



WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MAY 5, 2010

PRESENT: Dan Ericksen, Chair of Commission
Sherry Holliday, County Commissioner
Bill Lennox, County Commissioner
Kathy McBride, Executive Assistant

OPEN TO PUBLIC

At 9:04 a.m. Chairman Dan Ericksen called the meeting to order.

Jim Burres encouraged the Board to move forward in the hiring of the Veterans Services Officer. A group of veterans' supporters will be meeting on May 24th. They will be developing a recommendation on how Veterans Services should be structured in the County.

Chairman Ericksen stated that the Veterans At Risk meeting was held yesterday. It was well attended by most of the agencies that provide services. A lot of good things came out of the meeting. It was the consensus of the group that the appointment of an Advisory Committee to the Veterans Services Officer would be a good direction for the County to take.

Chairman Ericksen stated that he has spoken to David Meriwether, Hood River County Administrator. Meriwether would prefer that the Counties not contract with Mid Columbia Council of Governments to provide Veterans Services in both Counties. Hood River County would prefer to keep the Agreement between the two Counties. They do not want to take the program back; if needed they would hire a part time Officer.

Chairman Ericksen stated that we do not know the processes or the rules of the Veterans Services Program. We cannot provide the person we hire direction on how to do their job. Even if we take over the Veterans Services Program he would propose that we rely on the Advisory Committee for that guidance.

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Tyler Stone, Administrative Officer, agreed with the philosophy of having an Advisory Committee.

Stone noted that his philosophy is to have Mid Columbia Council of Governments doing the administrative piece and having the Advisory Committee advising them along the way.

Judge Ericksen stated that the Advisory Committee may want to make a recommendation on how to form the Committee. Or the County could form the Committee now and allow the Veterans Ad Hoc Group to recommend members for appointment to the Advisory Committee. Individuals from Hood River County should also be appointed to the Committee.

A lengthy discussion occurred in regards to the appointment of an Advisory Committee and whether Wasco County should hire a Veterans Services Officer versus contracting with Mid Columbia Council of Governments to provide that service.

Burres asked that the County hold off on making any decisions until after the meeting on May 24th. He is anticipating that the Advisory Committee will be looking at the duties and responsibilities of the Veterans Services Officer.

Kathy McBride, Executive Assistant, stated that the Board will be required to appoint the Veterans Services Advisory Committee and the Committee will be required to follow the public meeting laws.

McBride also noted that the Board may want to discuss, prior to the adoption of the Wasco County Budget Committee, whether the County will continue to contract with an agency to provide Veterans Services or whether the County will be hiring the Veterans Services Officer. Depending upon the Board's preference adjustments may need to be made to the Veterans Services Division Budget.

OPEN TO DEPARTMENTS

Fred Davis, Facilities Manager, presented to the Board several handouts in regards to the Courthouse cooling tower, (Attached as Exhibit A). Davis went over his recommendation of purchasing the coil and casing from Hunter-Davisson, Inc., the installer, in the amount of \$40,731. It is more cost effective for the installer to buy and install the part instead of the County purchasing the coil and casing. Davis has contacted several other vendors; they are too busy to come and do the repair. The funding will have to come out of Contingency.

Davis went over the proposed findings to declare an exemption under the County's Contract Review Board rules. Due to the urgency in getting the cooling tower repaired

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Facilities is requesting that the Board accept the proposal and proceed with the needed repairs.

{{{Commissioner Holliday moved to authorize Facilities to sign the proposal from Hunter-Davisson, Inc. in the amount of \$40,731 for the repair of the Courthouse cooling tower and that the findings from Fred Davis, Facilities Manager, are accepted as presented. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

{{{Commissioner Lennox moved to authorize the transfer of \$40,731 from General Fund Contingency to Employee and Administrative Services Department Facilities Division to cover the cost of the Courthouse cooling tower repair during Fiscal Year 2009-2010. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

Sheriff Rick Eiesland, and Mike Davidson, Emergency Services Manager, requested that the Board declare as surplus several County vehicles as described in the email from Steve Conover, Chief Deputy Sheriff, (Attached as Exhibit B).

Eiesland noted that the four vehicles were disposed of at a local public auction. The vehicles were sold somewhere between \$1,000 to \$1,800 per vehicle. The sale was closed off before the Sheriff's Office could get the ATVs to the sale. They still have the ATVs and a trailer to dispose of.

Eiesland noted that they have two new vehicles in Long View, Washington being outfitted. Once they are outfitted the Sheriff's Office will rotate down one vehicle to Community Corrections and the other vehicle to the Assessment and Taxation Office.

{{{Commissioner Holliday moved to declare as surplus the following vehicles: 1983 Chevrolet Bus from the Sheriff's Office, Chevrolet Lumina from the Community Corrections Office, Toyota Altima from the Youth Services Department, Chevrolet Impala from the Health Department, and the Jeep Durango from the Assessment and Taxation Office; and that the Jeep Durango be donated to the City of Shaniko. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

Eiesland reported that the Sheriff's Office has been spending money on the MDTs, CAD System, Record Management System and on portable radios.

Some discussion occurred on the American Recovery and Reinvestment Act (ARRA) Funding that Wasco County is receiving and the reporting requirements of the grant funding.

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Mike Davidson presented a handout to the Board in regards to the Seufert Hill Generator Project, (Attached as Exhibit C). Davidson noted that the money has been approved and that he requested proposals from four agencies.

The handout was reviewed and discussed at this time.

Davidson noted during the discussion that if the County wants to continue with the maintenance agreement we would have to figure out how to pay for it after the grant is exhausted.

{{{Commissioner Lennox moved to approve the proposal from Hage Electric in the amount of \$7,945.52 for the installation of a 14 kw propane powered generator for the Seufert Hill Radio Site; the proposal from Wheeler's Communication in the amount of \$2,000 to install a radio transmission notification system; and to authorize a maintenance contract with a qualified service technician for the generator at a cost of \$1,000. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

PRESENTATION on economic development in Wasco County; *presented by Jessica Metta, Wasco County Economic Development Coordinator.*

Jessica Metta, Wasco County Economic Development Coordinator, presented the economic development report at this time, (Attached as Exhibit D).

Chairman Ericksen noted that there was a conference call this morning regarding a potential Housing and Urban Development (HUD) Grant that Mid Columbia Economic Development District would be the lead agency.

CONSIDERATION on proposed amendments to the Wasco County Planning & Development Department Land Use Fees; *presented by Todd Cornett, Wasco County Planning & Development Director.*

Todd Cornett, Planning & Development Director, discussed with the Board proposed amendments to the Land Use Fees for the Wasco County Planning & Development Department.

Cornett began by going over the Planning Fee Schedule Presentation Handout, followed by the Fee Schedule Attachment, (Attached as Exhibit E).

The Board went through the listing and suggested increasing the following fees as listed below:

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Type I – Ministerial

New or Change of Address, \$170
Structural Sign Off W/Out Land Use Application, \$200
Non-Structural Sign Off W/Out Land Use Application, \$90
Land Use Verification Letter..., \$150

Type II – Administrative

Scenic Area Review, \$1,000
Expedited Review, \$500
Legal Parcel Determination, \$800
Property Line Adjustment, Replat, Partition..., \$850
Subject to Standards Review, \$600
Resource Dwellings..., \$1,100
Site Plan Review, \$500
Nonfarm Dwelling or Farm Ranch Recreation, \$1,500
Mining Crushing or Stockpiling of Aggregate..., \$2,400
Other Conditional Uses..., \$750
Temporary Use Permit, \$500
Administrative Variance, \$500
Time Extension Requests and Temporary Use Permit Renewals, \$300
Modification of Approval, cost plus \$71
Nonconforming Use..., \$400
Pre-Application Conference, \$500 with \$250 credit back
Significance Determination for Aggregate Overlay, \$300
Similar Use Ruling, \$400
Written Ordinance Interpretation, \$200

Type III – Planning Commission

Appeal of Administrative Decision, \$250
Variance, \$850
Other reviews directed by Planning Commission by Ordinance..., \$1,000
Private Road Approval, \$600
Mobile Home Park/Recreational Vehicle Park, \$1,200
Partition, Part of Parcel or Replat Review..., \$1,000
Preliminary Subdivision or Planned Unit Development Plat Review, \$2,500
With Public Road Approval, \$400
With Private Road Approval, \$200
Final Subdivision or Planning Unit Development Plat Review, \$700

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Type III & IV – County Court

Appeal of Planning Commission Decision, \$500
Road Dedication, \$800
Road Naming..., \$200
M49 Review, \$1,000
Open Space Lands Tax Assessment, \$750
Interior Subdivision Lot Line Vacation, \$300
LUDO Text Amendment, \$1,700
Zone Change..., \$1,600
Comprehensive Plan Amendment, \$1,500
Goal Exception, \$1,500

Miscellaneous

Complex Projects, cost plus \$71

Staff will bring back a proposed Order with the suggested fees for the Board's approval.

Other Business:

The Board briefly discussed the fee waiver request from Paul Citoli with Cornett, (Attached as Exhibit F). Cornett informed the Board that Citoli has already paid the Land Use Application Fee. If the Board grants Citoli a fee waiver the fee that is waived will need to be refunded. Cornett noted that Citoli wanted to be present when the Board considered his fee waiver request.

No decision will be made today on the request from Paul Citoli. Citoli will be contacted to schedule a time for him to appear before the Board of Commissioners.

Marty Matherly, Roadmaster, discussed with the Board the proposed Agreement with Kenneth Thomas. Also present was Doug Thiesies, Oregon Department of Forestry, Eric Nisley, District Attorney/County Counsel, and Tyler Stone, Administrative Officer.

Chairman Ericksen noted that we have a proposed Agreement that Matherly would like the Board to enter into. However we have some issues that we need to overcome.

Matherly introduced Doug Thiesies from Oregon Department of Forestry. Mel Gard was unable to make the meeting today so Thiesies came in his place to answer any technical questions in regards to the Wildland Urban Interface Grant Program.

Matherly stated that this was something brought to the Public Works Department as a proposal from Kenneth Thomas. A while back the Board wanted to find out from a professional forester what amount of resources the County has on our parcel. Thomas

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paid for that determination from Irene K. Jerome, Forester. The County recently received Jerome's report.

Matherly presented the Board with several handouts, (Attached as Exhibit G). He went over the handout information which gives us a quick look at the results of the timber cruise by Jerome.

