

## LEVEE

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into the Dougherty and Hoquart sloughs, inundating businesses along North U.S. 101.

County Emergency Management Director Tom Manning said the county spent about \$87,000 to repair the levee and was hoping to recover about 75 percent of that cost after the federal government declared the county a disaster area.

A new storm hit the area the day after the levee repairs were completed.

"We have a picture showing the repaired levee holding back close to 7 feet of water," Manning said, adding that county officials believe the repairs prevented additional damage that would have cost hundreds of thousands of dollars.

Manning noted that FEMA has reimbursed local governments for most of their other flood claims, including money for damaged county and state roads and culverts, as well as overtime costs incurred for county employees.

But, Glen R. Sachtleben, FEMA's coordinating officer for recovery operations in the area, wrote in a letter to the state's Office of Emergency Management that state laws cited by the county in its application for reimbursement for the levee repairs didn't "signify that the county has legal responsibility to address the emergency on private property."

Sachtleben said there are two appeal possibilities open to the county. The first is to FEMA District 10 officials in Seattle. If that fails, he said, another appeal can be bumped up to officials in Washington, D.C.

After learning that FEMA had denied the county's aid request, County Commissioner

Mark Labhart said, "We believe we still will get FEMA cost-sharing money for the levee. We did it in the public's interest."

Labhart said last Thursday that County Management Analyst Paul Levesque was already working on an appeal.

Levesque said he had found documentation indicating that the levee was repaired after the 1996 floods using funds from the Tillamook County Soil and Water Conservation District, which does receive federal funding. He said that might prove to be a basis for appealing last week's FEMA denial.

Labhart noted that the county has also requested financial help for the levee repairs from the City of Tillamook. City Council has deferred action on that request, however, preferring to wait and see what the county recovers from FEMA.

Since the year 2000, FEMA has spent at least \$1.4 million to help buy out or elevate businesses along North 101 in Tillamook.

In addition, three businesses that suffered heavy damage during last November's flood have been given top priority to receive FEMA grants to help them avoid further flood damage.

The Rental Center on U.S. 101 has already relocated into downtown Tillamook and Tillamook RV Repair and Sales on Hadley Road is working on plans to relocate.

The owner of North Port Plaza has said he wants to elevate the buildings in the plaza, which suffered heavy damage in last November's flooding. One of them, The Fern Restaurant, had 16 inches of water in it. Others — including Moviecine Video, Honda of Tillamook and the Solid Grounds Café — had to shut down for a time to make repairs. All have since reopened.

## FEMA says no to aid for fixing levee

By JOE HAPP  
Headlight-Herald Staff

TILLAMOOK — County officials said they'll appeal a decision by Federal Emergency Management Agency officials denying their request for federal aid in the repair of a Wilson River levee that failed during the November flood.

FEMA officials in Salem said last week that, despite the federal disaster declaration issued in the wake of last year's devastating floods, they cannot reimburse the county

for money it spent on levee repair work because the county did not prove it had a "legal responsibility" to do the work.

County officials decided to repair the 500-foot section of levee on private farmland after the November flood, saying it was necessary to protect homes and businesses in the flood plain along U.S. Highway 101 North in Tillamook. Officials said the breach sent floodwaters through pastures owned by the Jost family and other nearby farms and dumped large amounts of it

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## Jerry Cherry quits Tillamook council

By KATHLEEN NEWTON  
Headlight-Herald Staff

TILLAMOOK — City Councilor Jerry Cherry, who has represented Tillamook's Fifth Ward since October 2004, has resigned from the council.

In a four-to-one vote, the council accepted his letter of resignation at its meeting Monday evening. Cherry was not present. He had submitted the letter earlier that day to City Recorder Bernadette Sorenson. The letter — hand-printed on notepaper — was nine words long: "I resign from the City Council. For health reason(s)."



JERRY CHERRY

It was signed, but bore no salutation, a fact that Councilor Willard Berry questioned at Monday night's meeting.

"It was not written to us," he remarked, wondering if it could be accepted as an official resignation.

However, Sorenson said

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## CHERRY

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Cherry had come to her about it because he was not sure who should get the letter. "We had a 20-minute talk and he elaborated his reasons," she told the council. She did not discuss the details of the conversation, but said it related to his ongoing health problems.

Repeated efforts by the *Headlight-Herald* to contact Cherry for comment were unsuccessful.

City Attorney John Putman said the letter had been submitted to staff and it was up to the council to vote on whether or not to accept the resignation and then declare the seat open.

Councilor Joe Martin moved to accept the resignation and the council voted 4-1 in favor, with

Berry voting no. With the position open, Putman noted, it will be up to the council to appoint an individual to serve the remainder of Cherry's term, which runs through Dec. 31, 2008.

