to perform all work connected with the modification of the storm drainage system, installation of curbs and the grading of berms behind the curbs. The State is to furnish and place base rock and pave the area between the existing pavement and the newly constructed curbs including the street intersections. The Engineer estimated the total cost of the project at \$50,000 to be shared equally between the State and the City with the State's portion from Minor Betterment Funds. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

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An agreement with the Bureau of Reclamation and the Owyhee Irrigation District pertaining to reconstruction of the District's facilities on the North Fork Jacobson Gulch-North Ontario Interchange Section of the Old Oregon Trail (I-80N) in Malheur County was discussed. The Engineer explained that the work of extending an underpass, construction of a diversion box and construction of approximately 600 feet of right-of-way fence is to be performed by the State's contractor. The State is to provide structural maintenance for all of the crossing facilities constructed under the agreement. The Bureau of Reclamation and the District are to perform all operational maintenance on their facilities covered by the agreement. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission considered an agreement with Clackamas County Service District No. 1 pertaining to construction of two new sanitary sewer line crossings of the S. E. Causey Avenue-Gladstone Interchange Section of the East Portland Freeway (I-205) in Clackamas County. The work is to be included in the State contract and is to be performed by the contractor at an estimated cost of \$38,000 which is to be borne by the District. The District is to provide all structural and operational maintenance of the two sewer line crossings, and the State is to provide the District with a pipeline permit for operation of the District's facilities. The Engineer recommended approval of the agreement. The Commission accepted the recommendation and authorized the Secretary to sign the agreement in their behalf.

Attention was also given to a cooperative construction-finance agreement with the City of Carlton concerning separation of the sanitary and storm sewer systems along the Tualatin Valley Highway in Yamhill County. The Engineer stated that the work is necessary in order to comply with standards set by the Department of Environmental Quality. The State is to furnish the sewer pipe, cut the existing pavement surfacing, and replace the pavement after the pipe is installed. The City is to prepare plans, award any contracts and supervise them, and following completion of the project, perform all maintenance necessary on the storm drainage and sanitary sewer systems. The Engineer estimated the total cost of the project within the highway right-of-way at \$31,000 which is to be shared equally between the City and the State with the State portion of \$15,500 from Minor Betterment Funds. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission confirmed the next regular Commission meeting date for November 30, 1971, (later changed to November 24, 1971). A tentative date for the following meeting was set for Tuesday, January 11, 1972.

October 19, 1971

A delegation representing the Mt. Angel Chamber of Commerce and the Cities of Mt. Angel, Woodburn and Silverton appeared before the Commission concerning improvement of the Hillsboro-Silverton Highway (Route 214) between Woodburn and Mt. Angel in Marion County. The following people were present: Mayor Joe Berchtold and William Verbort, Mt. Angel; Mayor Walt Lawson, Wally Gutzler, Woodburn; John Sandford, Mayor Willis Dunagan, and Del Wolfe, of Silverton.

Mayor Berchtold commented that the section of Highway 214 between Mt. Angel and Woodburn in its present state has outlived its usefulness and ability to carry its ever-increasing volume of commuter, pleasure, and commercial vehicles. He asked the Commission to give serious consideration to improvement on this section of highway in the near future.

William Verbort mentioned that the joint Chambers of Commerce for the three cities made a traffic count on August 27, 1971. He submitted a tabulation sheet showing the types of vehicles counted as evidence of the need for improving the highway. The count totaled 603 vehicles; 293 commercial trucks and 109 farm trucks.

Walter Lawson pointed out that it is important that this part of the valley be closely tied together by highways because of agriculture and food processing. He mentioned that he subscribes to the idea of cities having limited boundaries surrounded by agricultural green belts, and this is one of the keys to the future livability of the Willamette Valley. The concept is being accepted by some of the cities in the area and good transportation facilities between the cities is very important.

John Sandford stated the improvement of this highway is vital to the City of Silverton because its consumer goods are trucked in from the Portland area over this highway. This route is also used to reach the Silver Falls State Park Recreational area. He mentioned that Silverton now has the new trailer manufacturer, Redmond Industries. Their freight requirements at the present time require twelve semi-trucks from the Portland area to stop at their place of business. Several mobile homes and travel trailers are shipped out each day and it is necessary to detour the 14-foot wide trailers through Salem to go north, as it's not feasible to go over the Mt. Angel-Woodburn Section of the highway. The cost is approximately \$1.25 per mile to move this type of vehicle.

Wally Gutzler mentioned that this highway is quite twisty, has a very dangerous bridge and three almost right-angle turns. He thanked the Commission for the section of highway which was built a few years ago between Mt. Angel and Silverton and the impending improvement of the section through Woodburn. He offered their services to help improve this section of highway.

The Chairman asked what the population trend has been in these areas in the last 10 years. Mr. Gutzler mentioned that the City of Woodburn is the second fastest growing city in Oregon, with an increase in population from approximately 3,100 to 6,800 and the surrounding areas have grown proportionately. Joe Berchtold stated that Mt. Angel has increased about 37 percent.

October 19, 1971

Chairman Jackson pointed out that this project, on a preliminary survey basis, amounts to approximately \$3,200,000 for the five-mile section. He stated that today the Commission authorized a contribution to the Valley Environmental Study to determine some priorities in terms of meeting the needs of the growing areas. The Chairman stated that if the State is to meet the impact of the population increase in the Willamette Valley, the State is going to have to change some priorities. How soon this change will be made depends upon the completion of the study. The Chairman told the delegation it is hoped it will be soon as their areas are getting out of hand because of zoning and transportation. Some answers will be given just as soon as possible.

A delegation from Roseburg representing the Izaak Walton League, Roseburg Rod and Gun Club and the Steamboaters appeared before the Commission concerning the designation of the North Umpqua River as a Scenic River in Douglas County. Those present were Charles Collins, Bart Garrison, Jim Vaughn, Frank Moore, and Stan Kounse, all from Roseburg.

Mr. Collins stated that their purpose in appearing today is to present a document (copy in the General Files) requesting that a study be made of a section of the North Umpqua River for possible classification under the new Oregon Scenic Waterway Act. He mentioned that Douglas County was the pioneer in the development of their recreational resources which began about 22 years ago as a part of the Rod and Gun Club Program. He stated that the North Umpqua River and the section they are requesting to be studied is a vital part of their resources. He continued that as time goes on uncontrolled development will seriously depreciate this part of the river resource and the time has come to take a look at more control of development without destroying the values of initiative. He further stated that this Act may be the best for the area at this time. He also stated that his group feels now is the time to consider the North Umpqua River before the property and recreational values are destroyed and that the Scenic Waterway Act would do these things: First, it will attempt to protect property values of a large area adjacent to the central part of Douglas County. Second, it will conserve the water quality in the North Umpqua River System without which we are dead. Third, it will help maintain the quality of a most unique steelhead fishery consisting of summer and winter runs. He asked that the Commission give serious consideration to the delegation's request for this study.

The Chairman inquired as to the area to come under the terms of the Act. Mr. Collins suggested that the study start at the tidewater above Winchester Dam and continue on up to the Soda Springs Dam on the North Umpqua about 62 miles and also include approximately 20 miles of Steamboat Creek.

Chairman Jackson then inquired about the attitude of the Douglas County Court. Mr. Collins stated that they had made no attempt to solicit opinions from the people. The Chairman asked if any group had

reached a decision and become polarized in connection with their attitude on this particular question. Mr. Collins stated that the Chamber of Commerce Committee had decided that they did not like it but there had been no organized group, pro or con. Chairman Jackson told the group that the Commission will take the necessary steps to see what can be done. He also commented that Douglas County has done an outstanding job on its parks and recreational program and has set a standard that no other governmental agency has reached to date.

The disposition of Catherine Creek State Park in Union County was discussed. The Engineer recalled that at the Commission meeting June 22, 1971, a delegation had appeared before the Commission requesting cooperation by the State in development of recreational facilities at Catherine Creek Dam near Catherine Creek State Park. He also recalled that because of the low priority for this park in comparison with other areas, it was deemed inadvisable to develop it as a state park. After some further discussion, the Commission approved transferring Catherine Creek State Park to Union County provided that the County can secure Federal Forest Service approval for its operation in connection with the proposed Catherine Creek Dam.

The matter of rerouting the Oregon Coast Highway in the Pacific City area in Tillamook County was discussed. Because of the strong sentiment expressed at the public hearing on September 10, 1971, the Commission directed that the matter of determining a route on the Neskowin-Pacific City-Sand Lake-Green Timber Road Section be turned over to the Governor's Coastal Conservation and Development Commission for their consideration and recommendation.

The Engineer stated that requests have been received for the designation of the Santiam River east of Foster in Linn County under the Scenic River Act. The Commission directed the Engineer to hold a hearing in the near future.

The matter of allowing rock hunting activities in the Succor Creek State Park in Malheur County was discussed. The Commission directed that rock hunting activities be allowed under reasonable rules to be developed by the Highway staff. The Commission specifically stated that the hunting of game birds or animals is not to be sanctioned in any State park.

The matter of entering into an agreement with Lybrand, Ross Brothers and Montgomery for the development of a formula to determine compensation for removal of advertising signs was discussed. The Commission authorized the Engineer to enter into such a contract for an amount not to exceed \$58,000. The Commission also authorized the Secretary to sign the agreement.

The Commission authorized an economic study to provide a pattern for the distribution of Highway funds so as to best serve the development of the state. The work is to be done under a contract agreement with Oregon State University under the direction of Dr. Fred Miller at a cost not to exceed \$100,000. Highway Planning Research funds are to be used to finance the study. The Secretary was authorized to sign the agreement in behalf of the Commission.

Consideration was also given to an agreement between the Travel Information Council and the Turner Group, Inc., for development of a program in connection with the Oregon Motorist Information Act of 1971. The agreement provides that the Turner Group, Inc., is to perform functions as outlined in the agreement for a sum not to exceed \$4,500 plus necessary expenses incurred in the performance of the work. The Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to a resolution prepared by the Chief Counsel providing for the appointment by the Commission of an Administrator of Highways. It was pointed out that Chapter 598 of the Oregon Laws of 1971 which became effective September 9, 1971, provides that such action shall be taken. It also was mentioned that Mr. George Baldwin has been employed as Administrator since July 1, 1971, to familiarize himself with the duties prescribed by law. However, the appointment was accepted by Mr. Baldwin with the reservation that his statutory duties not commence until January 1, 1972, to allow him time to become acquainted with personnel and the responsibilities of the new position. The Commission unanimously appointed Mr. Baldwin as Administrator of Highways retroactive to September 9, 1971, with the stipulation that he assume his statutory duties and responsibilities as of January 1, 1972, and thereupon adopted "Appointment Resolution No. 37," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission signed, or authorized the Secretary to sign, the following papers:

"Bargain and Sale Deed" to City of Wilsonville regarding 6.89 acre depleted gravel source on Barbur Boulevard-White School Section in Clackamas County for \$5,500.

"Bargain and Sale Deed" to Portland General Electric Company for 1.13 acre on Mt. Angel-Silverton Section of Hillsboro-Silverton Highway in Marion County for \$4,510.