Stone asked what the market value of the 107,000 board feet is.

Thiesies stated that the market over the last two years has been down. He does not know how much of each species of trees there is on the property. He is estimating \$15,000 to \$30,000 that the County would recover including the logging expenses.

Eric Nisley stated that he does not know if the law allows us to enter into the Agreement with Thomas under the terms proposed in the Agreement. Under ORS 275.340 we are required to have a Request for Proposals to sale timber on public property. Anything over \$5,000 requires us to do a competitive bidding process.

Chairman Ericksen felt that the County could do a competitive bidding process. The process could have similar requirements to what Thomas is proposing. If there is someone out there that would give us more we could look at that.

Nisley stated that the terms of the Agreement are similar to a lease and a sale.

Matherly stated that the cost for the annual lease of the Wasco Butte Radio Tower site is \$360 per year, or \$9,000 over the term of the Agreement.

A lengthy discussion occurred.

Thiesies stated that the Forest Practice Act has some sideboards. A landowner could liquidate that amount of trees. You could probably get the lying share off the property. The Agreement implies "to allow growth". He is not sure how you could enforce that.

Nisley noted that there is another statute that allows the County to require a bond.

Chairman Ericksen stated that the Agreement is for 25 years; it should require that the property would be maintained.

Some discussion occurred regarding the requirements under the Oregon Department of Forestry Wildland Urban Interface Grant Program and the proposed terms of the Agreement.

Nisley stated that the Agreement is more like a license instead of a rent agreement. Thomas would have the right to use the property.

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Chairman Ericksen felt that the property should be taxable under the Agreement with Thomas.

Matherly stated that we don't need to go through all of this discussion because of the deadline of the Grant Program.

Thiesies stated that the Oregon Department of Forestry has received the grant funding to deal with fuel reductions. The cost may be done with a 20% match. We are close to the end of the grant window. It will take a couple of months to get the project completed.

Matherly noted that Thomas was planning on using Richard Dodge to do the work under the grant.

Further discussion occurred.

Thiesies stated that the County would have to pay the money upfront and then the property owner would be reimbursed 80%.

Matherly stated that the required 20% match would be paid by Thomas.

Nisley reiterated that we can lease the land. If we are selling the timber we need to do an RFP process. We could hire a licensed contractor to harvest the timber under these provisions and sell the timber for our benefit.

Matherly stated that he understands that the stand is in need of being thinned out and taken care of. He does not think we want to thin it out and decide that we want to sell it. We need to have someone that can manage the resources.

Thiesies stated from the sounds of Jerome's report; there is some volume which could accrue more volume over the next 30 years. The Oregon Department of Forestry tries to focus these grants in areas where there are more people in the area. He does not know if they will get any further grant funding for these types of projects.

Commissioner Holliday stated that there is enough concerns that she does not feel we should rush into anything.

Matherly stated he would like to look at a long range plan for this property and not just to harvest the property.

Chairman Ericksen stated that the County will need to make a decision really quick as to whether we move forward with the Wildland Urban Interface Grant. He asked that Matherly contact Thomas to let him know that his proposal will not work.

The Board recessed for lunch at 12:42 p.m.

The Board reconvened at 1:30 p.m.

CONSIDERATION of the P.L. 110-343 Title III Application from the Wasco County Sheriff's Office for the Search and Rescue Reimbursement Project.

{{{Commissioner Holliday moved to approve the Title III Application from the Wasco County Sheriff's Office for the Search and Rescue Reimbursement Project in the amount of \$40,000. Judge Ericksen seconded the motion; it was then passed unanimously.}}}

CONSIDERATION AND APPROVAL of the Regular Session Consent Calendars of May 5, 2010, (Attached as Exhibit H).

{{{Commissioner Lennox moved to approve the Regular Session Consent Calendar of May 5, 2010, as presented. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

{{{Commissioner Holliday moved to rescind the Board's motion of April 29, 2010 approving Amendment #2 to Department of Justice Cooperative Agreement #07-GOV-DA-26 Child Support Enforcement between the Oregon Department of Justice and Wasco County and that the new Amendment #2 to Department of Justice Cooperative Agreement #07-GOV-DA-26 Child Support Enforcement between the Oregon Department of Justice and Wasco County be approved. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

The Board will consider the request from Keith Mobley in regards to the formation of the Tygh Valley Rural Fire Protection District at their next meeting, (Attached as Exhibit I).

CONTINUATION OF PUBLIC HEARING to consider amending the Wasco County Uniform Fee Schedule Ordinance.

Chairman Ericksen called the continuation of the Public Hearing to order.

There was no one present wishing to testify so the hearing was closed to testimony.

Chairman Ericksen discussed the proposed fee for the Information Services Department in the amount of \$120. He noted that Nolan Young, City of The Dalles Manager, has

requested that the County establish the fee at the County's actual cost of providing the services to QLife.

It was noted that the proposed fee could be charged to other agencies receiving services from the Information Services Department.

Chairman Ericksen suggested that we have an Agreement with QLife as to the cost for services provided.

It is the Board's understanding that the County will negotiate with the City of The Dalles as to the rate that will be charged for services rendered to QLife from the Information Services Department.

The title of the Ordinance was read for the second time.

{{{Commissioner Lennox moved to adopt Ordinance #10-003 in the matter of amending Wasco County's Uniform Fee Schedule for various County Departments. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

The Public Hearing adjourned at 1:38 p.m.

Chairman Ericksen left at this time.

CONSIDERATION AND APPROVAL of the request from the Wasco County Public Works Department to purchase a Brush Chipper.

The Board considered the request from the Public Works Department in regards to the authorization to purchase one Brush Chipper utilizing a bid from Skamania County, (Attached as Exhibit J).

{{{Commissioner Lennox moved to authorize the Public Works Department to purchase one Brush Chipper from Vermeer Pacific utilizing a bid from Skamania County at the cost of \$40,008. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

Brief discussion occurred on the request from Jennifer Lechuga, Trial Court Administrator for the Seventh Judicial District, to establish the mediation assessment schedule, (Attached as K). The Board asked Staff to request that Lechuga appear before them to discuss their request.

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Marty Matherly, Roadmaster, and Art Smith, Project Manager, stopped in. They were informed that the Board has already taken action on their request to purchase the Brush Chipper. Smith discussed the safety features of the Brush Chipper.

Some miscellaneous discussion occurred.

The Board signed:

- 2009 Fund Exchange Agreement between the Oregon Department of Transportation and Wasco County.
- Ordinance #10-003 in the matter of Amending Wasco County's Uniform Fee Schedule for Various County Departments.
- Amendment #2 to Department of Justice Cooperative Agreement #07-GOV-DA-26 Child Support Enforcement between the Oregon Department of Justice and Wasco County.

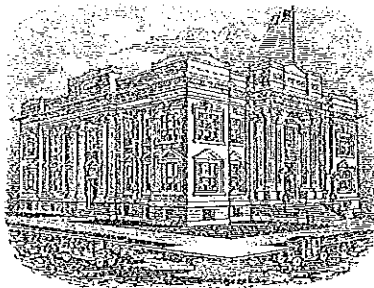
The Board adjourned at 2:05 p.m.

WASCO COUNTY BOARD OF
COUNTY COMMISSIONERS


Dan Ericksen, Chair of Commission


Sherry Holliday, County Commissioner


Bill Lennox, County Commissioner



WASCO COUNTY

Facilities

Fred Davis

Facilities Operations Manager

511 Washington St.

The Dalles, OR 97058-1599

phone: 541-506-2553

fax: 541-506-2551

cel: 541-993-3280

e-mail: fredd@co.wasco.or.us

May 4, 2010

Attention: Wasco County Board of Commissioners
Re: Court House cooling tower

As a result of winter damage the cooling tower on the roof of the courthouse is out of commission and cannot be repaired by our staff. As a result repair by an outside vendor is necessary. We have a price estimate from a highly qualified vendor and (sole source) parts are ready to order. The materials delivery time is estimated at 2 – 3 weeks. The anticipated repair time is near the first week of June. The building cannot be adequately cooled without a functioning cooling tower.

The Wasco County Local Contract Review Board Rules show the following allowance for exemption from the formal selection/contracting process.

- **"EXEMPTIONS FROM COMPETITIVE SELECTION**

Section 23: Sole-source Procurements Exemption

2) The determination of a sole-source must be based on written findings that must include:

(d) Other findings that support the conclusion that the goods or services are available from only one source."

In this situation the rule relates only to the repair parts to be used in this repair. They are single manufacturer (Baltimore Air Coil®) brand specific assemblies and are only available from this manufacturer with their authorized outlets.

- **"EXHIBIT A**

FINDINGS FOR PUBLIC CONTRACT EXEMPTIONS

(5) Equipment maintenance – purchases under this exemption allow the contracting agency to obtain materials or services necessary for the maintenance, repair or conversion of existing equipment. The parts or service are often unknown and the cost cannot be determined without extensive dismantling or testing. Time is also a factor for utilization of the equipment."

This exemption addresses the employment of qualified skilled labor that can execute the repairs as needed and in a timely manner given the circumstances.

Thank you,



BALTIMORE AIRCOIL COMPANY

QUOTE

APPLIED SYSTEMS NORTHWEST

500 W. 8TH ST. SUITE 110 VANCOUVER, WA 98660 United States

Contact: Tanya Moore

Email: moore@asoinc.com

Phone: 360/883-3962 Fax: 360/885-3188

BAC Quote # Q100115398

Project: WASCO COURTHOUSE

Date: 4/20/2010

Expiration Date: Quote expires 30 days from date issued

WASCO COUNTY

TO

Attn: Fred Davis,

I've quoted two different options for you. You can either replace the bare coil which you'd need line items 2 and 3. Or you can replace the top half of the cooling tower with an entire casing section (line item #1). The Casing section includes everything but the eliminators/distribution hood on top. You'd need to lift off the distribution hood, eliminators and set aside for reuse - remove the top half of the tower - drop the new casing section onto the bottom half and reset the eliminators and hood. Let me know if you have any questions.

We are pleased to provide you with the following quote for BAC Factory Authorized parts.

