

Mary's River Estates Road District Meeting

Date: March 14, 2024 Zoom meeting hosted by Debbie

Meeting will be recorded for the purpose of note taking by secretary. Recording will be kept for one year on personal computer and approved written minutes will be kept on website indefinitely.

Attendees: Sandy Chapman (Secretary), (Debbie Jackson, treasurer) Kevin Cornelius, Janet Cornelius, Rick Veronen, Adam Schultz, TR Gregg. Joe Chambers President unable to attend

Call to Order: 7:01 PM by Debbie,

Additions/Deletions to agenda: to ask Joe if he will do the public meeting classes. MRE Hill update.

Review minutes/approval: February 8, 2024: Spelling changes to the minutes noted. [Debbie moves we accept the minutes with corrections.](#) [Sandy seconds.](#) [Debbie: All in favor? Present Commissioners agree.](#)

Financial Report and Mail: Financial report will be added as PDF addendum to the minutes. [Debbie moves we accept the financial report as stated.](#) [Sandy seconds.](#) [Debbie: All in favor? Present Commissioners agree.](#) Mail received was from SDAO best practice brochure/ there are things to do we can lower our insurance up to 10%. We have done the checklist for 2%. There is a public meetings policy that SDAO will have a template we can use to draw one up for 2% and if all the Commissioners take the course in public meetings, we will get another 2%. Mail received from K&D for proposal for the work on Daisy Drive. a notice for budgeting purposes from SDAO that the dues will be going up from \$140.00 to \$181.00.

Open Forum: Member asking if there was a warranty on the chip seal project on MRE hill? We do not think there is a warranty per se. Sandy sent an email out to Frank from BlackTop NW that did the job. She also had a conversation before she received Franks responding email. Frank came out and looked at the road condition. He stated that the bad weather came sooner than expected, he felt studded tires were tearing it up, he could tell there was some plow damage, which I told him that the plow was told to be kept off of the surface of the hill. I told Frank there needs to be some type of reckoning to make things right. Frank said we need to wait to see how much more comes off. I told Frank that it was not just where tires may have been running, but the whole surface whether it was steep or not, was wearing away and at the right angle you can see down to the surface of the asphalt. Discussion: Question was raised if the chip seal was done with hot oil. Commissioner saw them heating up the oil. Concern by participant was that contractor did not know the equipment he was using as he may have leased or subcontracted the job. Commissioner saw Frank and the crew working and she felt that they did know how to use the equipment. **Action Item Conclusion: We are going to continue to pursue this. We need to have further talks with Frank and we can also get an engineer out to get their opinion on the problem.** Discussion: Question

asked if there are any problems on Queen Anne that was also chip sealed at the same time? Resident on Queen Anne said that it is doing well. Question asked if there was a bond gotten for the job? No bond was gotten as it was done under a repair (maintenance) and not a public improvement project which would require the bond. What leverage do we have? We may not have any, or small claim courts? We were looking for a trusted provider for further work and this type of results puts that in jeopardy. **Action item: We should start looking at other companies that can do these jobs for us and be qualified vendors.**

Review of Action items:

Tansy barricade: Communication with Gordan Kurtz at BCPW stated we can put up another chain with a KNOX lock on it, as there is at the other end of Tansy that abuts Iris. We can put up "no trespassing" signs and "no motorized vehicles". **Action Item: The property owners should be aware we are doing this and they will need a key as we cannot limit the access to their property.** Gordan Kurtz also said that the chain across the bottom by Iris should NOT be left open for anyone to be traveling the road whether it is for ease of construction vehicles being that it is a closer drive than going on Tansy. The chain should be up at all times except for emergencies. **Debbie makes a motion that we follow up with BC for the recommended solution for the chains and signs and KNOX lock for the end of Tansy. Also ask James for a proposal to put the posts in, if he can do it. Sandy seconds motion. Debbie All in favor? All present commissioners agree.**

Budget committee email request out for volunteers, Schedule Budget

Meetings: Debbie reiterates that last meeting we elected to have a budget committee and to follow the guidance under budget law. We do have volunteers to equal the number of Commissioners for the budget committee. **Debbie makes a motion that we follow budget law and constitute a committee of electors in the Benton County district. Sandy seconds the motion. All in favor? All present Commissioners agree.** We have response from three electors that have offered to be on the budget committee: TR Greg, Kevin Cornelius and Adam Schultz. Acceptance verbally and with nodding of heads by them for participation in the budget committee. Agreement by all that Budget meetings scheduled for Monday April 15, at 12:00; Monday May 13, at 5PM; and Thursday June 6, 7PM.