"Bargain and Sale Deed" to Bee Langworthy regarding 0.1 acre on Brookings-Winchuck River Section of Oregon Coast Highway in Curry County.

"Bargain and Sale Deed" to City of Mitchell regarding 1.73 acres on Mitchell Flood Section of Ochoco Highway in Wheeler County for \$1,000.

October 19, 1971

"Bargain and Sale Deed" to Donald and Jacqueline Briese covering two parcels of land, one 1,715 sq. ft. and the other 845 sq. ft., on Harbor Drive-Barbur Boulevard Section of Pacific Highway in Multnomah County for \$500.

"Bargain and Sale Deed" to Theron L. Hedgpeth covering 3 parcels of land, one 150 sq. ft., two 400 sq. ft., & three 150 sq. ft., on Curry Street Section of Pacific Highway in Multnomah County.

"Bargain and Sale Deed" to M. Darlene Jaeger regarding 2,375 sq. ft. on Pacific Highway East-Cascade Highway Section of Clackamas Highway in Clackamas County.

"Bargain and Sale Deed" to Jackson County regarding 1.78 acres on Tolo Access Road Section of Kirtland County Road in Jackson County.

"Bargain and Sale Deed" to Richard D. and Joan C. Proffitt regarding 0.57 acre on Myrtle Point Bridge Section of Roseburg-Coos Bay Highway in Coos County.

"Relinquishment of Title" to Morrow County regarding 0.46 acre of land on an old highway connection between former Boardman Junction-Irrigon Section of Columbia River Highway and Old Oregon Trail.

"Indenture of Access" with Ray and Sarah Davis covering property on Blodgett-Marys River Section of Corvallis-Newport Highway in Benton County.

"Indenture of Access" with T. C. Wildish Company covering property on McVay Highway two miles southeast of Eugene in Lane County.

"Indenture of Access" with Alfred and Lois Johnson covering property on Springfield-Creswell Highway at the east edge of Creswell in Lane County.

"Modification of Access Rights" to Elmer and Hazel Yoder and their contract purchaser Daniel K. Stuvenga on the Salmon River Highway approximately 5 miles east of Valley Junction in Polk County.

"Grant of Access" to Thomas, Ruth and Nellie McCullough on Pendleton-John Day Highway approximately 5 miles northwest of Mt. Vernon in Grant County.

"Agreement" with City of Coos Bay abandoning two parcels of Woodland Drive-Central Avenue Unit, Cape Arago Highway-Central Avenue Section of Empire-Coos Bay Highway.

"Agreement" with City of Paisley abandoning a parcel of old right of way on Paisley Section of Fremont Highway in Lake County.

"Agreement" with Deschutes County pertaining to Deschutes River (Tumalo) Bridge Section of FAS 946.

"Petition" to exclude 156 acres of land from the Gold Hill Irrigation District.

October 19, 1971

"Agreement" with Lane County concerning construction of bicycle-pedestrian underpass beneath Southern Pacific Transportation Company railroad tracks near Autzen Football Stadium in Eugene.

"Agreement" with Gilliam County pertaining to South Unit, Condon-Thirtymile Creek Section of John Day Highway.

"Supplemental agreement" with Clackamas County concerning construction of Boring Road Interchange Section of Mt. Hood Highway.

"Agreement" with City of Brookings for installation of traffic signals at intersection of Chetco Avenue (Oregon Coast Highway) and Oak Street.

"Permit of Entry" from Union Pacific Railroad Company granting the State access to Railroad property for construction of Pieper Canyon Road-Bunker Hill Road Section of Heppner Highway in Morrow County.

"Agreement" with Washington County and Tualatin Development Company covering realignment of Durham Road to provide an improved connection with US99W.

"Agreement" with Washington County for construction of South Tigard Interchange-East Portland Freeway Interchange Section of Pacific Highway.

"Supplemental throughway agreement" with Clackamas County covering Causey Avenue-Gladstone Interchange Section of East Portland Freeway.

"Supplemental agreement" with Union County pertaining to Ladd Canyon-North Powder Section of Old Oregon Trail.

"Agreement" with Deschutes County granting the County the right to maintain a County road connection with The Dalles-California Highway for as long as it remains a part of County road system.

"Supplemental agreement" with Washington County concerning construction of Walker Road Interchange Section of Beaverton-Tigard Highway.

"Agreement" with City of Newport for improvement of Oregon Coast Highway-Grant Street Section of Corvallis-Newport Highway.

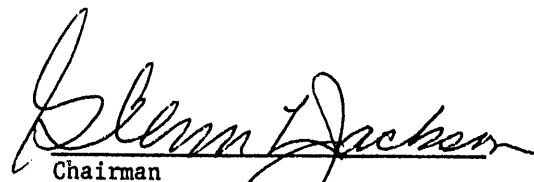
"Agreement" with Bureau of Reclamation and Owyhee Irrigation District covering reconstruction of their facilities in conflict with North Fork Jacobson Gulch-North Ontario Interchange Section of I-80N in Malheur County.

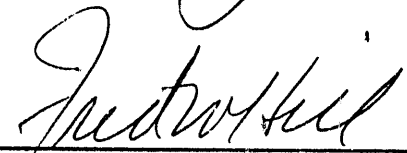
"Agreement" with Clackamas County Service District No. 1 covering construction of two new sanitary sewer line crossings of the S. E. Causey Avenue-Gladstone Interchange Section of East Portland Freeway.

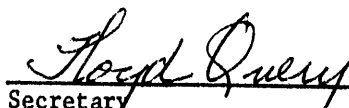
"Agreement" with City of Carlton concerning separation of sanitary and storm sewer systems along Tualatin Valley Highway.


The meeting was adjourned by the Chairman at 10:25 a.m.


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

November 24, 1971
Salem, Oregon

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
George W. Baldwin, Administrator
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
E. S. Hunter, Assistant State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Others present were R. E. Simpson, Division Engineer for the Federal Highway Administration; L. H. Young, Program and Planning Engineer; C. W. Head, Assistant Secretary; V. E. Skoog, Controller; David G. Talbot, Parks Superintendent; Frank McKinney, Assistant Chief Counsel; Kenneth A. Chatwood, Administrative Right of Way Agent; Gary Sund, Public Affairs Director; John R. Oakes, Assistant Right of Way Engineer; Ralph Sipprell, Liaison Engineer; John J. Earley, Information Officer.

The Commission approved the minutes of the meeting held October 19, 1971.

The Right of Way Engineer presented a list of options, pages 1 through 63, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised values and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 81," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from October 8 to November 10, 1971, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$85,427; land sales \$16,300; timber sales \$18,939.51; and rental receipts for October 1971 were \$39,926.01.

A list of properties needed for highway and other uses was presented by the Right of Way Engineer. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2595," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

November 24, 1971

The Commission confirmed a report made by the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the institution of condemnation proceedings as follows:

AVA AVENUE-BURNSIDE STREET SECTION OF THE MT. HOOD HIGHWAY - MULTNOMAH COUNTY

R-44799 - Elmer G. Larson et al. Parcel 1: 2,175 sq. ft. for right of way purposes; Parcel 2: 500 sq. ft. for temporary easement. Offer \$21,250.00.

R-44804 - Lyle G. Pfeifer et ux. 0.09 acre for right of way purposes. Offer \$17,825.00.

R-44835 - August A. Bernklau et ux. Parcel 1: 6,060 sq. ft. for right of way purposes; Parcel 2: 1,515 sq. ft. for temporary easement. Offer \$26,200.00.

CAPE ARAGO HIGHWAY-WOODLAND DRIVE SECTION OF THE EMPIRE-COOS BAY HIGHWAY - COOS COUNTY

R-34918 - K. C. Burkes et ux. 450 sq. ft. for right of way purposes. Offer \$500.00.

R-44667 - Leona Wenner. 1,075 sq. ft. for right of way purposes. Offer \$500.00.

R-44675 - Terry H. Cox et ux. 900 sq. ft. for right of way purposes. Offer \$750.00.

R-44687 - John H. Hastrich et ux. Parcel 1: 0.55 acre for right of way purposes; Parcel 2: 1.45 acres for permanent easement. Offer \$4,500.00.

R-44706 - Edwin L. Crabtree et ux. 0.01 acre for right of way purposes. Offer \$450.00.

FREMONT INTERCHANGE-MARQUAM BRIDGE SECTION OF THE STADIUM FREEWAY - MULTNOMAH COUNTY

R-44642 - R. M. Wade & Co. et al. Parcel 1: 68,508 sq. ft. for right of way purposes with excess; Parcel 2: 29,872 sq. ft. excess. Offer \$473,150.00.

GARDEN VALLEY ROAD-FAIRGROUNDS SECTION OF THE PACIFIC HIGHWAY - DOUGLAS COUNTY

R-43493 - Harold E. Kruse et ux. 7,905 sq. ft. for right of way purposes. Offer \$9,900.00.

November 24, 1971

PATTERSON STREET, KLAMATH FALLS-MALIN JUNCTION SECTION OF THE KLAMATH FALLS-LAKEVIEW HIGHWAY - KLAMATH COUNTY

R-44983 - Joseph T. Riker et ux. Parcel 1: 3,220 sq. ft. for right of way purposes; Parcel 2: 1,865 sq. ft. for temporary easement; Parcel 3: 6,560 sq. ft. for permit of entry; and 690 sq. ft. for permanent easement for power line. Offer \$2,200.00.

R-44985 - H. N. Ring. Parcel 1: 2,140 sq. ft. for right of way purposes; Parcel 2: 1,990 sq. ft. for permanent easement. Offer \$1,200.00.

R-44989 - Gladys T. Adams. Parcel 1: 5,840 sq. ft. for right of way purposes; Parcel 2: 9,775 sq. ft. for permanent easement. Offer \$4,800.00.

R-44990 - John M. Owens et ux. Parcel 1: 3,800 sq. ft. for right of way purposes; Parcel 2: 500 sq. ft. for permanent easement; Parcel 3: 1,820 sq. ft. for temporary easement; Parcel 4: 1,640 sq. ft. and Parcel 5: 1,845 sq. ft. for permits of entry; and 800 sq. ft. for permanent easement for power line. Offer \$2,675.00.

R-44994 - John O. Jacobson et ux. Parcel 1: 1,694 sq. ft. for right of way purposes; Parcel 2: 968 sq. ft. for temporary easement; Parcel 3: 1,640 sq. ft. for permit of entry; and 360 sq. ft. for permanent easement for power line. Offer \$2,100.00.

R-44997 - Donald L. Stroud et ux. Parcel 1: 860 sq. ft. for right of way purposes; Parcel 2: 2,175 sq. ft. for permanent easement; Parcel 3: 1,050 sq. ft. for temporary easement. Offer \$900.00.

R-45122 - Guy Barton et ux. Parcel 1: 290 sq. ft.; Parcel 2: 640 sq. ft. for right of way purposes; Parcel 3: 695 sq. ft. for temporary easement; Parcel 4: 1,440 sq. ft. for permit of entry. Offer \$850.00.