SERIAL #	MODEL #	SHIPPING METHOD	LEAD TIME
99211881	F1843L	Bestway Freight Allowed	Line item 1 -- 2 to 3 weeks Line item 2 -- 1 to 2 weeks

#	QTY	PART #	DESCRIPTION	UNIT \$	TOTAL \$
1	1	CASE2215	Casing (F1/2843,4X12,10Row) Galv	26,755.00	26,755.00
2	1	COIL0215	Coil (F1/2843,1Req,4X12,10Row)	18,350.00	18,350.00
4	1	RKH024	Parts Assembly Hardware & Sealer Kit	111.00	111.00

BAC will do its best to meet or improve the scheduled ship date. However, circumstances beyond our control may cause this ship date to change. In the event that it does change, BAC will not be held liable for any damages that may occur. BAC's standard "Terms and Conditions of Sale" apply to this order and may be viewed at www.BaltimoreAircoil.com/terms.

Notes:

1. Prices are quoted in USD currency.
2. The Quote number is required to place an order.
3. The unit Serial and Model numbers are required to help ensure that the proper parts are ordered.
4. A Purchase Order (made out to Baltimore Aircoil Company) with Ship To Address, Bill To Address, and Signature must be sent to the above location.
5. Minimum order value is \$125 USD (\$150 CAD) for standard part orders -- minimum order value for credit card orders is \$75 USD (\$90 CAD).
6. Sales Tax will be added to the final invoice -- if the project is tax exempt, a Certificate will be required.
7. Visa, MasterCard, and American Express are accepted for payment up to \$25,000 USD (\$30,000 CAD) -- POs are not required for credit card orders.
8. Pricing includes shipment via Bestway Freight Allowed.

THANK YOU FOR YOUR BUSINESS!

Proposal**Hunter-Davisson, Inc.**

Heating • Air • Conditioning • Refrigeration • Controls
 Contractors • Engineers
 1800 SE Pershing Street
 Portland, OR 97202
 (503) 234-0477
 FAX (503) 236-1625

DATE: 4/27/2010

ATTENTION Fred Davis	PHONE (541)506-2553	FAX	E MAIL		
PROPOSAL SUBMITTED TO Fred Davis	ADDRESS		CITY	STATE	ZIP
JOB/SITE NAME WASCO County Courthouse	JOB/SITE LOCATION		CITY The Dalles	STATE OR	ZIP

We are pleased to submit this Proposal to repair the tube bundle for the Cooling Tower at the WASCO County Courthouse. Below are (2) options based on your preference for repair, each option is quoted with us providing the equipment and if the equipment is owner furnished. The main benefit to having Hunter-Davisson provide the equipment is that we would provide a one year parts & labor warranty.

Option A: Replace the Coil & Casing..... \$40,731

Option A: Owner Furnished Coil & Casing..... \$13,995

- Disconnect, Drain, & Safe-Off existing cooling tower coil.
- Remove & Dispose of existing cased coil section.
- Furnish & Install new Coil & Casing.
- Reconnect condenser water piping.
- (1) Crane lift (estimated for a weekday, there would be an add for overtime labor if a weekend is required).
- Fill system & verify operation.
- Mechanical Permit.
- One year parts & labor warranty (If Hunter-Davisson furnishes tube bundle & casing).
- Drive time, hotel, & per diem.

Option B: Replace the Coil..... \$41,564

Option B: Owner Furnished Coil..... \$22,994

- Disconnect, Drain, & Safe-Off existing cooling tower coil.
- Remove & Dispose of existing coil section.
- Furnish & Install new Coil.
- Reconnect condenser water piping.
- (2) Crane lifts (estimated for a weekday, there would be an add for overtime labor if a weekend is required).
- Fill system & verify operation.
- Mechanical Permit.
- One year parts & labor warranty (If Hunter-Davisson furnishes coil).
- Drive time, hotel, & per diem.

This price does not include: Power wiring (If required), overtime labor, quick build/ship for equipment, repairs to existing equipment, revisions to existing control sequence, provisions for freeze protection, structural upgrades to building (If required by the City).

Note: To prevent this issue from happening in the future & following the manufacturers Operations & Maintenance recommendations we could look at several options other than draining the system during the winters. Such options may include adding Glycol to the system, ensuring the control dampers close & fans are disabled, running the pumps continuously when the temperature falls below 35°F, etc. The first step would be finding out exactly how your system is currently setup, then making recommendations from there.

Our recommendation would be to have a technician spend a day looking over the existing controls at our service rate of \$86/hr. This would be on a T&M basis.

We hereby propose to furnish material and labor, complete in accordance with above specifications, for the sum of:

See above for pricing..... Dollars:

Additional Terms:

Fixed Price

Authorized Signature:



Steve Van Domelen, EIT
Sales Engineer

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of acceptance: _____ **Signature:** _____

Payment to be made as follows:

Payment shall be due and payable upon receipt for all material and labor furnished and installed. A 1.5% per month interest charge will be charged to the amount past due. In any action by a party to enforce its rights hereunder, the non-prevailing party shall pay the prevailing party's costs and expenses (including reasonable attorney's fees).

Kathy McBride

From: Steve Conover
Sent: Tuesday, May 04, 2010 4:15 PM
To: Kathy McBride
Subject: Surplus vehicles

Kathy,

Rick asked that I let you know which vehicles were sold at auction. We got the cart before the horse and sold them without being declared surplus.

The vehicles are:

1983 Chevrolet Bus, Sheriff's Office
Chevrolet Lumina, Comm. Corrections
Toyota Altima, Juvenile Dept.
Chevrolet Impala, I believe from Health Dept.

I did not keep records of Vehicle ID numbers or plates. Anyway, these need to be approved by the Commission as surplus. We have already received payment for them. Patti has the amount if you need it.

Steve

Steven M. Conover

Chief Deputy

*Wasco County Sheriff's Office
511 Washington St., Suite 102
The Dalles, OR 97058*

541-506-2580

541-506-2581 Fax

Seufert Hill Generator Project

I requested bids for this project from four (4) vendors via e-mail on March 30, 2010. Below are the responses I have received to install a 14kw propane powered generator at the Seufert Hill radio site:

Hage Electric: \$7,945.52

Merlin Electric: \$8,098.30 (Includes \$500.00 contingency and uses a re-furbished propane tank)

\$7,598.30 (Less contingency)

Hire Electric: \$9,550.00 (This estimate was provided by Hire on March 30, 2009 when I was developing estimated costs for this project. No response for a new estimate was received)

Culver Electric: No proposal received

In addition to the above costs there is an estimated \$2,000.00 expense to provide radio transmission notification when the generator is running. This might be the only means Central Dispatch has for notification of a power failure or interruption at the site. This capability will be provided by Wheeler's Communications.

An issue for consideration is a maintenance contract for the generator. There should, at minimum, be an annual check/service of the generator by a qualified service technician. A maintenance agreement may be required to comply with warranty requirements.

Michael L. Davidson, Emergency Manager
May 4, 2010

Wasco County Board of Commissioners**Economic Development Commission Update: May 5, 2010**

EDC News

- **Needs and Issues Projects:** Staff has submitted the top five projects in the technical assistance and infrastructure categories to MCEDD as the Wasco County projects from their Comprehensive Economic Development Strategy. The MCEDD Board will prioritize the regional projects on May 13 in The Dalles. Staff is now working on incorporating the full list and other updates into the EDC's Strategic Action Plan.
- **Developers How-To Handout:** Staff is continuing to develop a handout outlining the process to develop commercial or industrial property in The Dalles and unincorporated Wasco County. The purpose of this handout is to clarify what could be considered a complicated process. Jessica is working closely with city and county staff in developing this handout. A draft version of the City handout has been provided with this report; feedback is welcome.
- **Shaniko Work Party:** Staff is organizing an EDC work party in Shaniko on May 20 to help the community complete some of the small projects on their needs and issues list. Projects would improve the look of the downtown and benefit the community this tourist season. Projects being planned for include rebuilding picnic tables, prepping city hall and the public restroom building for painting and building an ADA-accessible ramp to the post office.
- **Training:** Staff will be attending the Oregon Water and Wastewater Infrastructure Finance Workshop in Pendleton on May 18. This program is put together by a number of agencies including USDA, Oregon Infrastructure Finance Authority and Oregon DEQ.

Other Economic News

- **Gorge Angel Conference:** The 3rd Gorge Angel Investment Conference was April 27. 4-Tell Inc won the \$100,000 investment award of the three presenters vying for the top prize. 4-Tell is based in Stevenson and has developed a software product for midsize retailers that makes product recommendations.
- **CGBREZ:** Jessica will be representing MCEDD, Wasco and Sherman Counties at the Windpower Conference in Dallas in late May. She's been assisting with staffing for CGBREZ and planning for the team traveling to the conference, including development of an updated version of the CGBREZ calendar. The Travel Team will be meeting with another group from Oregon traveling to the show to plan beneficial joint efforts such as a reception one night of the conference and a prize drawing to encourage attendees to visit both booths.
- **Northwest Connectivity Database:** The Northwest Connectivity is an online database with detailed profiles of Pacific Northwest companies across industries at every level of the supply chain. This service was developed by Business Oregon and PNDC to help potential clients identify Northwest companies who can meet their needs- and to continue to build value-added supply chains. Detailed profiles are submitted by companies themselves and include fields that describe specific capabilities, products and services. The connectivity is free for businesses to join or use. Visit oregon4biz.com to learn more.

Funding Opportunities

- **USDA REAP Grants (Rural Energy for America Program):** The USDA published the notice of funding for the REAP grant and guaranteed loan program for renewable energy

systems and energy efficiency improvements. REAP offers grants and/or loan guarantees for the purchase and installation of renewable energy generating systems and energy efficiency improvements. Assistance is limited to small businesses and farmers & ranchers. REAP grants and guarantees may be used individually or in combination. Together they may finance up to 75% of a project's cost. Grants can never finance more than 25% of the project, with grants of \$20,000 or less being favored. The program is further described on RD-Oregon's web site: <http://www.rurdev.usda.gov/or/reap.htm>. Applications are due June 30.

- **Oregon Bicycle and Pedestrian Program Grants:** ODOT announced the availability of \$5 million in grants for Fiscal Years 2012/2013 under the Oregon Bicycle and Pedestrian Program (OBPAC). OBPAC is interested in funding a limited number of large projects to demonstrate “the significant role walking and bicycling can play in the transportation network.” Grants ranging from \$25,000 to \$500,000 are anticipated, with a limited number of \$1 million awards possible. All projects proposed for funding must be in a street right-of-way. Grant applications must be postmarked by July 9, 2010.
- **Transportation Enhancement Program Grants:** ODOT announced the availability of nearly \$17 million in federal Transportation Enhancement (TE) funds for projects that “strengthen the cultural, aesthetic and environmental value” of the transportation system. These typically include sidewalk, bike path and streetscape projects, historic building restoration, wildlife crossing and water quality mitigation projects, landscaping, and construction of viewpoints and interpretive sites. Projects to be considered must be able to go to contract in 2013 and 2014 and will be added to the Oregon 2012-2015 Statewide Transportation Improvement Program (STIP). A notice of intent must be filed June 30, 2010 and application September 30, 2010.