Mayor Bob McPheeters called upon citizens of the ward to submit letters of interest. Ward 5 consists of the south-west part of town and an area across U.S. 101 to the east near Tillamook High School.

To apply for the position, an individual must be a registered voter and live within the district. Sorenson said applicants should submit letters of interest to the City Council stating their interest and reasons for applying.

"That helps the council choose the candidate," she explained.

Cherry took the oath of office Oct. 18, 2004. He was appointed to the post when Councilor John

Coopersmith resigned after 15 years when he moved out of town. Cherry then ran and was elected to the seat in November 2004.

## Two major businesses get nod for relocation

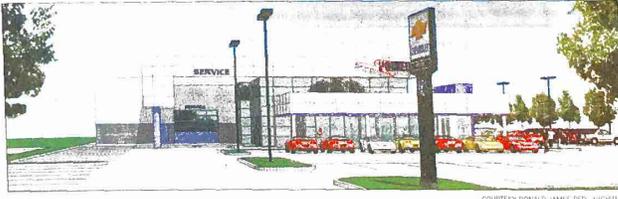
By JOE HAPP  
Headlight-Herald Staff

TILLAMOOK — Two of the city's most prominent commercial enterprises have won conditional approvals of plans to build major new facilities at new locations.

The city's Planning Commission last week blessed plans by TLC Federal Credit Union for a new three-story head-

quarters building on Third Street at the former Armory site, two blocks west of the Main Library. Power Chevrolet also got a go-ahead on its plans for a new two-story facility on the northwest corner of U.S. Highway 101 North and Mackinster Road, just south of the Wilson River.

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Drawing shows the new Power Chevrolet auto dealership building at Mackinster Road and U.S. Highway 101.

## RELOCATION

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TLC plans to move from its present location at Fifth and Pacific into a 24,327-square-foot office building for itself and First American Title Company on the 1.01-acre site bounded by Second and Third streets and Elm and Fir avenues.

The new facility will have an off-street parking lot big enough for 58 cars, 19 short of the number required by the city for a building of that size. But the Planning Commission gave its approval on the condition that TLC get the larger lot.

parking on it. TLC Manager Mike Pierce said later that the credit union is in negotiations to purchase a suitable nearby property.

"A sale is imminent," he said. Plans call for the new TLC headquarters facility to have two drive-through service windows on the north side of the building with enough room to accommodate a total of six waiting cars. Vehicles will enter and exit the lot using driveways on Fir and Elm. No driveways will empty onto Third Street, which is a state highway, or Second.

TLC purchased the site last year from the county and won approval of the petition to have it rezoned for commercial use. At the time, Pierce said TLC would sell or lease its Fifth Street property. Since then, county officials — cramped for space in the Courthouse and other county-owned facilities — have expressed an interest in purchasing it.

The Planning Commission also gave Power Chevrolet a green light to proceed with plans for a two-story, 16,290-square-foot building that will include an auto showroom and offices plus parts and service facilities.

The dealership wants to move from its current flood-prone location at 1 Maine Ave. alongside the Hoquart Slough across from Rosenberg Builders Supply.

Owner Jeff Koehnke told the commissioners that employees were forced to move all the cars off the dealership's lot three times last year to avoid rising flood waters.

Last November's flood, he said, did considerable damage to the dealership, ruining service technicians' tools, as well as computers used in the service department.

"We want to get to a better place for our customers and employees as soon as possible," Koehnke said.

Even though the new facility is earmarked for land adjacent to the Wilson River, it is in an area that officials said floods less often and much less severely than the dealership's current location.

The new facility is planned for a two-acre lot north of the

Fred Meyer store and east of the Best Western Inn on Mackinster Road.

The Planning Commission heard from the owners of some properties on the east side of U.S. 101 across from the proposed new dealership who were concerned about the effect on them if the Oregon Department of Transportation decides to build a new bridge across the Wilson River. City Planner David Mattison and City Manager Mark Gervasi told commissioners that ODOT has shelved its plans for a new bridge over the Wilson because of the cost involved.

One potential hurdle to the proposal — the fact that the new facility's parking lot will encroach into the 50-foot setback required for the riparian

area along the Wilson River — was overcome by an agreement worked out with the Oregon Department of Fish and Wildlife.

ODF&W officials said they would not object to the proposal if Power agrees to:

- remove invasive plant species from the dike separating its lot from the Wilson River and replace them with native riparian species;
- re-establish a 50-foot setback from the Hoquart Slough on its current site by removing pavement and designate the area on the deed as a "no-impact zone" in perpetuity; and
- prepare the cleared area for ODF&W-approved restoration plantings.