R-45127 - Don Kenyon et ux. Parcel 1: 0.3 acre for right of way purposes; Parcel 2: 0.02 acre for permanent easement. Offer \$1,000.00.

R-46526 - Gladys T. Adams. Parcel 1: 4,350 sq. ft. for right of way purposes; Parcel 2: 75 sq. ft.; Parcel 3: 945 sq. ft. for permanent easements; Parcel 4: 690 sq. ft. for temporary easement; Parcel 5: 800 sq. ft.; Parcel 6: 640 sq. ft. for permits of entry. Offer \$6,150.00.

SEVEN OAKS-NEIL CREEK SECTION OF THE PACIFIC HIGHWAY - JACKSON COUNTY

R-45627 - H. A. Young et ux. Parcel 1: 0.92 acre; Parcel 2: 0.01 acre; Parcel 3: 50 sq. ft. for right of way purposes; Parcel 4: 0.02 acre for permanent easement; Parcel 5: 220 sq. ft. for temporary easement. Offer \$22,500.00.

S. E. DIVISION STREET-S. E. FOSTER ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH COUNTY

R-45362 - Frank G. Shores et al. 1.45 acres for right of way purposes. Offer \$141,750.00.

November 24, 1971

S. E. FOSTER ROAD-S. E. HINKLEY STREET UNIT OF THE COLUMBIA RIVER-
PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - MULTNOMAH
COUNTY

R-45647 - Frank Turchy. 38,575 sq. ft. for right of way purposes. Offer \$5,000.00.

R-45889 - Orlena R. Milne. 4,466 sq. ft. for right of way purposes. Offer \$11,500.00.

R-46162 - Alvah Ernest Stone et ux. Parcel 1: 2.7 acres for right of way purposes; Parcel 2: 0.23 acre excess taking. Offer \$33,850.00.

R-46194 - Stanley Ivan Stockwell et ux. 1.7 acres for right of way purposes. Offer \$32,200.00.

R-46198 - Darrel L. Kauffman et ux. 0.36 acre for right of way purposes. Offer \$18,000.00.

S. E. HINKLEY AVENUE-LAKE ROAD INTERCHANGE UNIT OF THE COLUMBIA RIVER-
PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY - CLACKAMAS COUNTY

R-43879 - Floyd L. Mattson. 1.7 acre for right of way purposes. Offer \$9,550.00.

R-44647 - Howard L. Boyer Sr. Parcel 1: 0.37 acre; Parcel 2: 0.12 acre for right of way purposes; Parcel 3: 0.1 acre for permanent easement. Revised Offer \$5,900.00.

R-44648 - William J. Hjorten et ux. Parcel 1: 3.6 acres; Parcel 2: 0.15 acre for right of way purposes. Revised Offer \$36,500.00.

R-46202 - Gordon K. Moll et ux. Parcel 1: 0.83 acre; Parcel 2: 0.07 acre for right of way purposes. Offer \$5,050.00.

R-46203 - Paul Oscar Rydman et ux. Parcel 1: 0.65 acres; Parcel 2: 0.07 acre for right of way purposes. Offer \$13,250.00.

R-46206 - Melvin E. Thomas et ux. 3.25 acres for right of way purposes. Offer \$18,200.00.

WINSTON-SHADY INTERCHANGE SECTION OF THE COOS BAY-ROSEBURG HIGHWAY -
DOUGLAS COUNTY

R-45080 - Terry M. Clark et ux. 0.3 acre for right of way purposes. Offer \$525.00.

A grant of easement to the City of Wilsonville covering 0.49 acre section of roadway on the Barbur Boulevard-White School Section of the Pacific Highway in Clackamas County (Files 22382, 22383, 22346) was considered. The Right of Way Engineer explained that the City of Wilsonville had acquired from the Highway Commission a parcel of land on the northerly side of the Willamette River for construction of a sewage treatment plant. The City has requested the easement from the State to provide access to the sewage plant. The Commission accepted his recommendation that the easement be granted without monetary consideration.

November 24, 1971

Indentures of Access pertaining to four parcels of property were recommended by the Right of Way Engineer for changes in location and widening. The Commission approved the following Indentures:

- (1) Wilson property, File 40601, for a change in location of one unrestricted point of access 35 feet wide on the relocated Corvallis-Newport Highway approximately two miles east of Blodgett in Benton County. Approval by the Federal Highway Administration was received August 27, 1971.
- (2) McClure property, File 35661, for a change in location of two unrestricted points of access 35 feet wide on the northerly side of the relocated McKenzie Highway just east of Blue River in Lane County. Federal Highway Administration approval was given July 20, 1971.
- (3) Vliet and Hohn property, File 38661, for a change in location of one unrestricted point of access 35 feet wide on the easterly side of the relocated Hillsboro-Silverton Highway near the northerly city limits of Silverton in Marion County. Approval by the Federal Highway Administration is not required.
- (4) Tualatin Development Company property, File 18640, for a change in location and widening to 35 feet of one point of access on the westerly side of the relocated Pacific Highway West in King City in Washington County. Use is to be restricted to egress for the Pacific Highway West only. The Commission approved the Indenture subject to Federal Highway Administration concurrence which was requested by letter November 3, 1971.

The Right of Way Engineer stated that demolition contracts had been received November 22, 1971, on two highway sections. He recommended award of the two contracts to the low bidders. The Commission accepted his recommendation and authorized the Secretary to sign the following contracts:

- (1) Removal of 27 buildings and debris and rough grading of the area on the East Portland Freeway in Multnomah County. Three bids were received. The low bid was submitted by Heard Construction Company in the amount of \$7,420.
- (2) Removal of 28 buildings and debris and rough grading of the area on the East Portland and Mt. Hood Freeways in Multnomah County. Three bids were received. The low bid was submitted by Heard Construction Company in the amount of \$6,710.

November 24, 1971

A report was submitted by the Chief Counsel and accepted by the Commission on cases which have been tried in court since the last Commission meeting, summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
Alma Lee, et al. L-6291 R-42369	Baker	Old Oregon Trail	\$11,900	\$ 90,000	\$67,531
Roger I. Oliver, et al. L-6374 R-43818	Curry	Oregon Coast Highway	\$11,300	\$ 23,000	\$16,000
Elmo Frey, et al. L-6536 R-17596	Marion	Pacific Highway East	\$50,600	\$125,000	\$75,100

REPORT OF TRIAL OF OTHER CASES - STATE PLAINTIFF

<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
James Torrance, et ux. L-6542	Clack.	Forcible Entry & Detainer	Possession of premises	Restitution of premises

(For additional details, see the Chief Counsel's letter dated November 19, 1971, concerning cases tried, which is filed in the Salem Office, General Files.)

The Commission also accepted a report made by the Chief Counsel concerning cases which have been settled out of court since the last Commission meeting summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Mina Hanson, et al. L-6293 R-43907	Clack.	East Portland Freeway	\$ 2,900	\$ 3,900	\$ 4,700

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(Report of Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Leo D. Main, Jr., et al. L-6547 R-44668	Coos	Empire- Coos Bay Highway	\$ 1,150	\$ 1,150	\$ 2,150
Darrelle McAdams L-6302 R-44004	Curry	Oregon Coast Highway	\$19,050	\$32,650	\$30,000
William H. Kerber, et ux. L-6385 R-42600	Curry	Oregon Coast Highway	\$ 6,650	\$20,000 (Review)	\$22,000 *

*Sale of a portion of defendant's property in August indicates an acreage value of \$1,428.57 and justifies this settlement of \$22,000 an insubstantial increase over our review of \$20,000.

George A. Stupfel L-6396 R-43756	Marion	Pacific Highway East	\$11,400	\$11,250 plus signs	\$13,500
Vernon F. Richey, et al. L-6250 R-43149	Mult.	Pacific Highway East	\$ 9,550	\$14,880	\$14,000
Thomas Heitzman L-6334 R-40017	Wash.	Beaverton- Hillsdale Highway	\$ 8,675	\$25,776	\$14,500 *

*Revised Review was in amount of \$14,350.

Marjorie Allen L-6510 R-45373	Wash.	Beaverton- Tigard Highway	\$73,250	\$75,000	\$85,000
Anna Marie Roby L-6494 R-44174	Mult.	East Portland Freeway	\$11,750	\$11,750	\$13,375

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(Report of Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Winnifred N. Webster,* et al. L-6461 R-40008	Wash.	Beaverton- Hillsdale Highway	\$ 2,100		Dismissed
Gottlieb Deiss,* et al. L-6430 R-38040	Wash.	Beaverton- Hillsdale Highway	\$ 4,250		Dismissed
Gertrude E. Zumwalt,* et al. L-6310 R-39582	Curry	Oregon Coast. Highway	\$ 3,750		Dismissed

*The above cases were settled by option.

REPORT OF OTHER CASES SETTLED

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demand of Plaintiff</u>	<u>Settlement</u>
State of Oregon L-6573	Gowlan and Hood Jeannette River Wells		Guardrail Damage	\$678.85	\$703.85 includes \$25.00 attorney fees
State of Oregon L-6572	Louis Ball, Lane et al.		Guardrail Damage	\$ 66.57	\$104.07 includes \$ 25.00 attorney fees \$ 8.50 Sheriff's fees \$ 4.00 filing fee
State of Oregon L-6438	Ronald Stephens	Uma- tilla	Property Damage	\$160.91	\$260.91 includes \$100.00 attorney fees and costs

(For additional details, see the Chief Counsel's letter dated November 19, 1971, concerning cases settled, which is filed in the Salem Office, General Files.)

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A report was presented by the Chief Counsel and accepted by the Commission regarding legal proceedings which have taken place since the last Commission meeting as follows:

- (1) The Hertz Corporation v. State Highway Commission, et al., L-6577. Plaintiff alleges that while a Hertz car was parked in the parking lot at Timberline Lodge in Clackamas County it was struck by a State Highway Division snowplow. Plaintiff seeks damages in the amount of \$282.46, plus attorney fees and costs.
- (2) James W. Jamison and Grover H. Poe v. State Highway Commission, L-6591. This suit involves title to property once occupied by the Oregon and California Railroad Company in Clackamas County. Plaintiffs seek a declaratory judgment against the Commission. The State contends the original conveyance to the Railroad Company created an estate in fee and the transfer of title to the State conveyed the fee also. Plaintiffs' contest this position.
- (3) Lucille V. Snowgoose v. City of Klamath Falls, State Highway Division and Klamath County, L-6593. Plaintiff alleges that on February 11, 1971, she was walking within a crosswalk on Ninth Street at its intersection with Main Street in Klamath Falls when she fell because of an unknown hazard in the crosswalk in the nature of a large hole. Plaintiff alleges negligence and asks for damages in the total of \$32,100.
- (4) Natalie Smiley, Guardian Ad Litem of Patricia Smiley v. State Highway Commission, L-6595. Plaintiff alleges that Patricia Smiley, a minor, on June 3, 1971, was riding her bicycle on The Dalles-California Highway in Bend, Deschutes County, when the front wheel of her bicycle dropped through a catch basin grate causing her shoulder to be injured. Plaintiff seeks damages in the sum of \$5,388.