Employment:

Seasonally Adjusted Unemployment Rates (Source: Oregon Employment Department)

	March 2010	February 2010	March 2009
Oregon	10.6%	10.5%	11.2%
Wasco County	8.8%	8.1%	9.0%

How to Site a New Business in The Dalles

This handout was prepared to help you move through the various local permitting processes to site a business in the City of The Dalles. For resources on how to form a business, visit www.cgcc.cc.or.us/sbdc or stop by the Small Business Development Center at Columbia Gorge Community College.

Scenario 1: I want to open a business in an existing building.

☑ Step 1: Contact the City of The Dalles Community Development Department to determine if the use is permitted in that zone and to get a permit for any additions. This office is also your stop for any floodplain, sanitation and historical building permits. (Exterior alterations to historic buildings require a permit. Ask about possible financial benefits for improving historic buildings.) They will also have information about possible Urban Renewal financing to help with improvements. All new businesses are required to fill out a Proposed Change in Use Application from this office.

Contact: The Dalles City Hall
313 Court Street
541-296-5481, ext. 1125
www.ci.the-dalles.or.us/community_dev

☑ Step 1-A: If you will be making building modifications or if your use is more intense than the previous use, the Community Development Department will set up a Pre-Application Meeting with you to discuss the project. The Fire Marshall, Building Codes, and utilities are also invited to this meeting.

☑ Step 2: Contact the local Fire Marshal to determine if any fire, life or safety upgrades on the building are required.

Contact: Mid-Columbia Fire and Rescue
1400 West 8th Street
541-298-9445

☑ Step 3: Contact Mid-Columbia Building Code Services to determine if permits are required. Generally, a permit is required to construct, enlarge, alter, repair, move or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, convert or replace any electrical, gas, mechanical or plumbing system.

Contact: 312 Court St, Suite 415
The Dalles
541-298-4461 or 866-520-6206
www.mccog.com/building.htm

☑ Step 4: Contact the Oregon Department of Environmental Quality if you are remodeling the existing building and suspect there might be hazardous materials. The proper removal of hazardous materials is essential. Potential hazardous materials include asbestos, underground fuel tanks, hazardous waste, water quality, used woodstoves, or dust problems.

Contact: Department of Environmental Quality
400 E. Scenic Drive
541-298-7255, ext. 0

Scenario 2: I want to construct a new building for my business.

☒ **Step 1:** Contact the City of The Dalles Community Development Department to determine if the use is permitted in that zone and to initiate a planning permit. This office is also your stop for any floodplain and sanitation permits and information about Urban Renewal financing.

Contact: The Dalles City Hall

313 Court Street

541-296-5481, ext. 1125

www.ci.the-dalles.or.us/community_dev

☒ **Step 2:** Once you have a tentative site plan, set up a Pre-Application Meeting with the Community Development Department. They will also invite the Fire Marshall, Building Codes, and utilities to this meeting.

☒ **Step 3:** Contact the local Fire Marshal to determine fire, life and safety requirements.

Contact: Mid-Columbia Fire and Rescue

1400 West 8th Street

541-298-9445

☒ **Step 4:** Contact Mid-Columbia Building Code Services to initiate a building permit.

Contact: 312 Court St, Suite 415

The Dalles

541-298-4461 or 866-520-6206

www.mccog.com/building.htm

Please note that developments within the City of The Dalles are not subject to Columbia River Gorge National Scenic Area regulations.

PLANNING FEE SCHEDULE PRESENTATION

5 MAY 2010

1. Premise

This fee schedule is based on ORS 215.416 which limits local governments to charging no more than the actual or average cost of providing the service.

ORS 215.416: Permit application; fees; consolidated procedures; hearings; notice; approval criteria; decision without hearing. (1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service (emphasis added).

2. Current Methodology

We helped design how the EDEN Permit tracking system would function for us and included mandatory time tracking associated with numerous steps for every review in the fee schedule. This gives us a fairly accurate account of the costs associated with each land use review. The dataset is created from an average of three years to remove the peaks and valleys of individual years. This year's data reflects 2007, 2008 & 2009.

An average amount of "Planning Time", "Administrative Time", copying costs, and scanning costs spent per type of review is then calculated and added together to get the average cost per review.

The "Planning Time" spent is multiplied by the average hourly wage of the Senior Planner and two Associate Planners (previously the Planning Assistant as well). In 2009 the Director spent very little time working on or reviewing staff reports so the hourly wage of the Director is not included in the average. The "Administrative Time" spent is multiplied by the average hourly rate of the Senior Planner, the two Associate Planners, and the Planning Coordinator (previously the Planning Assistant as well). In helping design how the Eden Permit tracking database would function for Wasco County, staff included many administrative duties associated with reviews so they could be done by the Planner assigned the review in a fast and efficient manner. While some are still completed by the Planning Coordinator, duties such as setting up files, entering information into the database, and doing mail outs is now the responsibility of the Planner assigned the review.

The copying costs are calculated based on the Wasco County adopted General Fee schedule which is .25 cents per copy which covers, paper, ink, servicing the copier and staff time.

However, this methodology does not reflect the true costs of running the department and fails to account for the following un-recouped costs which support the current planning services. Considering the entire cost of the department and other revenue

sources, based on the amount projected revenues for this fiscal year, individual applications are subsidized at a rate of approximately 80%.

Overhead: Office supplies, office remodeling, telephone, etc....

Time spent prior to submittal: This includes all counter and phone time prior to application submittal which can be substantial.

Training & Education: Training ensures Planning Staff is up to date with the most recent changes in land use rules and case law as well as local, state and regional trends.

Vehicles: Maintaining two vehicles in good working order is necessary for the Planning Department to meet its programmatic obligations. Costs include gas, oil and maintenance.

Long Range Planning: This data does not include any of the costs of conducting long range planning projects which are necessary to keep the ordinances up to date with state and federal requirements as well as to help facilitate economic development.

Personnel Costs: The greatest cost of the Planning Department is personnel which makes up more than 88% of expenditures.

Other Departmental Costs: We do not include the costs of other departments that support us or our processes such as Finance, Employee & Administrative Services, and the Board of County Commissioners. Other counties use a federally approved Indirect Cost Rate for each employee that is added to the overall cost of the department. If we added this into our calculations like other Planning Departments, our General Fund subsidy of individual applications would be even higher.

4. Shortcomings of the System

Pre Eden Reviews: We converted to the EDEN permit tracking system in June of 2008. The 2007 dataset and pre June 2008 dataset reflect is not as consistent as the remainder.

EDEN Conversion: Between June and December of 2008 all of the time associated with reviews was required to be entered because of the way we constructed the system. However, this dataset is somewhat limited. The applications that were in process at the time of conversion became archive permits with no time tracking capability and so data between January and May are missing. Also, we only include data for applications completed during the calendar year regardless of when they were submitted. Some of the applications submitted between June and December were completed in early 2009 so they are not included in the dataset. There will be

greater consistency in coming years when all three datasets represent land use applications that were submitted after the implementation of EDEN.

Multiple reviews. If a Planner is conducting multiple reviews such as a Scenic Area Review, Conditional Use Review and a Temporary Use Permit Review, all of the time tracking is for the primary review and the second and third reviews do not show up as having any time spent on them once the data is extracted. Because all three reviews are done as one big review and not separated out, it was determined that it would be too onerous to calculate how much time is spent on each portion and do multiple entries. Although this skews the time spent to the primary review and increases the average cost of that type of review, it also decreases the average cost of the secondary reviews. This results in certain types of reviews subsidizing other types of reviews.

The Eden permit tracking system does not resolve this issue. However, EDEN allows for primary and secondary permits to be easily linked. If in the future we are interested in evaluating this issue further, reviews will multiple permits will be easy to identify.

5. Items of Discussion

Modification of Approval: See proposed Fee Schedule Attachment language.

Pre-Application Fee Applied to Land Use Application: Should this remain \$100 or be a different amount.

Remand Hearing: We currently do not have a fee when an application is remanded from LUBA back to the County to cover our costs associated with such a review. This can represent substantial costs and counties that have a fee for this charged between \$800 and \$3,500 based on the costs for conducting the hearing. They also charged the applicant and not the appellant if they are different.

There are two statutes associated with this type of hearing. The first is 215.416(1) which allows for jurisdictions to charge fees to cover the cost of reviews. This gives us the authority to charge for this if we so choose. The second is ORS 215.435 which describes a 90 day time frame within which to hold a remand hearing if requested by the applicant. Because of this statute, if the applicant refused to pay we would still be required to conduct the hearing. However, if that were to occur we could make payment a condition of approval and withhold final zoning approval until the fee was paid.

This potential fee was brought up last year but the Commission elected not to include this. The decision was that if a remand occurred, Wasco County would absorb all associated costs.

Double Fees for Approving Uses Built without Review: Due to the effectiveness of the Code Compliance program there has been an increase in the number of land use applications submitted recently to approve uses built without prior review. Based on the fee schedule this requires double fees. In the past year 10 of these applications have been submitted. Another 13 are working with the Code Compliance Officer and will likely submit in the coming months. Of these 23, 5 have requested and received a waiver of the double fees for a total of \$3,745.

Currently, the fee waiver process consists of the applicant making a written request, the Planning Director making a recommendation and the County Commissioners making a decision. However, the past few requests have turned into ad-hoc hearings during the "Open to the Public" portion of Commission meetings with the applicant raising questions and concerns and the Commissioners requesting information from Planning Staff who do not know the specifics of the violation and request. Commissioners should consider the following options:

1. Retain the existing double fee but give guidance to staff about what information would be valuable to have when deciding whether or not to waive the double fee so staff can prepare it in advance.
2. Do not require the double fee. If the majority of those who ask receive a waiver the double fee requirement is an unnecessary burden to all parties.
3. Require a flat penalty fee of a lesser amount such as \$500 or double amount of the land use application fee, whichever is less. This wouldn't be as economically burdensome as the majority of the double fees and should reduce the potential number of fee waiver requests.