Contract ordinance and "found" contracting manual in president boxes to be

redone: Sandy found in one box of the four MRERD "Presidential boxes" a Contracting Manual that goes with the Contracting Ordinance. This manual is a step by step "how to" on how to go about procuring a contract. It was something that would have been good to have when we all first became Commissioners. This manual has the same numbers (limits) that are being updated in our Contract Ordinance and this should also be updated. Debbie says we may be able to just say "as amended" in the Contract Ordinance.

Speed Limits Signs: We cannot have the speed limit signs placed where we originally wanted them placed because there is only a certain area of our roads that are legally

posted 25MPH. This is from a speed zone order from 2001 passed by the Benton County Board of Commissioners. Sandy received an email from Owen Millehrer at Benton County Engineering Dept. in regards to the placement of the speed limit signs we want to add. He sent the following explaining why we could not have them placed on certain areas/roads.

[Oregon Department of Transportation: Speed Zones: Engineering: State of Oregon](#)

Speed zones are established in accordance with Oregon Revised Statute (ORS) and Oregon Administrative Rules (OAR). ODOT created a Speed Zone Manual which incorporates the requirements from ORS and OAR which can be found on their website.

To post a speed limit on a road it must have a speed zone order. The two ways to post a speed limit lower than Basic Rule is either by establishing a designated speed limit, which requires an engineering study, or by meeting a statutory speed limit definition such as Residence District, School Zone, Business District etc., which are defined in ORS. We cannot randomly post speed limits or lower a speed limit on a road, there is a detailed process written out in ORS and OAR.

To post the roads in Mary's River Estates Road District 25 MPH they would either need to meet the Residence District statutory speed limit definition or be set by engineering study. To be considered a Residence District under ORS 801.430 there needs to be an average of 150 feet or less between accesses or approaches to dwellings. I looked at Daisy Drive and Iris Circle and neither of these roads meet that definition. The other way to try to establish a 25 MPH speed zone is by engineering study and ODOT will not investigate low volume roads with less than 8 passenger vehicles every hour. There is a process in which Benton County could request delegated authority from the State to establish speed zones on low volume roads, but Benton County does not currently have that authority. If we were to have that authority, we would still need to meet the requirements laid out in ORS and OAR, which bases the speed limit off the speeds that drivers are currently driving and is often higher than what residents are requesting.

There is an existing speed zone order for Mary's River Estates Road and Columbine Drive, from Corvallis-Newport Hwy to Iris Circle. Along this section of road, we can add 25 MPH speed limit signs. Another option is for residents to post signs on their property that request drivers to drive slowly. Residents have quite a bit of flexibility with posting signs on their property as long as they do not resemble official roadway signage. You could also reach out to the Sheriff's Office to try to get enforcement along the 25 MPH section of roadway.

Discussion: We can have the 25 MPH signs placed within the scope provided. Having them placed on MRE before Daisy, past Finch and before Iris on Columbine, on both sides of the road and more up on MRE coming down the hill on the backside and going down the hill on the upside. Also continue to check into flashing speed signs. Check into Caution signs with speed limit advisory. Agreement by members present that if there was an engineering study done, we would meet the 8 passengers per hour for putting up more speed limits signs. Question was asked about OSU doing an engineering study for us by engineering students. **Action Item: Sandy will ask BC about how to get an engineering study done. Who/what where and when can do it. Debbie makes a motion that we resubmit locations to BCPW for our 25MPH speed limit signs to be placed that**

meet the 2001 speed zone ordinance. And to ask how an engineering study can be done. Sandy seconds. All in favor? All present Commissioners agree.