These cases, the Chief Counsel added, have been referred to the insurance carrier for handling or have been referred to a trial attorney.

(No items were considered under the "3" section)

The Commission approved an increase in project authorization recommended by the Engineer as follows:

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- (1) Contract No. 7639, Salt Creek Slide Correction on the Willamette Highway in Lane County for \$27,360.19 (13.9%). The overrun is due to unexpected quantity overruns on four bid items covering the creek channel stabilization.

Consideration was given to the allocation of the 1973 Fiscal Year Federal Aid Urban System funds to urbanized areas of over 50,000 population. Following the Engineer's favorable recommendation, the Commission approved the following allocation:

FISCAL YEAR 1973 URBAN SYSTEM ALLOCATION				November, 1971
Urbanized Area	Federal Urbanized Population	Percent Total Population	Federal Urban System Funds	Approximate Total Matched Funds
EUGENE	139,255	14.1512	\$112,459	\$ 187,000
PORTLAND	751,756	76.3939	607,099	1,012,000
SALEM	93,041	9.4549	75,138	125,000
TOTAL	984,052	100.0000	\$794,696	\$1,324,000

SUMMARY, ENTIRE STATE-FISCAL YEAR 1973 URBAN SYSTEM FUNDS

Total Federal Funds (Approximate).....	794,000
Plus Estimated Required Match Money.....	State Funds 265,000
	Local Funds 265,000
TOTAL URBAN SYSTEM FUND	\$1,324,000

NOTE: Federal funds are estimated to represent approximately 60% of total URBAN SYSTEM fund with State and local funds estimated to be approximately 20% each.

A tabulation was presented by the Engineer showing the allocation of 1973 Federal Aid Secondary funds to the individual counties of the State. The allocation has been computed in accordance with a formula developed by the Association of Oregon Counties, using the 1970 U. S. Census and the January 1, 1971, county road mileages. The Commission approved the allocation of FAS funds as follows:

FISCAL-YEAR 1973 FAS ALLOCATION TO COUNTIES			November, 1971
COUNTY	FEDERAL FUNDS	TOTAL FUNDS Including State's and Counties' Match Money (Rounded to Thousands)	
Baker	\$ 44,716	\$ 75,000	
Benton	58,606	98,000	
Clackamas	226,457	377,000	

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FISCAL-YEAR 1973 FAS ALLOCATION TO COUNTIES Cont.

COUNTY	FEDERAL FUNDS	November, 1971 TOTAL FUNDS Including State's and Counties' Match Money (Rounded to Thousands)
Clatsop	\$ 54,355	\$ 91,000
Columbia	65,661	109,000
Coos	86,370	144,000
Crook	46,824	78,000
Curry	45,688	76,000
Deschutes	61,689	103,000
Douglas	130,773	218,000
Gilliam	32,560	54,000
Grant	40,282	67,000
Harney	48,024	80,000
Hood River	45,958	77,000
Jackson	124,076	207,000
Jefferson	44,909	75,000
Josephine	66,306	111,000
Klamath	90,136	150,000
Lake	43,874	73,000
Lane	212,083	353,000
Lincoln	60,562	101,000
Linn	115,134	192,000
Malheur	88,203	147,000
Marion	170,433	284,000
Morrow	45,317	76,000
Multnomah	300,912	502,000
Polk	59,485	99,000
Sherman	32,170	54,000
Tillamook	55,936	93,000
Umatilla	102,215	170,000
Union	46,370	77,000
Wallowa	42,046	70,000
Wasco	48,963	82,000
Washington	217,932	363,000
Wheeler	28,437	47,000
Yamhill	70,356	117,000
	\$ 3,053,898	\$ 5,090,000

SUMMARY, ENTIRE STATE FISCAL-YEAR 1973 COUNTY FAS FUNDS:

Total Federal Funds for Construction (50% of Oregon's apportionment less planning survey funds).	3,054,000
Plus estimated required match money	State funds... 1,018,000
	County funds.. 1,018,000
TOTAL COUNTY FAS FUND	5,090,000

NOTE: Above funds allocated to individual counties on basis of formula (25% equally, 60% on rural population, and 15% on total county road mileage) proposed by Association of Oregon Counties and approved by Highway Commission. Federal funds are estimated to represent approximately 60% of total county road FAS fund with State and County funds estimated to be approximately 20% each.

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The Commission considered a request from the City of Pendleton for a TOPICS project and cancellation of a previously approved TOPICS project. The Engineer stated that the reason for the cancellation, is so that the City will have sufficient funds to cover the new project. He recommended cancellation of the project. The proposed new project is for the installation of drop-arm gates for the two railroad crossings on the Emigrant-Frazer Couplet. The project has been reviewed by Federal personnel and approval has been received. The Commission approved the proposed project and authorized the Secretary to sign a project agreement in their behalf. The Commission also approved cancellation of the previous project.

SUMMARY, TOPICS FUNDS
Fiscal Year 1970 and 1971 Projects

CITY	SECTION	PROGRAMMED AMOUNT	STATE COST
PENDLETON	Emigrant-Frazer Couplet, Pendleton-John Day Highway. Railroad protection. (Estimated total cost is \$97,000.)	\$ 87,000	\$17,400
	Estimated Railroad share is \$10,000.		
	Total New Project	\$ 87,000	\$17,400

CANCELLATION OF PREVIOUSLY APPROVED PROJECT

PENDLETON	S. W. Frazer Avenue-S. W. Goodwin Avenue, S. Main Street. Railroad protection.	\$ 39,000	\$ 7,800
	Approved by Highway Commission on June 22, 1971.		
	Total Cancellation	\$ 39,000	\$ 7,800
	TOTAL	\$ 48,000	\$ 9,600

SUMMARY BY FISCAL YEAR

	1970	1971	TOTAL
Allocated funds	\$2,742,000	\$2,730,000	\$5,472,000
Approved Projects (corrected to date)	2,742,000	1,851,000	4,593,000
Unprogrammed Balance	0	879,000	879,000
Proposed Projects: 11/24/71	---	48,000	48,000
Unprogrammed Balance	\$ 0	\$ 831,000	\$ 831,000

A tabulation showing allocation of Federal Aid TOPICS funds for the fiscal year 1973 was presented by the Engineer. He mentioned that this allocation is on a per capita basis to cities which have a current population of over 5,000 and which lie within approved urban areas. The Commission approved the following allocation of TOPICS funds and authorized the Secretary to sign construction agreements.

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FISCAL YEAR 1973 TOPICS ALLOCATION

NOVEMBER, 1971

CITY	POPULATION 7/30/71	PERCENT OF POPULATION	FEDERAL FUNDS	TOTAL FUNDS Includes State and Local Matching Money (Rounded to Thousands)
ALBANY	18,219	1.8913	16,452	27,000
ASHLAND	12,342	1.2812	11,145	19,000
ASTORIA	10,399	1.0795	9,390	16,000
BAKER	9,354	0.9710	8,447	14,000
BEAVERTON	18,577	1.9285	16,776	28,000
BEND	13,710	1.4233	12,381	21,000
COOS BAY	13,466	1.3979	12,160	20,000
CORVALLIS	35,153	3.6493	31,745	53,000
COTTAGE GROVE	6,004	0.6233	5,422	9,000
DALLAS	6,404	0.6648	5,783	10,000
EUGENE	77,042	7.9978	69,572	116,000
FOREST GROVE	8,279	0.8594	7,476	12,000
GLADSTONE	6,240	0.6478	5,635	9,000
GRANTS PASS	12,271	1.2739	11,081	18,000
GRESHAM	9,893	1.0270	8,934	15,000
HILLSBORO	15,372	1.5958	13,882	23,000
KLAMATH FALLS	15,775	1.6376	14,245	24,000
LA GRANDE	9,703	1.0073	8,762	15,000
LAKE OSWEGO	14,691	1.5251	13,267	22,000
LEBANON	7,365	0.7646	6,651	11,000
MCMINNVILLE	10,125	1.0511	9,143	15,000
MEDFORD	29,897	3.1036	26,998	45,000
MILWAUKIE	16,468	1.7096	14,872	25,000
MONMOUTH	5,237	0.5437	4,730	8,000
NEWBERG	6,507	0.6755	5,876	10,000
NEWPORT	5,192	0.5390	4,689	8,000
NORTH BEND	8,608	0.8936	7,773	13,000
ONTARIO	6,535	0.6784	5,901	10,000
OREGON CITY	9,176	0.9526	8,287	14,000
PENDLETON	13,197	1.3700	11,917	20,000
PORTLAND	382,640	39.7223	345,539	576,000
ROSEBURG	14,461	1.5012	13,059	22,000
ST. HELENS	6,212	0.6449	5,610	9,000
SALEM	69,450	7.2097	62,716	105,000
SPRINGFIELD	27,047	2.8078	24,425	40,000
THE DALLES	10,927	1.1343	9,867	16,000
TIGARD	6,763	0.7021	6,107	10,000
WEST LINN	7,091	0.7361	6,403	11,000
WOODBURN	7,495	0.7781	6,769	11,000
TOTAL	963,287	100.0000	\$869,887	\$1,450,000

SUMMARY, ENTIRE STATE-FISCAL YEAR 1973 TOPICS FUNDS

Total Federal Funds (Approximate).....	\$ 870,000
Plus estimated required match money	State Funds 290,000
	Local Funds 290,000
TOTAL TOPICS FUND	\$1,450,000

NOTE: Above funds allocated to cities of over 5,000 population in urban areas on per capita basis. Federal funds are estimated to represent approximately 60% of total TOPICS fund with State and local funds estimated to be approximately 20% each.

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The Engineer presented a report and recommendation covering a program of street work in cities having a population of less than 5,000 under the \$250,000 fund appropriated by law for the year 1972. He mentioned that 48 applications had been received, and all were carefully inspected and analyzed. Out of this number, 11 projects were selected for approval as being the most meritorious and which would use all funds that are available. He also commented that the amount that can be allocated under existing law barely scratches the surface of the small cities needs. The Chairman inquired if AASHO has any plans to divert highway trust funds to urban needs. The Engineer replied that AASHO generally favors such a move, but it would probably not benefit the small cities. The Chairman stated that not much would be gained by redistribution of limited City gas tax funds. The Commission approved City projects as follows and authorized the Secretary to sign construction agreements in their behalf:

City	SCA	City	Total
Chiloquin	\$ 25,000	\$ 1,000	\$ 26,000
Hermiston	25,000	4,000	29,000
Island City	14,000	--	14,000
Jefferson	25,000	5,000	30,000
Mt. Angel	25,000	11,000	36,000
North Powder	25,000	--	25,000
Redmond	25,000	95,000	120,000
Sheridan	24,000	2,000	26,000
Sherwood	25,000	30,000	55,000
Stayton	25,000	15,000	40,000
Veneta	25,000	--	25,000
	<u>\$263,000</u>	<u>\$163,000</u>	<u>\$426,000</u>

Following the favorable recommendation of the Engineer, the Commission authorized Mr. Walter J. Hart, Administrative Bridge Engineer, to attend the Highway Management Institute at the University of Mississippi in January and March, 1972. The Engineer explained that this program is supported by the American Association of State Highway Officials and the National Highway Users Conference. It is a five-week course, which has been helpful in the development of management abilities of highway administrative personnel. He mentioned that Mr. Hart has been selected for the position of Bridge Engineer upon the retirement of Mr. Ivan Merchant on January 3, 1972.