Refunds: See proposed Fee Schedule Attachment language.

True Cost of Application: Currently, based on the total cost of the department minus other revenues received, land use applications are subsidized at a rate of approximately 80%. Should we include this information on the fee schedule, the application forms or in some other manner to make the public aware of the true cost of their application? If so do we want to include the total cost of the department or do we want to base the true cost on some other calculation?

FEE SCHEDULE ATTACHMENT EFFECTIVE 1 JULY 2010

Types of Reviews

-Type I (Ministerial/Nondiscretionary)

These procedures are decided by the Director, or the Director's designee without public notice or public hearing. They do not require interpretation or the exercise of policy or legal judgment in evaluating approval standards. Type I does not qualify as a "land use decision" under Oregon Revised Statute (ORS) 197.015(11).

-Type II(Administrative/Discretionary)

These procedures are decided by the Director or the Director's designee with notice and appeal period established by ORS 215.416(11). They do require interpretation or the exercise of policy or legal judgment in evaluating approval standards and qualify as a land use decision under ORS 197.015(11). An appeal of a Type II decision becomes a Type III review.

-Type III(Quasi Judicial/Planning Commission or Board of County Court Commissioners)

Planning Commission

These procedures are initially heard and decided solely by the Planning Commission or on appeal from the Planning Director with the hearings process, notice and appeal period governed by ORS 197.763. They do require interpretation or the exercise of policy or legal judgment in evaluating approval standards and qualify as a land use decision under ORS 197.015(11).

Board of County Court Commissioners

These procedures are initially heard and decided solely by the Board of County Court Commissioners or on appeal from the Planning Commission with the hearings process, notice and appeal period governed by ORS 197.763. They do require interpretation or the exercise of policy or legal judgment in evaluating approval standards and qualify as a land use decision under ORS 197.015(11).

-Type IV(Legislative/Board of County Court Commissioners)

These procedures are heard and decided solely by the Board of County Court Commissioners after an initial hearing and recommendation is made by the Planning Commission. The hearings process, notice and appeal period are governed by ORS 197.763. They do require substantial interpretation or the exercise of policy or legal judgment and qualify as a land use decision under ORS 197.015(11).

Sign Off W/Out Land Use Application

Structural Signoff includes but is not limited to: Building Permit Application, Manufactured Home Placement Permit Application, and Agricultural Exempt Permit Application.

Non-Structural Signoff includes but is not limited to: Land Use Compatibility Statement, Water Rights Application, and Department of State Lands Permit Application.

Expedited Scenic Area Uses

Those uses listed in Section 3.110 of the Wasco County National Scenic Area Land Use and Development Ordinance.

Modifications of Approval

A modification of an approval includes amendments to the staff report with new findings, possibly new conditions and a new appeal period. Any appeals shall be limited to the amended part of the decision and not jeopardize the original decision. Zoning approval will only be given when the fee has been paid in full. The cost of the recording will be the deposit. The remaining fee will be the actual staff time and notification costs based on the average hourly rate of the Senior Planner and two Associate Planners. This is then multiplied by two which the same as the other fees to help cover overhead costs. This number will be established on the day the current fee schedule becomes effective.

Pre-Application Conference

A pre-application conference shall be required for all applications the director determines to be complex enough to require it. This shall include but not be limited to subdivisions, planned unit developments, and reviews that involve numerous departments and agencies. \$100 will be applied toward the cost of the land use application if it is submitted within 90 days of the date of the pre-application conference.

Appeal

Appeal of an Administrative Decision: This \$250 fee is established by ORS 215.416(11)(b).

Outstanding Appeal Fees

Any person wishing to appeal any decision shall be required to pay all outstanding appeal fees prior to their appeal application being considered complete.

Road Naming/Re-Addressing

-If a road is named as the result of a specific development all development along that road shall receive a new address for consistency with the county addressing/emergency service system.

-The cost of changing the addresses shall be the responsibility of the applicant making the request and not individual property owners.

-The full fee shall be charged for the new address associated with the application. Half fees shall be charged for all other properties being re-addressed.

Interior Subdivision Lot Line Vacation:

ORS 368.351(2) allows the Board of County Court Commissioners to vacate internal subdivision lot lines without a formal replat process subject to the other requirements of ORS 368.326 to 368.366. This was passed during the 2006 legislative session.

Complex Projects

Certain projects require significantly more resources of the county to review than other projects. Examples include, but are not limited to energy facilities, state or federal facilities, large scale developments, and projects with regional impact.

These projects involve more resources of the Planning Department and other County departments due to their complexity and their overall impacts on the community and may require the hiring of outside assistance. The demands placed upon the Planning Department in effect jeopardize the ability of the Department to meet other obligations such as processing local applications and completing routine planning activities.

For these time-consuming and large-scale projects that require excessive departmental resources to review, the County may require the applicant to sign a memorandum of agreement to compensate the county for actual costs incurred to complete the review of a project and process an application in a timely manner. The agreement shall include details with regards to deposit and the scheduling of payments. Funds obtained through the memorandum of agreement may provide a means for the county to retain extra temporary personnel, or to cover other personnel, administrative, travel, or materials costs.

Therefore, if it is determined by the Planning Director at the time of initial application or at any time during the application process, that staff time and departmental costs to process a specific land use application will be greater than that of other similar applications, the County may require an applicant to enter into a memorandum of agreement with the county which would establish a fee based upon the actual staff time and departmental costs.

If an applicant refuses to enter into a memorandum of agreement or if the applicant and the county fail to reach an agreement, the application will not be processed.

The full fee shall be paid prior to receiving zoning approval on any building permit application or the commencement of any development. The cost of the recording will be the deposit. The remaining fee will be based on the memorandum of agreement.

Fee Waivers (only applicable to Planning Department fees)

PLEASE NOTE: This waiver is applicable to Planning Department fees only. All "Other Departmental Fees" must be paid in full at the time of submittal.

-Ministerial Sign off with Administrative Review land use application

If an applicant pays for and receives approval of Type II (Administrative/Discretionary) review, all ministerial sign offs associated with that review shall be waived. This includes Building Permit Application, Manufactured Home Placement Permit Application, Agricultural Exempt Permit Application, Land Use Compatibility Statement, Water Rights Application, and Department of State Lands Permit Application.

-List of Organizations that have general Planning Department fee waiver (does not include plat recording fees or fees for other county departments):

Wasco County Departments
Cities within Wasco County
Fire Districts
School Districts
Water Districts
Health Districts
Irrigation Districts
Mid Columbia Council of Governments
Mid Columbia Economic Development Department
Columbia Gorge Community College
Northern Wasco Parks & Recreation District
Soil and Water Conservation District
Natural Resource Conservation Service
Southern Wasco County Ambulance Service
Habitat for Humanity
?????????

-All others

Any individual may request a waiver from the Board of County Court Commissioners of any Planning application or appeal fees. Please note that waivers must be approved by the Board of County Court Commissioners prior to submittal of an application or appeal. If not approved in advance, an individual must pay the established fee, which the Planning Department will hold until the County Court acts on the waiver request. An application or appeal is cannot be accepted deemed complete until a waiver has been granted or fees have been paid.

Refunds

If appellant prevails at Planning Commission or Board of County Court Commissioners, the \$250 fee for the initial appeal shall be refunded pursuant to ORS 215.416(11)(b).

If an application or appeal is withdrawn prior to a final decision, the appellant or applicant shall be refunded any money that has not been spent by the County. The amount spent by the County shall be based on the staff hours and material costs expended as of the date the application or appeal is withdrawn. The hourly rate for staff hours shall be calculated in the same manner as "Modifications of Approval" above.

Other Departmental Charges

Where possible, other departmental fees associated with land use reviews are charged at the time the application is submitted to the Planning Department to minimize submitting fees to separate departments. Descriptions of these fees are included below.

NOD

This fee is added to all reviews that require the filing of a Notice of Decision with the Clerk's Office. The fee is derived from the County's Fee Schedule and is based on the filing costs associated with the average number of Notice of Decision pages and the GIS fee.

Filing Plats

The Surveyor and Assessor/Tax Collector fees are based are established in the Wasco County's Fee Schedule and are single fees associated with new plats. The Clerk's fee is also derived from the County's Fee Schedule but is based on the filing and copying of the average number of plat pages.

WASCO COUNTY PLANNING
AND DEVELOPMENT
Todd R. Cornett, Director
2705 East Second Street
The Dalles, Oregon 97058



Phone: (541) 506-2560
Fax: (541) 506-2561
WWW.CO.WASCO.ORG

PLASAR-10-04-0006

REQUEST FOR FEE WAIVER

Date Submitted:

Applicant/Owner Information:

Applicant(s) Paul & Jennifer Coto Property Owner(s) Jennifer Coto

Mailing Address 1845 STATE RD

Mailing Address 1845 STATE RD

MOSSIE OR 97041

MOSSIE OR 97040

Phone (H) 425-274-1856 (W)

Phone (H) 541-578-0029 (W)

Email PS.Coto1@gmail.com

Email JRCoto1@gmail.com

Explanation For Fee Waiver Request (Please give complete detailed explanation):

WAIVE PENALTY FEE ON PLAN.

(To be completed by Planning and Development Office)

Fee Structure:

APPLICATION TYPE	TOTAL FEE	OTHER FEES	WAIVABLE PLANNING FEES	
			PLANNING FEE	PENALTY FEE
Scenic Area Review	\$ 2071.00	\$ 71.00	\$ 1,000.00	\$ 1,000.00
TUP	\$ 250.00	—	\$ 250.00	—
Total Land Use Review	\$ 2321.00			

Other Information:

Fees Verified by:

Brenda Hays
Planners Signature

(To be completed by Executive Assistant to the Board of County Commissioners)

TOTAL WAIVED FEES:

\$ 1,000

TOTAL FEES NOT WAIVED:

\$ 1,321

Board of County Commissioners Authority signature _____



May 5, 2010

To: Wasco County Board of Commissioners

From: Marty Matherly
Wasco County Roadmaster

2705 EAST 2ND STREET
THE DALLES, OR 97058-4097

541-506-2640
FAX-506-2641

Re: Kelly Springs Rockpit
5S 11E Section 35, TL 800

Timber Cruise:

Currently : Net = 107,000 Board Feet
Gross = 114,000 Board Feet

20 year est.: Net = 139,000 Board Feet
Gross = 148,000 Board Feet

*Growth was based on 1.5% growth/year. Growth is slow because of heavy overstocking. If treated, growth should be more than 1.5% per year.