It was added that we could get a bunch of signs made up and ask neighbors to put them on their property. A "SLOW" sign can be bought for \$55.00 on line.

Double speed limit signs on posts: Benton County said no speed limit signs can be double posted, front and back on a post.

Cost of speed-o-meter signs: (nothing new)

New business:

Schedule grass mowing: Sandy makes a motion to contact Adam May with Cutaway INC. for mowing the roadsides with criteria to cut lower and farther in where needed. Debbie seconds. All in favor? All present Commissioners agree.

RFP for new gravel and grading on Iris: Sandy makes motion to contact James with Rousch Family Construction for proposal for graveling and grading Iris. Debbie seconds. All in favor? All present Commissioners agree.

Crack Seal Tansy, Daisy & Iris large cracks: Question from Sandy: what should we do about it and should we get some RFPs requested to do the work on Tansy, Iris and Daisy? Debbie is wanting to know if we know enough without a road person like an engineer, to tell us what is really the solution to the problems of the road condition/cracks. We need to have someone with more knowledge look at it. We need professional help to determine what the scope of it will be and for budget costs for the projects for this year or next. Discussion: Suggested that we put together our best proposal and run it by the county public works group. Their engineers have advised us in the past and sometimes that is easier than hiring someone else. Concern by Commissioner with that is: That they have not done that recently for us. (History says that Benton County stopped helping Special Road Districts in approx. 2019.) Answer: Not done recently, about ten years ago. But we could put together a few proposals, measure the width and depth of the damage and give it to them and see if they have any experience with it. Commissioner states the County has pretty much cut us off from anything, but can you ask BC if they can give us a little counsel on that. Sandy has spoken with Gordon Kurtz who signed off on Tansy (as being completed) and asked if he had been out to look at it lately and if not, he should to see what state it is in after such a short time. **Action item: Sandy to communicate again with Gordon and ask if he has gone out to check Tansy. If not, to ask for a formal request to come out to look at the roads condition and to give us some answers on what needs to be done.** Debbie restates that we have agreed to get professional help with our road problems and not go with "what we can do ourselves". Discussion added that we should ask for basically "what else needs to be done" for our roads. We know of certain problems, but need something like an overall service plan to inform us of what else needs to be done. Brought up by another participant to ask James for his opinion on the road conditions because of his professional expertise in road maintenance. By another: at the same

time not get into a conflict of interest with him. By another: The Contracting Manual that was found should be able to help with that situation. We did have a previous contractor that was also a civil engineer, and we gleaned information from them that was put into RFP's that were sent out and he was able to bid on the work.

Daisy Drive Proposal: K&D, a company that has done work for us on several projects in the past, has sent us a proposal for the 24631 Daisy Drive area that is being undermined along with the culvert that needs diversion. And the area at the end of Daisy, near 24570, that is cracking with the depression of the road. Total \$15,000.00 separated into three subtitles: surveys and base map for \$4,350.00, final design services for both areas to be repaired for \$7,450.00 and private repair for drainage \$3,180.00. Sandy and Debbie, after reading the contract, both agree that this is what we were asking for in the way of direction to proceed with construction to repair the areas in question. **Debbie makes a motion to accept the agreement for professional services as laid out in the agreement and to ask how soon he can get this started. Sandy seconds the motion. All in favor? All Commissioners present agree. Debbie to get hard copy to Sandy for signature. Sandy to sign contract and send to K&D.**

Tree trimming to be analyzed and scheduled for next budget yr. People asked to keep an eye out for further trimming and tree cutting needs.

Dust control: There was not any dust abatement available last year to be put on Iris Circle. A resident on Iris is at the meeting and was asked about dust control. They said it was not needed that much, as there are so few people back here and said to save the money for bigger projects. Discussion given that the real reason for the dust abatement is to hold the soil in place. If you are going to rock it, talk to the person doing that and get their opinion on whether to put dust abatement on to hold the rock in place.

8:20 Meeting adjourned