Confirmation of approval given by the Chairman on October 27, 1971, for lifting the ban on the use of studded tires, effective 1:30 p.m. October 27, 1971, was requested by the Engineer. He explained the reason for lifting the ban prior to November 1, 1971, was due to the heavy snowfall in the mountain areas in the eastern part of the State. The Commission confirmed the action.

Chairman Jackson inquired about the studded tire film that the Commission viewed earlier this year. Assistant Engineer Hunter replied that the State purchased a copy of this film and also recently received a film from Ontario which is their updated study for 1971. The Engineer commented that the film the Commission viewed showed the damage to the

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pavement surfaces and the Ontario film shows the effectiveness of the studded tires on various kinds of surfaces, and just how much skid resistance they provide. The two films should be shown together to get the complete picture. Chairman Jackson commented that the people of Oregon are entitled to see what the Commission is talking about in the terms of the use of studded tires. He asked the Public Relations office to make a distribution of the two films so that most of the major organizations will have an opportunity to view them. The Engineer stated that a report to the Legislature is being prepared which will cover all of these points in written form. The Administrator reported that plans are being made to show the studded tire films on television stations throughout the State.

A request from the City of Woodburn for establishment of a one-way couplet section on the Hillsboro-Silverton Highway between the intersection of Boones Ferry Road and Harrison Street, and the intersection of Front Street and Garfield Street in Marion County was brought up by the Engineer. He recalled that the City about 18 months ago had made this request but were advised then that due to the imminence of the Woodburn Bypass the additional mileage could not be placed on the State Highway System. However, as an interim matter, he recommended that the couplet be established as requested but the additional mileage not be placed on the State Highway System. The Commission accepted his recommendation.

The Commission confirmed verbal award of contracts made on November 1, 1971, for those contracts on which bids were received October 28, 1971, and also confirmed authority for the Secretary to sign the following contracts in their behalf:

BIDS RECEIVED IN SALEM OCTOBER 28, 1971

Contract No. 7660 for grading, paving, structure, signing, illumination and traffic signals on S. E. Causey Avenue-Gladstone Interchange Section of the East Portland Freeway in Clackamas County. Eight bids were received. The Commission accepted the low bid of Gordon H. Ball, Kent, Washington, at \$9,421,581.47 and the Engineer was directed to award the contract to said bidder when approval is received from the Federal Highway Administration.

Contract No. 7661 for utility building in Bullards Beach State Park in Coos County. Eleven bids were received. The Commission awarded the contract to the low bidder, James A. Seiwald, North Bend, at \$51,602.

Contract No. 7662 for utility building in William M. Tugman State Park in Coos County. Ten bids were received. The Commission awarded the contract to the low bidder, James A. Seiwald, North Bend, at \$50,882.

Contract No. 7663 for traffic signals on Chetco Avenue at Oak Street in Brookings on the Oregon Coast Highway in Curry County. Four bids were received. The Commission awarded the contract to the low bidder, Hansen Electric Company, Coos Bay, at \$13,326.

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Contract No. 7664 for grading, oiling and structure on South Unit, Condon-Thirtymile Creek Section of the John Day Highway in Gilliam County. Eighteen bids were received. The Commission awarded the contract to the low bidder, Ray Kizer and Ray Kizer Construction Company, Redding, California, at \$1,658,383.

Contract No. 7665 for grading and paving on Deschutes River Canyon Section of Jordan Road in Jefferson County. Five bids were received. The Commission accepted the low bid of Babler Bros., Inc., Portland, at \$225,490 and the Engineer was directed to award the contract to said bidder when Jefferson County approves the project and deposits \$51,700.

Contract No. 7666 for grading, base, and structure on Malheur River (Malheur Butte) Bridge Section of FAS 23-109 in Malheur County. Six bids were received. The Commission accepted the low bid of Miller Construction Company, Boise, Idaho, at \$118,429 and the Engineer was directed to award the contract to said bidder when Malheur County approves the project and deposits \$27,200.

Contract No. 7667 for grading and paving on Irrigon Junction-Middle Fork Juniper Canyon Section in Morrow County. Five bids were received. The Commission accepted the low bid of L. W. Vail Co., Inc., Pasco, Washington, at \$390,788.50 and the Engineer was directed to award the contract to said bidder when Morrow County approves the project and deposits \$89,800.

Contract No. 7668 for grading and base on Juniper Flat (Maupin) Section of FAS 949 in Wasco County. Fourteen bids were received. The Commission accepted the low bid of Charles W. Royer Excavating, Coos Bay, at \$168,994.75 and the Engineer was directed to award the contract to said bidder when Wasco County approves the project and deposits \$38,900.

Contract No. 7669 for grading, paving, structure and signing on Walker Road Interchange Section of the Beaverton-Tigard Highway in Washington County. Six bids were received. The Commission accepted the low bid of Lord Bros. Contractors, Inc., Portland, at \$857,000 and the Engineer was directed to award the contract to said bidder when approval is received from the Federal Highway Administration.

Consideration was given to requests from contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

- (1) N. A. Toole Construction Company, Contract No. 7592 on the Central Oregon Highway in Malheur County, requested a 16-day extension of time. The Commission granted an 18-day extension of time thereby eliminating all liquidated damages.
- (2) Madson and Stokes Electrical Contractors, Contract No. 7486 for a signal installation on "B" Avenue and Middlecrest Road in Lake Oswego, Clackamas County, requested an extension of 28 calendar days. The Commission denied the request.

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- (3) Ross Bros. Construction, Inc., Contract No. 7401 on the Midland Information Center in Klamath County, requested an extension of time from December 1 to December 14, 1970. The Commission denied the request.
- (4) Donald M. Drake Company and S. S. Mullen Construction, a division of Mullen Corporation, Contract No. 7323 on the Beaverton-Tigard Highway in Washington County, requested an extension of 318 days. The Commission granted an extension of 104 days without assessment of liquidated damages.
- (5) Cascade Construction Company, Inc., Contract No. 7594 on the Beaverton-Hillsdale Highway in Multnomah and Washington Counties, requested an extension of six days. The Commission granted the six-day extension of time without assessment of liquidated damages.
- (6) Ross Bros. Construction, Inc., Contract No. 7501 on FAS 613 in Tillamook County, requested an extension of 70 calendar days. The Commission granted an extension of 37 calendar days without assessment of liquidated damages.
- (7) Robert D. Copeland, Contract No. 7546 on FAS 17-102 in Josephine County, requested an extension of 14 days. The Commission granted an extension of ten days without assessment of liquidated damages.
- (8) Anderson-Hannan, Contract No. 7214 on the Stadium Freeway in Multnomah County, requested an extension of 120 calendar days. The Commission granted a 58-day extension of time on each of Units B and C without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated November 2, 1971.
- (9) All-City Landscape, Inc., Contract No. 7430 in the Sunset Safety Rest Area on the Sunset Highway in Clatsop County, requested an extension of 16 days. The Commission granted an extension of 13 days thereby eliminating all liquidated damages.
- (10) Robert L. Divine, Contract No. 7525 on the Eugene (Blue Star) Safety Rest Area on the Pacific Highway West in Lane County, requested an extension of the completion date to August 23, 1971. The Commission approved advancing the completion date for Unit A to June 24, 1971, and the completion date for Unit B to August 23, 1971, without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated November 2, 1971.
- (11) Peter Kiewit Sons' Company, Contract No. 7452 on the Pacific Highway in Clackamas County, requested an extension of 86 calendar days on Unit A. The Commission

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granted an extension of 13 calendar days on Unit A without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated October 28, 1971.

- (12) Guy F. Atkinson Company, Contract No. 7151 on the East Portland Freeway in Clackamas and Washington Counties, requested an extension of 811 days. The Commission granted an extension of 103 days thereby eliminating all liquidated damages. Federal Highway Administration concurred in this approval by letter dated November 4, 1971.
- (13) Gibbons and Reed Company, Contract No. 7352 on the Old Oregon Trail in Baker County, requested an extension from 420 to 457 work days. The Commission approved an extension of 32 days to a total of 452 days without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated November 15, 1971.
- (14) Paul Zimmerly Road Construction, Contract No. 7492 on the Corvallis-Newport Highway in Benton County, requested an extension of 17 days. The Commission approved an extension of ten days without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated November 11, 1971.

The Engineer reported that Contract Nos. 7414, 7454, 7482, 7506, 7515, 7525, 7553, 7576, 7579, 7586, 7592, 7594, and 7596 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 198," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the Engineer's award of the following highway contracts which had been referred to him to award when certain conditions were fulfilled:

- (1) Traffic signal installation on the Country Club Road Interchange Section of the Eugene-Springfield (I-105) Highway in Lane County. Bids received September 30, 1971. Contract No. 7651 awarded October 27, 1971, to Kern Electric Company, a Division of Consolidated Comstock Company, Inc., Albany, low bidder.
- (2) Emigrant-Frazer (Pendleton) Couplet Section of Pendleton-John Day Highway in Umatilla County. Bids received September 30, 1971. Contract No. 7653 awarded October 22, 1971, to Rogers Construction, Inc., Portland, low bidder.

- (3) S. E. Causey Avenue-Gladstone Interchange Section of the East Portland Freeway in Clackamas County. Bids received October 28, 1971. Contract No. 7660 awarded November 4, 1971, to Gordon H. Ball, Kent, Washington, low bidder.
- (4) Deschutes River Canyon Section of Jordan Road in Jefferson County. Bids received October 28, 1971. Contract No. 7665 awarded November 5, 1971, to Babler Bros., Inc., Portland, low bidder.
- (5) Malheur River (Malheur Butte) Bridge Section of FAS 23-109 in Malheur County. Bids received October 28, 1971. Contract No. 7666 awarded November 3, 1971, to Miller Construction Company, Boise, Idaho, low bidder.
- (6) Irrigon Junction-Middle Fork Juniper Canyon Section of the Bombing Range Road (FAS 829) in Morrow County. Bids received October 28, 1971. Contract No. 7667 awarded November 11, 1971, to L. W. Vail Company, Inc., Pasco, Washington, low bidder.
- (7) Juniper Flat (Maupin) Section on FAS 949 in Wasco County. Bids received October 28, 1971. Contract No. 7668 awarded November 8, 1971, to Charles W. Royer, Coos Bay, low bidder.
- (8) Walker Road Interchange Section of Beaverton-Tigard Highway in Washington County. Bids received October 28, 1971. Contract No. 7669 awarded November 4, 1971, to Lord Bros. Contractors, Inc., Portland, low bidder.