*Recommendation was basically a forest plan for this parcel.

Proposed Agreement:

Wasco County: * Use of radio tower site, rent free for 25 years.

*Resource Management, reforestation, fire management and healthier timber stand.

*No interference with rockpit operations.

Ken Thomas: *Harvest 5,000 board feet/year/25years.

*Harvest amount is cumulative and can be used in part or whole anytime during the term of this agreement.

Recommendation:

After today's discussions, prepare a modified agreement. If the county and Mr. Thomas agree with the modifications, we execute an Agreement.

JEROME NATURAL RESOURCE CONSULTANTS

Irene K. Jerome, Forester
408 SE Hillcrest Rd.
John Day, OR 97845
Home Ph: (541) 575-2210
Cell Ph: (541) 620-4466
ijerome@centurytel.net

23 April 2010

Marty Matherly
Wasco County Roadmaster
2705 E 2nd St
The Dalles, OR 97058

Re: Kelly Springs Timber Cruise

Dear Marty,

I have completed and processed the timber cruise on the 40 acre parcel that Wasco County Road Department owns in the Kelly Springs area of southern Wasco County. The net standing volume on the parcel is 107,000 board feet (107 mbf) and the gross volume is 114 mbf.

The timber cruising method was by variable plot sampling with a relaskop. Basal area factors of 5, 10 and 20 were used as dictated by the number of trees on the plot being sampled. All plots were cruised at 100% due to the number of plots that had no trees. The 1/16th corner and the section corner were located on the south side of the tract and used as controls for the property lines. Trees sampled were a minimum of 8 inches in diameter at breast height (dbh) and would make a log that was 16 feet long with a top diameter of 6 inches. This is a general standard in the industry for eastern Oregon wood products. A grid of 40 plots was established and lines were run on an east to west basis.

The volume per acre is slightly lower than Ken Thomas estimated and I would speculate that this is due to the larger than anticipated number of acres that are not timbered, either due to the rock pits or scabland. Conservatively, the forest volume on this parcel will increase at a rate of approximately 1% to 2% per year based on the site productivity of the particular area in question. This estimate is based on *Yield of Even-Aged Stands of Ponderosa Pine* by Walter H. Meyer, Technical Bulletin No. 630, USDA Forest Service. Selective thinning and cleaning out the understory at this time will increase growth rates significantly. Nonetheless if an average of 1.5% volume growth per year is projected, in 20 years the gross volume would equal approximately 148 mbf and the net volume would equal approximately 139 mbf.

As I indicated to you in an email, this stand would benefit greatly from the treatments proposed by Ken Thomas. Operationally this is not an easy project and the potential cost-share contribution from Oregon Department of Forestry will be essential for economic

feasibility. Presently the area is a fire hazard and the timber stands are in a state of declining health due to the heavy overstocking and subsequent competition for resources. These timber stands are growing on an area of very low site productivity, due to the shallow rocky soils, and they will continue to decline if stocking levels are not reduced. I bored a couple of trees to determine growth rates and found that in the densely timbered areas trees are growing about an inch in diameter every twenty years, which is very slow and not desirable for a healthy stand. Ideally, trees should grow 2 to 3 inches in diameter per decade to be healthy and vigorous and to repel insects and diseases.

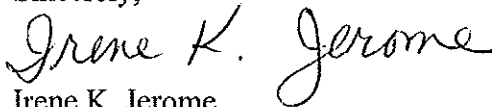
On another note, this is a very interesting area ecologically. The parcel has far more value for wildlife and riparian resources (and of course as a rock source!) than it does for timber growth. The mixture of incense cedar, Oregon white oak, and aspen stands provides for a very unique locale. Based on that, I would make the following silvicultural recommendations for the tract:

- Commercially and precommercially thin the forested areas leaving healthy, vigorous ponderosa pine and Douglas-fir.
- Leave all incense cedar to the extent possible.
- Remove all conifers from and around the aspen stands as conifers will encroach and eventually crowd out aspen. Aspen stands in the western United States have decreased dramatically from historic levels.
- Remove conifers from and around the edges of the open areas that contain Oregon white oak as these sites are also being encroached on and crowded out by conifers. These oak woodlands also provide a unique habitat that is vanishing for a variety of wildlife species that depend on them.

Ecosystems in these drier inland sites were historically maintained by frequent low intensity wildfire. Fire suppression has brought about a large shift in species, growth and composition and, ironically, greatly increased the potential for wildfire that is damaging.

I enjoyed this project immensely and I apologize for taking so long to complete the cruise. Please let me know if you have any questions or if I can be of further assistance to Wasco County.

Sincerely,

A handwritten signature in cursive script that reads "Irene K. Jerome". The signature is written in dark ink and is positioned above the printed name and title.

Irene K. Jerome
Forester

cc: Ken Thomas

TC PLOGSTVB
Ken Thomas

Log Stock Table - MBF

T05S R11E S35 Ty0001 40.00

Project: **ROCKPITS**
Acres **40.00**

Page **1**
Date **4/23/2010**
Time **7:42:37PM**

Spp	S T	So rt	Gr de	Log Len	Gross MBF	Def %	Net MBF	% Spc	Net Volume by Scaling Diameter in Inches											
									2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-19	20-23	24-29	30-39	40+
DF		PW	4M	16	57	2.0	56	62.5			5	8	19	11	7	7				
DF		PW	4M	17	1		1	1.4			1									
DF		PW	4M	18	5	9.8	5	5.4			0		2	2						
DF		PW	4M	20	3	17.7	2	2.5			0		0	2						
DF		PW	4M	21	0		0	.3			0									
DF		PW	4M	22	1		1	1.0			1									
DF		PW	4M	23	2		2	1.9			2									
DF		PW	4M	24	7	22.5	5	5.9			1	1	3							
DF		PW	4M	25	1		1	.9			1									
DF		PW	4M	27	2		2	1.7			2									
DF		PW	4M	28	1	10.9	0	.5			0									
DF		PW	4M	30	3		3	3.1			3									
DF		PW	4M	32	11	11.5	10	11.0			2	2	6							
DF		PW	4M	40	2	30.8	2	1.8				2								
DF		Totals			96	6.0	90	83.5			19	12	30	15	7	7				
IC		ML	ML	14	1		1	47.4			1									
IC		ML	ML	16	1		1	37.9			0			0						
IC		ML	ML	26	0		0	14.6			0									
IC		Totals			1		1	1.3			1			0						
PP		ML	ML	12	0		0	1.3						0						
PP		ML	ML	15	1		1	4.3				1								
PP		ML	ML	16	11		10	64.2				0	2	5	1	2				
PP		ML	ML	20	2	41.4	1	6.8					1	1						
PP		ML	ML	22	0		0	2.3				0								
PP		ML	ML	25	1		1	7.4				1								
PP		ML	ML	32	2		2	13.8						2						
PP		Totals			17	4.9	16	15.2				3	2	8	1	2				
Total		All Species			114	5.8	107	100.0			20	15	32	24	8	8				

TC PSPCSTOR
Ken Thomas

Species, Sort Grade - Board Foot Volumes (Project)

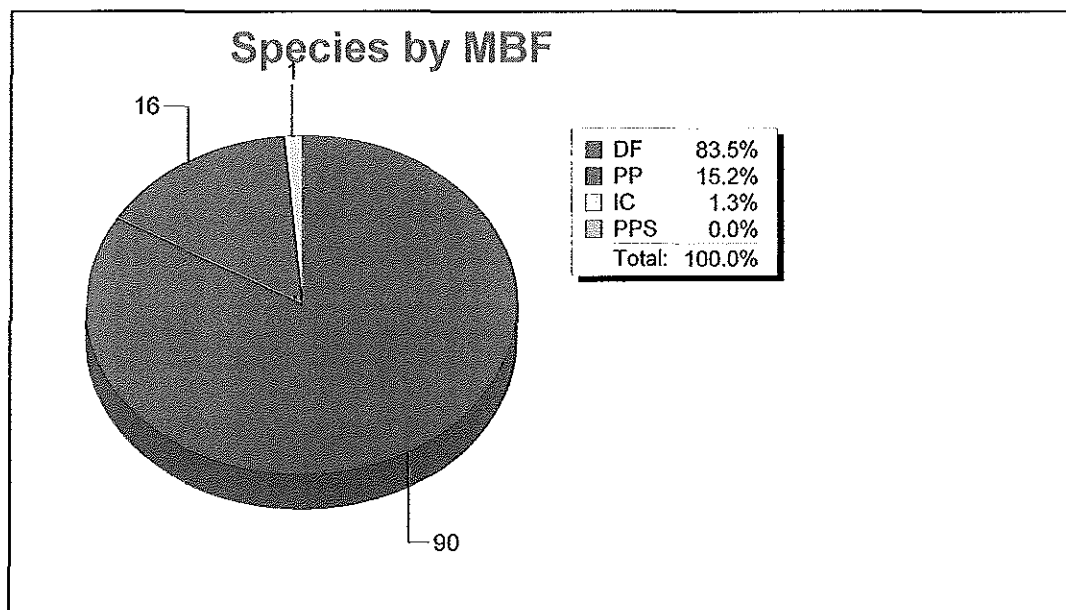
T05S R11E S35 Ty0001 40.00

Project: ROCKPITS
Acres 40.00

Page 1
Date 4/23/2010
Time 7:44:12PM

Spp	So Gr T rt ad	% Net BdFt	Bd. Ft. per Acre Def% Gross Net			Total Net MBF	Percent of Net Board Foot Volume								Average Log			Logs Per /Acre	
							Log Scale Dia.				Log Length				Ln Ft	Bd Ft	CF/ Lf		
							4-5	6-11	12-16	17+	12-20	21-30	31-35	36-99					
DF	CUPW															15		0.00	.2
DF	PW4M	100	6.0	2,389	2,245	90		68	29	3		72	15	11	2	18	45	0.67	49.4
DF	Totals	84	6.0	2,389	2,245	90		68	29	3		72	15	11	2	18	45	0.66	49.7
IC	MLML	100		34	34	1		70	30			85	15			16	29	0.61	1.2
IC	Totals	1		34	34	1		70	30			85	15			16	29	0.61	1.2
PP	MLML	100	4.9	429	408	16		32	57	11		77	10	14		16	63	0.91	6.5
PP	Totals	15	4.9	429	408	16		32	57	11		77	10	14		16	63	0.91	6.5
Totals			5.8	2,852	2,687	107		63	33	4		73	15	11	1	17	47	0.69	57.3

