

**PUBLIC WORKS COMMITTEE  
MINUTES**

September 4, 2014  
5:30 PM

**COMMITTEE:** Matthew Bierek, Chairman; Nolan Bartlow, and Rocky Sloan  
**TREE ADVISORY BOARD:** Matthew Bierek, Rocky Sloan and Nolan Bartlow  
**STAFF:** Kevin Fear, Director; Garry Black, Operations Supervisor.  
**GUEST:** None

Chair Matt Bierek called the meeting of the Philomath Public Works Committee to order at 5:30 p.m. at the Applegate Street entrance to East Newton Creek Park.

**Minutes:**

Mayor Sloan moved, Councilor Bartlow second, to approve the minutes of the March 6, 2014, meeting as presented. Motion APPROVED 3-0.

**TREE BOARD BUSINESS:**

**E. Newton Creek Tree Health:** The meeting was held at E. Newton Creek Park for the committee to view the conditions of trees that are considered a hazard. The trees were marked a few days prior to the meeting by Certified Arborist Jerry Mock, who could not be present at the meeting tonight.

Mr. Black updated the committee on the rehabilitation project and the volunteers who placed the rip rap material on the southern end of the creek near Applegate St.

Mr. Black explained to the committee that he and Jerry Mock, who acted as counsel to the City, had previously examined the trees. He explained how and what they looked for in a hazardous tree. Mr. Black proceeded to show the committee the rot and decay in the trees that were identified and why Mr. Mock recommended their removal.

It was also noted to the committee that there are at least a couple of homeowners who will most likely be against removing the trees adjacent to their properties. Chairman Bierek suggested contacting the City's legal counsel to see if a homeowner who is adamantly against having a tree removed can sign a document stating that they will assume all responsibilities for damage or injuries if the tree falls. After discussion about insurance covering such a scenario and the fact that a tree that could possibly fall onto a neighboring property who wanted it removed, or had no decision in its fate, and many other scenarios in which fault could be distributed, it was decided that the hazardous trees should just be removed as identified to avoid more legal issues.

It was also confirmed that replanting of new trees will take place to replace removed trees. The goal for removal would be September of 2014 with replanting taking place in or around April of 2015 as part of the Arbor Day celebration.

**MOTION:** A motion to remove the identified trees was made by Mayor Sloan and seconded by Councilor Bartlow. The Motion was APPROVED 3-0.

**Draft**

Agenda Item #2.2  
Meeting Date: 10/13/2014

Other Business: None.

**PUBLIC WORKS BUSINESS:**

**Other Business:**

None.

**ADJOURNMENT:** The meeting was adjourned at 5:55 pm.

Recorded by: Kevin Fear, Public Works Director