The Engineer presented for the Commission's consideration a tabulation of bids received November 18, 1971. He mentioned the name and location of the project, the low bidder, the total number of bids received, and his recommendation as to award or rejection. The Commission awarded contracts as follows and authorized the Secretary to sign the contracts in their behalf:

Contract No. 7670 for grade, pave, structures and sign on the Olds Ferry-North Fork Jacobsen Gulch Section of the Old Oregon Trail in Malheur County. Ten bids were received. The Commission awarded the contract to the low bidder, Gibbons and Reed Company, Salt Lake City, Utah, at \$9,199,815.25.

Contract No. 7671 for grading, paving, structure and signing on the Ladd Canyon Section of the Old Oregon Trail in Union County. Four bids were received. The Commission awarded the contract to the low bidder, Peter Kiewit Sons' Company, Omaha, Nebraska, at \$3,207,138.50.

Contract No. 7672 for concrete median barrier construction on the Nelson Point-Lime Section of the Old Oregon Trail in Baker County. Twelve bids were received. The Commission awarded the contract to the low bidder, Robert J. Lzicar, Ontario, at \$499,700.

Contract No. 7673 for roadside improvement of the Jantzen Beach Interchange on the Pacific Highway in Multnomah County. Seven bids were received. The Commission awarded the contract to the low bidder, Gannon's Landscaping, Portland, at \$91,440.

Slide correction on the Sawyer Rapids and Elkton Slide Sections of the Umpqua Highway in Douglas County. Three bids were received. The Commission rejected all bids.

Requests were considered from Clatsop, Gilliam, Linn and Washington Counties for Federal-Aid Secondary Projects. The Engineer commented that the requests have been investigated and are eligible for Federal-aid. Following his favorable recommendation, the Commission approved the projects as follows and authorized the Secretary to sign routine construction agreements:

FISCAL YEARS 1971 & 1972 COUNTY FAS PROJECTS

COUNTY	FAS	SECTION & DESCRIPTION	PROGRAMMED AMOUNT	STATE SHARE
CLATSOP	757	Blind Slough (Barendse Road) Bridge. Structure only. (To be 80% Federal funds and 20% State funds for this project.)	\$450,000	\$ 90,000
GILLIAM	440	Scott Canyon Creek (Mikkalo Road) Bridge Section. Structure only.	34,000	6,800
GILLIAM	446	Juniper Canyon Creek (Olex) Bridge Section. Structure only.	26,000	5,200
LINN	126	N. Santiam River (Greens) Bridge Section. Structure, grade, drain, base, and pave.	450,000	90,000
WASHINGTON	631	Tualatin River (Golf Course Road) Bridge Section. Structure, grade, drain, base, and pave.	500,000	100,000
TOTAL			\$1,460,000	\$292,000

SUMMARY BY FISCAL YEARS	1972	1973	TOTAL
Allocated funds	\$5,054,000	\$5,090,000	\$10,144,000
Approved Projects (corrected to date)	4,755,000	---	4,755,000
Unprogrammed Balance	299,000	5,090,000	5,389,000
Projects Proposed	299,000	1,161,000	1,460,000
Unprogrammed Balance	---	3,929,000	3,929,000

November 24, 1971

A resolution was brought up by the Engineer pertaining to abandonment of portions of the old right-of-way on the Gray Creek-North Fork Coquille River Unit of the Coos Bay-Roseburg Highway in Coos County. Under terms of an original and a supplemental agreement, the County is to accept portions of the old highway when the new section is opened to traffic. The new section is now open to public travel and the Engineer recommended that the resolution be approved. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 461," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Planning Research Corporation requested an extension of time to December 31, 1971 to complete work under an agreement covering the production of accident data software. The Engineer explained that the original agreement expired October 15, 1971, and the extension will not involve any additional funds. Approval by the Federal Highway Administration has been requested and he recommended that the agreement be extended contingent upon Federal approval. The Commission accepted his recommendation.

The Commission also considered a request from Bolt, Beranek and Newman for a 90-day extension on an agreement providing for a comprehensive noise study on the East Portland Freeway (I-205). The Engineer stated that the extension has been approved by the Federal Highway Administration and there will be no increase in cost. The Commission accepted the Engineer's recommendation approving the 90-day extension.

Attention was given to a supplemental agreement with Lane County and the City of Cottage Grove concerning revision of access control in the southwest quadrant of the Cottage Grove Interchange on the Pacific Highway in Lane County. The agreement provides that the City construct a new roadway generally parallel to the Pacific Highway between Main Street and the Cottage Grove connector road. The County and the City are to assume cost of installing traffic signals at the intersection when required by the State. Federal Highway Administration approval was given by letter dated October 1, 1970. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

An agreement with the Lane Council of Governments providing for a transportation planning process in the Eugene-Springfield area was discussed. Under the terms of the agreement and its attachment, the Engineer stated that the work to be done is outlined and the responsibilities of the parties to the agreement are defined. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to agreements with the Counties of Clatsop, Curry, Douglas and Tillamook covering emergency relief work on FAS-C routes. The Engineer pointed out that the agreements cover work to be performed by County forces to repair damage caused by the January 1971 storm. No expense is incurred by the State. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreements in their behalf.

November 24, 1971

The Engineer presented for consideration an agreement with Enterprise Irrigation District pertaining to adjustment of District facilities in the construction of the Patterson Street-Malin Junction Section of the Klamath Falls-Lakeview Highway in Klamath County. Under terms of the agreement, the State is to readjust the District's facilities and provide structural maintenance for the facilities. The District is to provide all other maintenance. The cost to the State is estimated at \$90,000 which is included as a part of the contract. The Engineer recommended approval. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to an agreement with the City of Portland providing for a comprehensive economic, design and planning study and report on the Harbor Drive Parkway. The Engineer stated that the study and the report are to be supervised and conducted by the architectural firm of Wolff, Zimmer, Gunsul, Frasca and Ritter at a cost to the State of not more than \$120,000. The City of Portland, upon the sale or lease of property jointly owned by the City and the State, is to repay the State its pro rata share of the contract cost in the same percentage as the City's interest in the property when funds from the sale are received. The Engineer recommended approval of the agreement and authority for the Secretary to sign it in behalf of the Commission. The Commission accepted his recommendation.

An agreement was considered with the City of Coquille for installation of traffic signals at the intersection of Central Boulevard and Second Street on the Coos Bay-Roseburg Highway in Coos County. By the terms of the agreement, the Engineer stated that the State is to pay for the cost of installation and provide for future maintenance. The City is to pay for all power consumed. He estimated cost of the installation at \$13,000 using Minor Betterment Funds and recommended approval. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration also was given to an agreement with the City of Redmond for installation of traffic signals at the intersection of 6th Street and Highland Avenue, which is the junction of The Dalles-California and the McKenzie Highways in Deschutes County. The Engineer mentioned that the State is to pay for installation and maintenance and the City is to pay for electrical energy used. He estimated the cost of installation at \$26,000 using Minor Betterment Funds and recommended approval of the agreement. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with the City of Woodburn for part-time turn restriction signs at the intersection of the Hillsboro-Silverton Highway with Lincoln Street in Marion County was presented by the Engineer. He pointed out that to improve traffic safety conditions at this intersection it is desirable to install the turn-restriction signs and interconnect them into the railroad track circuits. He estimated the cost of the installation at \$3,000 to be shared equally by the State and the City of Woodburn. The City is to provide maintenance for the signs and pay for electrical energy costs. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement for them.

An easement indenture and construction agreement with Southern Pacific Transportation Company pertaining to construction of the Railroad overcrossing on the S. E. Causey Avenue-Gladstone Interchange Section of the East Portland Freeway in Clackamas County was brought up by the Engineer. He stated that the indenture and agreement are required in connection with Contract No. 7660 awarded to Gordon H. Ball. The agreement provides the State with an easement to construct the overcrossing and grants permission to enter onto Railroad property to perform other necessary work connected with the project. The State is to reimburse the Railroad for all costs incurred by the Railroad, which the Engineer estimated at \$33,945. The State and its contractor are to construct the project, provide insurance coverage and repair any damage to Railroad facilities caused by the construction. Upon completion of the work, the State is to maintain the structure and all other highway facilities and the Railroad is to maintain its facilities. Following the Engineer's favorable recommendation, the Commission approved the indenture and the agreement.

An agreement with the City of Portland concerning the closure of Harbor Drive was considered by the Commission. The Engineer mentioned that considerable investigative work has been done and a public hearing was held on June 18, 1971. Closure of Harbor Drive has been determined to be a major factor affecting all transportation and land use planning for the Portland downtown area. The agreement stipulates that Harbor Drive be closed to through traffic not later than July 1973 and that the closure occur simultaneously with or as soon as possible after the opening of the Fremont Bridge. It was the Engineer's recommendation that the agreement be approved. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to a petition to exclude highway right-of-way from the Rogue River Valley Irrigation District on the Medford and Seven Oaks-Ashland Sections of the Pacific Highway and on the Biddle Road-Camp White Section of the Crater Lake Highway in Jackson County. The Engineer explained that it is not necessary that water from the irrigation system be used upon any of the Highway right-of-way and he recommended that the petition be approved. The Commission accepted his recommendation and authorized the Secretary to sign the petition in their behalf.

The Commission gave attention to a petition to exclude highway right-of-way from the Talent Irrigation District on the Seven Oaks-Ashland Section of the Pacific Highway in Jackson County. The Engineer explained that it is not necessary that water from the irrigation system be used upon any of the Highway right-of-way and he recommended that the petition be approved. The Commission accepted his recommendation and authorized the Secretary to sign the petition in their behalf.

The Engineer presented an agreement with Skidmore, Owings and Merrill providing for a corridor impact analysis and multiple use development study on the Mt. Hood Freeway Section of I-80N in Portland. He commented that the study is required by Federal regulations and tentative approval has been given by the Federal Highway Administration for participation at the regular Interstate ratio. Total cost of the agreement is \$1,252,074. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The next Commission meeting date was confirmed for Tuesday, January 11, 1972, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for February 22, 1972.

Chairman Jackson stated that the Highway Commission has been pleased with Mr. R. L. Porter as State Highway Engineer. Several letters he said have been received from the Governor of Oregon commenting on the good relationship that has been maintained between the State Highway Engineer and the Governor's office. Speaking for the Commission, the Chairman expressed appreciation for the excellent work which Mr. Porter has performed since he started work with the Oregon State Highway Department in 1962, and he extended to him the Commission's good wishes for his retirement which will take place December 31, 1971.

Mr. Porter commented that he felt that it had been a privilege to serve in an administrative capacity in the operation of the Oregon State Highway Division and he thanked the Commission for the help and cooperation that they had given to him. Concerning the future of the Highway Division, he stated that there are many difficult problems to be faced.

Chairman Jackson then stated that the Commission has unanimously decided to appoint Tom Edwards as State Highway Engineer; Mr. F. B. Klaboe as Deputy Highway Engineer; and Mr. Robert L. Schroeder as Assistant Highway Engineer; all effective January 1, 1972. The Commission thereupon adopted "Appointment Resolutions Nos. 38, 39 and 40," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A delegation representing the Roseburg Chamber of Commerce appeared before the Commission in opposition to inclusion of the North Umpqua River under the Scenic Waterways Act. The following persons were present all from Roseburg: Pete Serafin, Chuck Adams and John Kennedy.