TC PSPCLOGV Ken Thomas		Species Summary - Logs and Volumes				
T05S R11E S35 Ty0001 40.0		Project Acres	ROCKPITS 40.00	Page No Date: Time	1 4/23/2010 7:45:56PM	
Species	S T	Total Number Logs	Total Gross Cunits	Total Net Cunits	Total Gross MBF	Total Net MBF
DOUG FIR		1,986	233	233	96	90
PONDEROS		259	37	38	17	16
INC CED		48	5	5	1	1
Totals		2,294	275	275	114	107
Average Per Acre =		57.34	6.87	6.87	2.852	2.687
Average Log Size =			12	12	50	47



TC PSTATS		PROJECT STATISTICS							PAGE 1			
Ken Thomas		PROJECT			ROCKPITS				DATE 4/23/2010			
TWP	RGE	SC	TRACT	TYPE		ACRES	PLOTS	TREES	CuFt	BdFt		
05S	11E	35	KELLY	0001		40.00	40	101	S	E		
			PLOTS	TREES	TREES PER PLOT	ESTIMATED TOTAL TREES	PERCENT SAMPLE TREES					
TOTAL			40	101	2.5							
CRUISE			25	101	4.0	1,555	6.5					
DBH COUNT												
REFOREST												
COUNT												
BLANKS			15									
100 %												
STAND SUMMARY												
SAMPLE TREES			TREES /ACRE	AVG DBH	BOLE LEN	REL DEN	BASAL AREA	GROSS BF/AC	NET BF/AC	GROSS CF/AC	NET CF/AC	
DOUG FIR			83	33.1	14.6	36	10	38.5	2,389	2,245	581	581
PONDEROS			13	3.9	17.1	41		6.2	429	408	94	94
INC CED			4	1.4	13.3	22		1.4	34	34	11	11
PONDEROS			1	.5	14.0	20		.5				
TOTAL			101	38.9	14.8	36		46.6	2,852	2,687	687	687
CONFIDENCE LIMITS OF THE SAMPLE												
68.1 TIMES OUT OF 100 THE VOLUME WILL BE WITHIN THE SAMPLE ERROR												
CL	68.1	COEFF		SAMPLE TREES - BF			# OF TREES REQ.		INF. POP.			
SD:	1.0	VAR.%	S.E.%	LOW	AVG	HIGH	5	10	15			
DOUG FIR		89.3	9.8	78	87	95						
PONDEROS		83.8	24.2	96	127	158						
INC CED		108.0	61.7	15	40	65						
PONDEROS												
TOTAL		91.8	9.1	81	89	97	337	84	37			
CL	68.1	COEFF		SAMPLE TREES - CF			# OF TREES REQ.		INF. POP.			
SD:	1.0	VAR.%	S.E.%	LOW	AVG	HIGH	5	10	15			
DOUG FIR		72.7	8.0	20	22	23						
PONDEROS		65.5	18.9	23	29	34						
INC CED		94.5	54.0	7	15	23						
PONDEROS												
TOTAL		73.6	7.3	20	22	24	216	54	24			
CL	68.1	COEFF		TREES/ACRE			# OF PLOTS REQ.		INF. POP.			
SD:	1.0	VAR.%	S.E.%	LOW	AVG	HIGH	5	10	15			
DOUG FIR		125.3	19.8	27	33	40						
PONDEROS		243.6	38.5	2	4	5						
INC CED		393.5	62.2	1	1	2						
PONDEROS		632.5	99.9	0	0	1						
TOTAL		120.8	19.1	31	39	46	583	146	65			
CL	68.1	COEFF		BASAL AREA/ACRE			# OF PLOTS REQ.		INF. POP.			
SD:	1.0	VAR.%	S.E.%	LOW	AVG	HIGH	5	10	15			
DOUG FIR		125.2	19.8	31	38	46						
PONDEROS		232.6	36.7	4	6	9						
INC CED		328.2	51.8	1	1	2						
PONDEROS		632.5	99.9	0	1	1						
TOTAL		118.8	18.8	38	47	55	563	141	63			
CL	68.1	COEFF		NET BF/ACRE			# OF PLOTS REQ.		INF. POP.			
SD:	1.0	VAR.%	S.E.%	LOW	AVG	HIGH	5	10	15			
DOUG FIR		149.2	23.6	1,716	2,245	2,774						
PONDEROS		230.5	36.4	259	408	557						
INC CED		387.1	61.2	13	34	55						
PONDEROS												
TOTAL		138.1	21.8	2,101	2,687	3,273	761	190	85			

TC PSTATS
Ken Thomas

PROJECT STATISTICS
PROJECT ROCKPITS

PAGE 4
DATE 4/23/2010

TWP	RGE	SC	TRACT	TYPE	ACRES	PLOTS	TREES	CuFt	BdFt
05S	11E	35	KELLY	0001	40.00	40	101	S	E

CL	68.1	COEFF		NET CUFT FT/ACRE			# OF PLOTS REQ.		INF. POP.
		VAR.%	S.E.%	LOW	AVG	HIGH	5	10	
SD:	1.0								15
DOUG FIR		151.2	23.9	442	581	720			
PONDEROS		217.4	34.3	62	94	126			
INC CED		360.1	56.9	5	11	18			
PONDEROS									
TOTAL		<i>138.4</i>	<i>21.9</i>	<i>537</i>	<i>687</i>	<i>837</i>	<i>765</i>	<i>191</i>	<i>85</i>

TC PSTNDSUM		Stand Table Summary											Page 1		
Ken Thomas													Date: 4/23/2010		
T05S R11E S35 Ty0001 40.00					Project ROCKPITS					Time: 7:50:13PM					
					Acres 40.00					Grown Year:					
S Spec. T	Sample		Tot		Trees/ Acre	BA/ Acre	Logs Acre	Average Log		Tons/ Acre	Net Cu.Ft. Acre	Net Bd.Ft. Acre	Totals		
	DBH	Trees	FF 16'	Av Ht				Net Cu.Ft.	Net Bd.Ft.				Tons	Cunits	MBF
DF	9	4	75	35	2.984	1.32	1.33	5.1	20.0	.19	7	27	8	3	1
DF	10	2	81	24	1.023	.56	1.02	6.5	30.0	.19	7	31	8	3	1
DF	11	6	75	40	3.917	2.59	3.49	8.8	29.3	.87	31	102	35	12	4
DF	12	7	81	46	2.905	2.28	4.29	6.1	22.4	.75	26	96	30	10	4
DF	13	2	77	45	.453	.42	.42	8.2	25.0	.10	3	11	4	1	0
DF	14	5	79	36	2.271	2.37	2.95	11.1	37.0	.94	33	109	37	13	4
DF	15	15	79	49	6.772	8.31	13.46	9.8	40.8	3.76	132	549	151	53	22
DF	16	15	78	48	5.702	7.91	9.55	12.2	44.9	3.31	116	428	133	47	17
DF	17	6	81	52	2.285	3.60	3.30	15.2	45.3	1.43	50	150	57	20	6
DF	18	12	80	53	3.073	5.36	5.96	14.9	61.4	2.53	89	366	101	35	15
DF	19	3	80	52	.694	1.37	1.19	23.8	68.3	.81	28	81	32	11	3
DF	20	3	89	70	.431	.94	1.22	19.6	108.3	.68	24	132	27	10	5
DF	21	1	81	60	.155	.37	.31	27.9	125.0	.25	9	39	10	3	2
DF	22	1	85	73	.131	.35	.39	22.6	106.7	.25	9	42	10	4	2
DF	23	1	81	69	.258	.74	.77	23.2	106.7	.51	18	82	20	7	3
DF	Totals	83	79	46	33.055	38.49	49.66	11.7	45.2	16.57	581	2,245	663	233	90
PP	13	1	85	38	.188	.17	.19	12.5	50.0	.06	2	9	2	1	0
PP	15	1	80	49	.318	.39	.64	8.9	20.0	.14	6	13	5	2	1
PP	16	1	69	30	.731	1.02									
PP	17	4	80	53	1.726	2.67	3.70	12.4	50.3	1.10	46	186	44	18	7
PP	18	3	79	50	.452	.80	.57	18.8	79.2	.26	11	45	10	4	2
PP	20	2	86	56	.232	.51	.62	15.0	76.3	.22	9	47	9	4	2
PP	22	1	86	88	.256	.68	.77	26.0	140.0	.48	20	108	19	8	4
PP	Totals	13	79	50	3.904	6.24	6.48	14.5	63.0	2.25	94	408	90	38	16
IC	10	1	74	18	.815	.44	.81	5.7	20.0	.10	5	16	4	2	1
IC	16	1	69	29	.365	.51									
IC	17	1	78	42	.130	.21	.26	13.4	50.0	.08	3	13	3	1	1
IC	18	1	75	35	.126	.22	.13	26.4	40.0	.07	3	5	3	1	0
IC	Totals	4	73	24	1.436	1.38	1.20	9.5	28.6	.26	11	34	10	5	1
PPS	14	1	70	23	.477	.51									
PPS	Totals	1	70	23	.477	.51									
Totals		101	78	45	38.872	46.61	57.34	12.0	46.9	19.08	687	2,687	763	275	107

**WASCO COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
May 5, 2010**

CONSENT CALENDAR

1. 2009 Fund Exchange Agreement between the Oregon Department of Transportation and Wasco County.

Keith A. Mobley

Lawyer

E-Mail: mobley@ortelco.net

By Appointment Only

P.O. Box 537

Dufur, OR 97021

Telephone: (541) 993-2086

Facsimile (541) 467-2248

May 3, 2010

Board of County Commissioners
511 Washington St, Ste 302
The Dalles, OR 97058

Re: Formation of Tygh Valley Fire Protection District

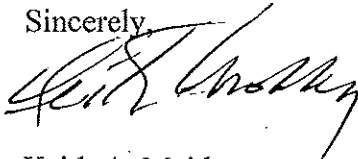
Dear Commissioners:

As I believe you know, Terry Stark and other Tygh Valley community leaders are asking for your assistance in the formation of a rural fire protection district. They have been working with Dan Boldt and Tycho Granville on the preparation of a legal description and map for the proposed district, and that work is now completed.

It appears we are now ready to begin the process allowed by ORS 198.835 – 198.845. The organizers are not asking for the establishment of a tax base, so this should be a relatively quick and easy process. Please let me know if you would like to schedule a meeting in Tygh Valley, as you did for the Wamic Rural Fire Protection District formation process.

If we receive an expression of your willingness to proceed under the statutes set forth above, I will prepare a draft form of order in accordance with the requirements of ORS 198.835, and of the form of notice required by ORS 198.840.

Sincerely,



Keith A. Mobley

Encl.

c: Terry Stark (via e-mail)



May 3, 2010

2705 EAST 2ND STREET
THE DALLES, OR 97058-4097

To: Wasco County Commissioners

541-506-2640

FAX-506-2641

From: Wasco County Public Works

Re: Authorization to purchase one Brush Chipper utilizing a bid from Skamania County

Findings:

The following is provided from Section 22: (Cooperative Procurement Exemptions) of the Wasco County Public Contracting Regulations:

"Cooperative procurement" means a procurement conducted on behalf of more than one governmental body. "Cooperative procurement" includes but is not limited to multiagency contracts and price agreements.

1) As provided by ORS 279A.200 to 279A.225, cooperative procurements may be made without competitive solicitation.

2) A contracting agency may participate in, sponsor, conduct or administer a cooperative procurement of any goods, services or public improvements.

3) Each type of cooperative procurement has standards and criteria that a contracting agency must meet before utilizing. The validity of any cooperative procurement shall be determined by the contracting agency before establishing a contract or price agreement.

For Wasco County to utilize this type of "Cooperative procurement", the following conditions must be met:

The administering contracting agency's solicitation and award process for the original contract is an open and impartial competitive process and uses source selection methods substantially equivalent to those used by the other contracting agency.

Skamania County sent out an Invitation to Bid for a brush chipper and the bid was advertised for two weeks. The sealed bids were received, opened and declared aloud during a regular session of the Commission. This process is open and impartial and the method of solicitation and bid award are identical to the method Wasco County uses.

The administering contracting agency's solicitation and the original contract allow other contracting agencies to establish contracts or price agreements under the terms, conditions and prices of the original contract.

Skamania County's solicitation and contract contains language allowing other government agencies to utilize their bid per the Revised Code of Washington - RCW 39.34 - Interlocal Cooperation Act.

Attached is the authorization letter from the Skamania County Board of Commissioners allowing Wasco County to utilize their bid.

The contractor agrees to extend the terms, conditions and prices of the original contract to the purchasing contracting agency.

Vermeer has agreed to extend the terms, conditions and price for the brush chipper to Wasco County. See attached letter from Dan Brown of Vermeer Pacific.

Based on the above listed findings, Wasco County Public Works is requesting the authorization to utilize a "Cooperative Procurement Exemption" to piggyback the bid from Skamania County and purchase one Brush Chipper.

Arthur SO



**SKAMANIA COUNTY
BOARD OF COMMISSIONERS**

Skamania County Courthouse
Post Office Box 790
Stevenson, Washington 98648

(509) 427-3700 FAX: (509) 427-3708
TDD Relay Service (800) 833-6388

PAUL J. PEARCE
District 1

JIM RICHARDSON
District 2

JAMIE TOLFREE
District 3

April 6, 2010

Wasco County Public Works
Arthur Smith, Project Manager
2705 East 2nd Street
The Dalles, OR 97058-4097

Re: Interlocal Cooperation Act – Authorization to Purchase

Dear Mr. Smith:

On April 6, 2010, Skamania County Board of Commissioners authorized the Wasco County to utilize Skamania County's bid results for the purchase of a Brush Chipper, as allowed under RCW 39.34.010 of the Interlocal Cooperation Act. Bid results and additional information may be obtained from Larry Douglass, Skamania County Public Works Director.

Sincerely,


Jamie Tolfree, Chair
Skamania County Board of Commissioners



Vermeer Pacific
Portland, OR 97211
(503) 282-0694 • Fax (503) 281-8601
www.vermeerpacific.com

Wasco County Public Works
2705 East Second St
The Dalles, OR 97058

Dear Mr. Don Uhalde,

I have reviewed the recent Vermeer BC1200XL Brush Chipper bid purchase awarded to Vermeer Northwest by Skamania County Department of Public Works for the price of \$40,008.

I have made the decision that Wasco County Public Works may enter into an agreement with my dealership (Vermeer Pacific, 7640 NE 33rd Dr, Portland, OR 97211) from this resulting contract for a new Vermeer BC1200xl Brush Chipper for the same price of \$40,008.

We comply with all key equipment features and specifications noted in the Skamania County bid document. The Vermeer BC1200xl Brush Chipper you will be purchasing from my dealership is identical in every feature and specification to the unit Skamania County acquired.

I currently have one BC1200xl unit in stock available for delivery. Assuming you proceed quickly, the unit listed below is the chipper you will be receiving. Once I have confirmation of purchase from you (Purchase Order), I can deliver the equipment with in 7 days. If for some reason the unit described below is sold prior to me receiving a PO from you, the delivery date will be within 60 days and the serial number listed below will not be the same. The equipment will be the same in every other aspect.

Vermeer BC1200xl Description:

Year: 2010

Serial Number: 1VR7141Y0A1000213

Engine: 110HP Cummins Tier III Diesel

Capacity: This unit is capable of chipping up to 12" diameter material

Please call me if you have any questions or need more information.

Sincerely,

Dan Brown
Vermeer Pacific
541-954-0818 cell



Exhibit K

CIRCUIT COURT OF THE STATE OF OREGON
SEVENTH JUDICIAL DISTRICT
GILLIAM, HOOD RIVER, SHERMAN, WASCO, AND WHEELER COUNTIES
309 STATE STREET
HOOD RIVER, OREGON 97031
541-386-3535

April 20, 2010

Wasco County Board of Commissioners
Dan Erickson, Chair
511 Washington St.
The Dalles, OR 97058

Dear Mr. Erickson,

I am writing in regard to the fees collected by the Hood River Circuit Court to fund our court-annexed domestic relations mediation program. It has been a significant period of time since this particular issue has been addressed and with the current state of this fund, I believe our attention is necessary.

The Circuit Courts of the Seventh Judicial District have offered court-annexed domestic relations mediation since 1997. Under our mediation program, parents who are divorcing or legal separating are referred to mediation with a state certified domestic relations mediator. The mediator works to assist the parents in developing a parenting plan outside of a courtroom and on their own schedule. The mediators and parents are allowed 8 hours in which to complete the mediation, more if approved by the court, and often require the use of the full 8 hours to complete. Mediation is also available in purely financial cases.

The mediation program has been very successful. It greatly reduces the financial and emotional costs to the parties. Most importantly, it places parenting decisions in the hands of the people who should be making those decisions: the parents.

The mediators are paid from money collected through a filing fee assessment. The assessment is dedicated to the cost of mediation.

Under ORS 21.112(1)(a), the mediation assessment must be approved "by the governing body of the county." When our program was established, we asked and received approval for a \$100 mediation assessment to be applied to the Petitioners' filing fees. We did not ask for and have not been collecting a mediation assessment from the Respondents.

As reliance on the mediation process has grown, so too have the associated costs. We now need to increase revenues to satisfy the demand. Specifically, we ask that each of our five county governing bodies approve the following mediation assessment schedule:

- 1) \$100 for a Petitioner.

2) \$150 for co-Petitioners. (These are cases where the parties join in the initial filing. The parents still are entitled to mediation services, though they tend to access the service less frequently.)

3) \$100 for a Respondent.

Subject to the approval of the County governing bodies, our plan is to make the new assessment schedule effective as of July 1, 2010.

Your assistance in this matter will be most appreciated. If you have any questions, please feel free to contact me.

Respectfully,



Jenifer Lechuga
Trial Court Administrator
Seventh Judicial District
541-387-6917 – Hood River
541-506-2714 – Wasco
Jenifer.s.lechuga@ojd.state.or.us

21.112 Additional fee for conciliation, mediation and other services and programs in certain domestic relations cases. (1) The clerk of the court shall collect at the time a proceeding described in subsection (4) of this section is filed a fee in an amount determined by the governing body of the county to be necessary in the particular type of case, in addition to any other funds used therefor, to pay the expenses of providing:

- (a) Mediation under ORS 107.755 to 107.795;
- (b) Conciliation services under ORS 107.510 to 107.610;
- (c) Expedited parenting time enforcement under ORS 107.434;
- (d) Education programs under ORS 3.425;
- (e) Investigations, evaluations, examinations and referrals for services under ORS 107.425; and
- (f) Any other program or service to which parties may be referred or that may be ordered by that court, including programs or services established to assist the court or a family in a domestic relations case if the presiding judge for the judicial district has approved the program or service.

(2) Before approving the provision of any program or service under subsection (1)(d) to (f) of this section, the presiding judge shall evaluate:

(a) The need for programs and services described in subsection (1)(a) to (c) of this section and the appropriate level of funding for those programs and services; and

(b) The impact on funding for the programs and services described in subsection (1)(a) to (c) of this section that would result from providing a program or service under subsection (1)(d) to (f) of this section.

(3) The fees provided for in this section are in addition to all other fees that are collected by the clerk at the time the proceeding is filed. Fees collected under this section shall be paid, in the manner determined by the State Court Administrator, to the appropriate officer of the county within the first 25 days of the month following the month in which collected. The fees shall be used by the county to pay the expenses specified in subsection (1) of this section.

(4) The additional fee established by this section shall be collected by the clerk:

(a) In the following proceedings:

(A) Proceedings for dissolution of marriage, annulment of marriage or separation.

(B) Filiation proceedings under ORS 109.124 to 109.230.

(C) Proceedings to determine custody or support of a child under ORS 109.103.

(D) Proceedings for modifications of orders issued under subparagraphs (A) to (C) of this paragraph.

(E) Proceedings under ORS 107.434.

(b) For responses in any of the proceedings listed in paragraph (a) of this subsection. [1963 c.434 §11; 1971 c.280 §20; 1975 c.607 §2; 1979 c.833 §4; 1981 c.835 §1; 1981 s.s. c.3 §70; 1983 c.671 §6; 1983 c.763 §38; 1985 c.412 §1; 1995 c.273 §9; 1997 c.475 §§5,5a; 1999 c.59 §11; 2001 c.394 §1; 2003 c.737 §107]