Mr. Serafin read a letter from the Roseburg Chamber of Commerce which pointed out that there are over 6,000 people living in or near the area proposed for inclusion, that nearly half of the proposed area from Winchester to Rock Creek is privately-owned, and from Rock Creek to Soda Springs the land is under U. S. Forest Service and Bureau of Land Management control with laws and rules designed to achieve the same goals as the Scenic Waterways Act. The letter also mentioned that from Roseburg easterly the North Umpqua Highway generally follows the banks of the river, emphasizing that the North Umpqua River is no longer a wilderness area. Much of Douglas County has been zoned pertaining to subdivisions and sanitation and superimposed provisions would do nothing but add confusion. The letter also stated that the present Scenic Waterways Act is chaotic, unfair and confiscatory.

Mr. Serafin commented on the great amount of log haul over the North Umpqua Highway and the many logging roads which lead into the highway. It was his opinion that the area is definitely not a wilderness area and if placed under the Scenic Waterways Act the State might be required to purchase large segments of land. He also mentioned that the Chamber of Commerce feels that local laws pertaining to land zoning and sanitation are adequate and more regulations are not needed. He stated that the Riversdale Grange has gone on record as being opposed to inclusion and he left with the Commission a petition signed by approximately 800 people expressing their opposition.

Mr. Serafin also read a letter from Douglas County stating that further study of the North Umpqua River for inclusion as a Scenic Waterway would be unnecessary and redundant.

Chairman Jackson stated that inclusion under the Act could be accomplished only as prescribed by law and the Commission's obligation would be to determine the attitude of the public. So far it appears that public opinion is divided.

The Commission, he continued, will have an evaluation made on a State-wide basis to determine if the inclusion of the North Umpqua River is practical, and if such inclusion would be for the general good of the public. Also it will be necessary to determine the validity of statements for and against inclusion.

Mr. Serafin mentioned that the proponents for inclusion under the Act had not consulted with local governmental officials.

In response to Mr. Serafin's inquiry concerning improvements to Route 138 and to Highway Route 42 between Coquille and Myrtle Point, the Chairman stated that the Commission is fully aware of the need for improvements, particularly passing lanes, but these improvements have been delayed because of lack of funds.

Mr. Gene Magee representing the Oregon Coast Association presented to the Commission a letter of commendation for the installation of signs requiring slow moving vehicles to use the right-hand lane where passing lanes are available on the Oregon Coast Highway, and urging the installation of these signs wherever passing lanes exist.

The Commission instructed the Engineer to take such action as is necessary under the Administrative Procedures Law to prohibit non-motorized vehicles on the Interstate Highway System.

The Commission also authorized the Engineer and the Chief Counsel to take such legal action as is necessary to halt the Trenor Scott gravel operation on the left bank of the Rogue River near Hellgate in Josephine County and to clarify presently unknown factors of the Scenic Waterways Act.

In order to reevaluate the Federal-aid program to take care of changed conditions, priorities, demand and availability of funds, the Engineer presented a revised list of construction projects for fiscal years 1972 through 1977 known as Program 12-"A" superseding previous ABC programs. Projects underlined with a broken line are new projects which have had Commission attention in the past few months. He also presented a list of projects for deletion from the current program and recommended approval of the revised program for guidance purposes only. The Commission accepted the following program as recommended and also the projects to be deleted:

LIST OF PROPOSED PROJECTS FOR CONSTRUCTION

PROGRAM 12-"A"

URBAN (EXTENSIONS)

PROJECTS ADDED -----

<u>Highway</u> <u>PROGRAMMED</u>	<u>Section</u>	<u>Length</u>	<u>Total</u> <u>Cost In</u> <u>Thousands</u>	<u>Commission</u> <u>Action</u>
Pacific East	Reedway-Clackamas County Line	1.4	2,200	12-23-69
Pacific East	Mult. County Line-Clackamas Hwy.	1.1	2,100	
Willamina-Salem	Salem Bridge (See Primary)	-	5,000	
Sunset	185th Ave. Intchge.	-	1,000	
Sunset	Austin Rd. Intchge.	-	1,500	
Florence-Eugene	River Rd. - I-105 (See Primary)	1.2	3,500	
Beaverton-Tigard	Walker Rd. Intchge. (Illum.)	2.0	100	
Beaverton-Tigard	Walker Rd. Intchge.	-	1,130	6-22-71
Beaverton-Tigard	Denny Rd. Intchge.	-	1,910	
Port. City Street	N.W. Front Ave. O'xing (Tran. to Urban sys.)	-	2,400	
- - -	Contingency	-	160	
TOTAL			21,000	

(Continued on next page)

LIST OF PROPOSED PROJECTS FOR CONSTRUCTION

PROGRAM 12-"A"

PRIMARY

<u>Highway</u> <u>CONTRACTED</u>	<u>Section</u>	<u>Length</u>	<u>Total</u> <u>Cost In</u> <u>Thousands</u>	<u>Commission</u> <u>Action</u>
Lower Columbia	Fern Hill Slide Correction	-	267	6-29-71
Lower Columbia	Col. Co. Line-Burlington	5.2	4,781	12-23-69
The Dalles-Calif. Oregon Coast	Gap Tygh Grade Siletz River (Kernville) Br.	7.1	1,896	3-17-70
Oregon Coast	Sixes River Section	1.1	5,198	9-30-69
Corvallis-Newport	Gellatly Summit	1.9	2,015	12-23-69
Coos Bay-Roseburg	Grey Cr.-N. Fork Coquille River	1.9	1,221	12-23-69
Sunset	Vista Ridge Tunnel Rd. Impr.	2.2	2,036	12-23-69
Florence-Eugene	Knowles Cr. Tunnel	-	71	11-24-70
Florence-Eugene	99W - I-105 Section (R/W only)	-	950	12-23-69
		2.7	3,000	- - - -
			21,435	

PROGRAMMED

<u>Pacific</u>	<u>Hubbard Intchge.</u>	-	2,000	- - - -
	<u>Hayesville Intchge.</u>	-		- - - -
	<u>(FHWA Cr.)</u>	-		- - - -
Pacific West	Newberg Couplet (25-75 Co-op)	0.8	410	
Pacific West	Airport Rd.-Beltline Rd.	1.3	500	
<u>Lower Columbia</u>	<u>Warren Section</u>	3.9	4,000	- - - -
Oregon-Washington	Milton-Washington State Line	4.7	3,300	12-23-69
Oregon Coast	S. Unit, Astoria-Camp Rilea & Extension	2.1	4,000	
<u>Oregon Coast</u>	<u>Cannon Beach Jct.</u>	0.8	1,500	- - - -
Oregon Coast	Pleasant Valley-Green Timber Rd.	2.7	1,605	8-18-70
Santiam	Sodaville Rd.-Vail Creek	1.5	920	
Santiam	Vail Creek-Sweet Home	9.0	5,230	
Green Springs	Park St.-Pacific Hwy. (Ashland)	0.4	1,900	11-18-69
Mt. Hood	Boring Rd. Intchge.	-	2,250	6-22-71
Willamina-Salem	Rickreall-Independence Jct.	4.9	5,000	12-23-69
Willamina-Salem	Salem Bridge (See Urban)	-	5,000	
Corvallis-Newport	Pioneer Mtn.-Easterly	9.2	4,000	
Coos Bay-Roseburg	Winston-and Winston-Shady	3.8	6,450	12-23-69

(Continued on next page)

LIST OF PROPOSED PROJECTS FOR CONSTRUCTION CONTINUED

PROGRAM 12-"A"

Highway PROGRAMMED	PRIMARY			
	Section	Length	Total Cost In Thousands	Commission Action
Umpqua	Wells Cr.-Jack Cr. (Passing Bays)	-	1,650	
Sunset	Rock Cr.-Sunset Springs	1.8	1,140	
Sunset	MP 33.5-MP 35.0 (Wolf Creek)	1.5	960	
Sunset	East Timber Jct.-- MP 39.1	1.4	900	
Florence-Eugene	River Road - I-105 (See Urban)	1.2	3,500	
Rogue Valley	Phoenix Sec. (75-25 Co-op)	0.6	200	3-30-71
Olds Ferry-Ontario	Ontario-Cairo Jct.	3.5	2,500	
- - -	Contingency	-	650	
	TOTAL		81,000	

SECONDARY

CONTRACTED

K. Falls-Lakeview	Patterson St.-K. Falls-Malin Jct.	1.5	1,048	12-23-69
Bvrttn.-Hillsdale	Lombard St.-Jamieson Road (Beaverton)	1.2	500	12-23-69
Silver Cr. Falls	State St.-N. Santiam Hwy. Jct.	1.1	523	4-21-70
Corvallis-Lebanon	Orleans Rd.-Lake Cr.	2.8	2,412	12-23-69
Albany-Lyons	Mehama Bridge Section	0.3	922	8-19-69
Sprgfld.-Creswell	McKenzie Hwy.-Jasper (R/W only)	4.2	100	- - - -
Lake of the Woods	Geary Ranch-Green Springs Jct.	6.7	2,230	8-19-69
	Total		7,735	

PROGRAMMED

K. Falls-Lakeview	Selected Section	-	2,000	
Mt. Hood	Ava Ave.- E. Burnside Street (Gresham)	1.6	2,500	
Beaverton-Tigard	Allen Ave. Intchge.	-	2,270	
Beaverton-Tigard	Greenburg Rd. Intchge.	-	1,370	6-22-71
Clackamas	I-205 - Boring Road	3.1	2,300	
Jct. City-Eugene	Santa Clara-Eugene	3.0	1,500	
Powers	Broadbent Section	1.7	1,250	
Powers	Selected Section	-	1,000	
Empire-Coos Bay	Cape Arago Hwy.- Woodland Dr. (Co-op)	1.8	1,500	12-23-69

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(Continued on next page)

LIST OF PROPOSED PROJECTS FOR CONSTRUCTION CONTINUED

PROGRAM 12-"A"

SECONDARY				
Highway PROGRAMMED	Section	Length	Total Cost In Thousands	Commission Action
Jacksonville	Grants Pass-New Hope Road	1.27	1,500	
Shaniko-Fossil	Clarno-Porcupine Butte	2.3	870	
Succor Cr. (Parma Spur)	Snake River (Adrian) Bridge, SBRP	0.4	300	
FAS-349	Button Bridge Sec. (50-50 Co-op)	-	625	5-4-71
- - -	Contingency	-	1,840	
	TOTAL		28,560	

PROJECTS DELETED FROM PROGRAM XII

Lower Columbia	Tongue Point-Fern Hill	G.P.Str.	3,200,000
Lower Columbia	Fern Hill Slide Corr.	G.P.	1,250,000
Willamette	Goshen-Immigrant Rd.	G.P.Str.	4,700,000
Alsea	Alsea Mt.-Hide Cr.	G.P.	1,000,000
Coos Bay-Roseburg	Slater Cr.-Mystic Cr.	G.P.Str.	4,000,000
N. Santiam	Airport Rd.-Lancaster Dr.	G.P.Str.	1,500,000

The Engineer recommended that a State Highway Division representative be sent to San Francisco to expedite the processing of Federal-aid payments. The Commission accepted his recommendation.

The Commission instructed the Engineer and the Right of Way Engineer to institute negotiations for acquisition of the Kruckman Dairy Farm of approximately 100 acres adjacent to the Guy W. Talbot State Park in Multnomah County.

The Commission also authorized snow removal on a Boy Scout parking lot near White River on the Mt. Hood Highway in Wasco County provided that the lot is posted as available for public use.

The Engineer reported that the Federal Highway Administration has approved a new national Uniform Traffic Control Devices Manual. He recommended approval by the Commission with the following exceptions:

November 24, 1971

- (1) The word "limit" shall be deleted from the speed zone sign used in Oregon and as shown in section 2B-10 of the manual. Also, the word "limit" shall be deleted from the school speed signs as shown in section 7B-12.
- (2) No-passing zone markings for horizontal curves as specified in section 3B-3 of the manual shall be deleted.

The Commission approved the manual with the above exceptions contingent upon compliance with provisions of the Administrative Procedures Act.

The Commission signed, or authorized the Secretary to sign, the following papers:

"Agreement and Bargain and Sale Deed" to Longview Fibre Company covering an exchange of property in Silver Creek Falls State Park on the Silver Creek Falls Highway in Marion County.

"Agreement" with Crown Zellerbach Corporation for an exchange of quarry site use in Columbia and Clatsop Counties.

"Bargain and Sale Deed" to John B. McNutt covering 0.39 acre on Brookings-Winchuck River Section of Oregon Coast Highway in Curry County, for \$6,500.

"Assignment of Easements" with Rogue River Valley Irrigation District covering the Crater Lake-Brownsboro Section of the Lake of the Woods Highway in Jackson County.

"Bargain and Sale Deed" to Donald R. and Ann Y. Wood covering 5.8 acres on Sisters-Deschutes River Section of McKenzie Highway in Deschutes County for \$4,200.

"Relinquishment of Title" to Umatilla County regarding Stanfield Junction-Pendleton Section of the Old Oregon Trail.

"Grant of Easement" to City of Wilsonville regarding 0.49 acre roadway on Barbur Boulevard-White School Section of Pacific Highway in Clackamas County.

"Indenture of Access" with Roger and Edna Wilson covering Blodgett-Marys River Section of the Corvallis-Newport Highway in Benton County.

"Indenture of Access" with Ross, Eula and Jane McClue covering property on Blue River-Mill Creek Section of McKenzie Highway in Lane County.

"Indenture of Access" with Ronald and Marjorie Vliet and Henry and Marilyn Hohn covering property on Mt. Angel-Silverton Section of Hillsboro-Silverton Highway in Marion County.

"Indenture of Access" with Tualatin Development Company covering property on Multnomah County Line-Tualatin River Section of Pacific Highway West in Washington County.

"Agreement" with Lane County and City of Cottage Grove concerning revision of access control in SW quadrant of Cottage Grove Interchange.

"Agreement" with Lane Council of Governments for conducting the transportation planning process in the Eugene-Springfield area.

"Agreements" with Counties of Clatsop, Curry, Douglas and Tillamook regarding Emergency Relief work to be performed by County forces to repair damage on FAS-C routes caused by the January 1971 storm.

"Agreement" with Enterprise Irrigation District covering adjustment of their facilities in connection with construction of Patterson Street-Malin Jct. Section of Klamath Falls-Lakeview Highway in Klamath County.

"Agreement" with City of Portland for comprehensive economic, design and planning study and report on Harbor Drive Parkway to be supervised and conducted by the architectural firm of Wolff, Zimmer, Gunsul, Frasca and Ritter.

"Agreement" with City of Coquille for installation of traffic signals at the intersection of Central Boulevard and Second Street on the Coos Bay-Roseburg Highway.

"Agreement" with City of Redmond for installation of traffic signals at the intersection of 6th Street and Highland Avenue.

"Agreement" with City of Woodburn for part-time turn restriction signs interconnected into the railroad track circuits at the intersection of the Hillsboro-Silverton Highway with Lincoln Street.

"Easement Indenture and Construction Agreement" with Southern Pacific Transportation Company providing for construction of railroad over-crossing on the SE Causeway Ave.-Gladstone Interchange Sec. of East Portland Freeway in Clackamas County.

"Agreement" with City of Portland concerning the closure of Harbor Drive.

"Petition" to Exclude Land from Rogue River Valley Irrigation District.

"Petition" to Exclude Land from Talent Irrigation District.

"Agreement" with Skidmore, Owings and Merrill for corridor impact analysis and multiple use development study on I-80N, Mt. Hood Freeway in Portland.

The meeting was adjourned by the Chairman at 10:10 a.m.

R. L. Porter
State Highway Engineer

Glenn L. Jackson
Chairman

Fred W. Hill
Commissioner

Floyd Query
Secretary

Thaddeus B. Bruno
Commissioner

November 24, 1971

November 30, 1971
Salem, Oregon

A conference telephone Commission meeting was held at 1:40 p.m. regarding two proposed rules which had been published in the Secretary of State's Administrative Rules Bulletin.

The following persons were on telephones at the locations given: Glenn L. Jackson, Chairman of the State Highway Commission in Portland; Thaddeus B. Bruno, Member of the State Highway Commission in Portland; Fred W. Hill, Member of the State Highway Commission in Pendleton; R. L. Porter, State Highway Engineer in Salem; Frank McKinney, Assistant Counsel in Salem; Floyd Query, Commission Secretary in Salem.

The Engineer called attention to a section in the Oregon Laws which requires the Commission to be notified at least ten days in advance regarding regular or special meetings of the Commission. The Commission unanimously waived the ten-day notice.

Concerning the Rules, the Engineer stated that a notice had been published in the October 15, 1971, issue of the Administrative Rules Bulletin concerning the adoption of a rule by the Highway Commission as follows:

"The Oregon State Highway Commission, pursuant to ORS 366.125, may, 30 days or more after a public hearing covering the selection of any new State Highway route or corridor, which said hearing shall be publicly advertised in newspapers of general circulation not less than three weeks in advance of such hearing, adopt said route or corridor at any Highway Commission meeting. Interested persons may submit data, views or arguments concerning any proposed route or corridor to the Secretary of the State Highway Commission within ten days following any public hearing."

Only one objection had been received. Since the statutory provisions of the Administrative Procedures Act have been complied with, he recommended formal adoption of the rule. The Commission adopted the rule as "Administrative Procedures Rule No. 1," which rule by this reference is made a part hereof and filed in the Secretary's Office.

The other item for consideration concerns a speed zone in Wallowa Lake State Park. On September 8, 1971, the Commission approved "Speed Zone Resolution No. 593," including a 30 mile-per-hour provision which was not acceptable to residents in the area. Representatives from the State Police and from the Regional Office in La Grande reinvestigated the matter and it appears that a speed zone of 25 miles per hour would be satisfactory. As no objections have been received, the Engineer recommended adoption of the following revisions as published by the Secretary of State in the Administrative Rules Bulletin on November 1, 1971, as Exhibit A.

November 30, 1971

"The Oregon State Highway Commission pursuant to ORS 483.106 rescinds the existing 30 mile-per-hour speed zones on the Joseph-Wallowa Lake Highway 0.13 mile north of the frontage road to Wallowa Lake State Park to the southerly terminus of the Joseph-Wallowa Lake Highway; also on its frontage road in the Wallowa Lake State Park from the junction with the Joseph-Wallowa Lake Highway to the Wallowa Lake State Park boundary and hereby adopts a 25 mile per hour speed zone as follows:

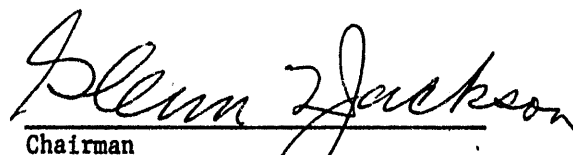

25 miles per hour from 0.13 mile north of the frontage road to Wallowa Lake State Park (M.P. 5.78) to the southerly terminus of the Joseph-Wallowa Lake Highway No. 351 (M.P. 6.94).


25 miles per hour on the frontage road to Wallowa Lake State Park from the junction with the Joseph-Wallowa Lake Highway No. 351 (M.P. F5.91) to the Wallowa Lake State Park boundary (M.P. F6.06)."

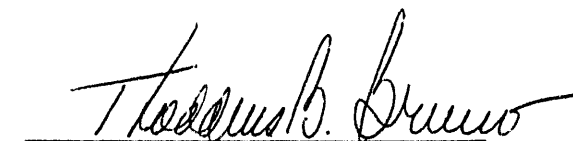
Since the statutory provisions of the Administrative Procedures Act had been met, the Commission rescinded "Speed Zone Resolution No. 593," and thereupon adopted "Speed Zone Resolution No. 594," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The telephone meeting was concluded at 1:45 p.m.


State Highway Engineer


Chairman

Commissioner


Secretary


Commissioner

November 30, 1971

January 11, 1972
Salem, Oregon

The Oregon State Highway Commission met in regular session at 9 a.m., in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
George M. Baldwin, Administrator
Tom Edwards, State Highway Engineer
F. B. Klaboe, Deputy State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Others present were: R. E. Simpson, Division Engineer for the Federal Highway Administration; C. W. Head, Assistant Secretary; Lloyd P. Shaw, Assistant State Highway Engineer; A. E. Johnson, Assistant State Highway Engineer; R. L. Schroeder, Assistant State Highway Engineer; E. S. Hunter, Assistant State Highway Engineer; Frank McKinney, Assistant Chief Counsel; V. E. Skoog, Controller; L. H. Young, Programing Engineer; David G. Talbot, Parks Superintendent; John R. Oakes, Assistant Right of Way Engineer; Donald N. Harwell, Assistant County-City Engineer; R. B. Sipprell, Liaison Engineer; Robert K. Potter, Coordinator, Oregon Scenic Waterways System; Kenneth A. Chatwood, Administrative Right of Way Engineer; Gary Sund, Public Affairs Director; John J. Earley, Information Officer; L. W. Rulien, Region 1 Engineer; H. S. Coulter, Metropolitan Engineer; J. B. Boyd, Region 2 Engineer; J. H. Versteeg, Region 3 Engineer; J. F. Putnam, Region 4 Engineer; W. E. Schwartz, Region 5 Engineer; and R. L. Porter, retired State Highway Engineer.

The Commission approved the minutes of the meetings held on November 24 and 30, 1971.

The Right of Way Engineer presented a list of options, pages 1 through 73, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised values and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 82," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from November 10, 1971, to December 31, 1971, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$103,761; timber sales \$6,466.40; and rental receipts for November 1971 amounted to \$41,668.10.

January 11, 1972