



WASCO COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
JULY 21, 2010

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

At 9:09 a.m. Chairman Dan Ericksen called the meeting to order.

OPEN TO PUBLIC

There was no one from the public wishing to address the Board.

OPEN TO DEPARTMENTS

Teri Thalhofer, North Central Public Health District Director, noted that the State's budget cuts are not affecting the Health District the way that other departments are being impacted. She does not know the local reductions in HIV Prevention. Across the state there is a reduction of \$126,000 in HIV Prevention dollars and \$126,000 reduction in STD Program dollars. The reduction in the TB Program will mostly be through X-rays and incentives.

Thalhofer noted that Wasco County had our first active TB case recently. The problem with TB funding when you have an active case is the funding follows the following year.

Some discussion occurred on the TB investigation, which is done by the local County.

Chairman Ericksen asked if the number of HIV cases is up or down.

Thalhofer stated as to case management the numbers are up. They see people with poverty issues migrating to Wasco County for the affordable housing. They were probably infected someone else. HIV is considered a chronic disease.

Thalhofer informed the Board that the hospital preparedness program has been in effect since our bioterrorism program was started. The state made the decision to give the money to the Oregon Hospital Association. In our case there is a regional lead agency, Columbia Medical Center. The coordinator is an employee of Mid Columbia Medical Center. There have been issues across the state so the state took a hard look at the program. The Oregon Hospital Association will no longer be the lead agency; it will be moved to the state. It will mean that there should be more local dollars, to be spent on local programming.

Christa Rude, Commission on Children and Families Manager, presented to the Board a handout in regards to state funding reductions, (Attached as Exhibit A). The Wasco County Commission on Children and Families made the decision to take the majority of the reduction of funding out of Healthy Start Program.

Rude went over the handout at this time.

Some discussion occurred.

Rude mentioned that there is the Amendment to the Intergovernmental Agreement with the Oregon Commission on Children and Families on the Board's Consent Calendar. The amendment is in regards to the funding that they will be receiving. Rude noted that the local Commission is taking on the regional funding for the region's Healthy Start Program. There will be no additional support for them.

Rude noted that a recommendation will be forthcoming recommending the appointment of Prudence Amick to the local Commission. Tomorrow evening in Portland the Governor is seeking input on early childhood matters. The Commission will be participating in the back to school bash at The Dalles Middle School. This coming Monday they will finish their parenting class at the First Christian Church for families struggling with addiction.

Paul Ferguson, Information Services Manager, presented to the Board a handout, (Attached as Exhibit B). He noted that the County's contract with Century Link for a five year term has expired. They have a new bundle proposed with significant savings. He is suggesting that we sign up for the new program.

Ferguson went over his handout at this time. He is recommending that the County sign a five year contract with PRI with Century Link and a three year contract with Century Link for long distance service.

Some discussion occurred.

Ferguson noted that the County's average monthly long distance bill in 2009 was \$1,358.

Ferguson stated that he has the PRI Contract that the Board could approve today. The Century Link Contract will be brought back at a later date. The County will be paying a minimum of \$500 per month or \$6,000 per year. We will be charged those rates due to our usage. The savings is estimated at \$771 per month for long distance. The PRI savings is \$175.55 per month.

Ferguson stated that a data plan for 20 employees would cost \$600 per month; 15 employees is \$450 per month.

Some discussion occurred regarding amending the County's Cellular Telephone Policy to allow a data plan allowance.

Chairman Ericksen wants to see the proposed policy or guidelines before the Board would take action on including the data plan allowance under the Cellular Telephone Policy.

Thalhofer stated that she would caution the Board from restricting the data plan stipend just to salary employees because she has an hourly employee who would be required to respond in times of emergency. The Department would flex her time if she needed to respond due to an emergency situation.

Ferguson pointed out that Scott Lufkin, Information Services Tech, is also in that situation.

Further discussion occurred.

Stone noted that he asked Ferguson to put out a formal letter to Department Heads that the County does not accept collect phone calls. Some of the collect calls are coming from NORCOR and some are coming into Circuit Court. He does not have the ability to figure out who is making the calls and why. It will cost the County a couple of bucks per line to block collect calls.

Stone requested that the Board of Commissioners write a letter to our current banker to ask for assistance in receiving funds during the Wasco County Fair. Columbia River Bank use to provide the service. Columbia State who bought out Columbia River Bank will not do it.

Some discussion occurred regarding the request from Stone.

Stone will draft the letter for the Board's signature.

Stone informed the Board that Marty Matherly, Wasco County Roadmaster, will be making a job offer today for the Public Works Office Manager Position. Matherly will be making a request to the Board to authorize him to offer Step 3. The applicant has not

been notified; it is still confidential. The person who will be offered the job is currently making more in their current position.

Commissioner Holliday is interested in discussing this matter.

Stone noted that Hope Vance, Payroll/Human Resource Generalist, is working on setting up the first meeting of the Veterans Service Officer Selection Committee. They are hopeful that they will complete the selection process within the next three to four weeks.

Stone stated that the final design for the Emergency Services Division Demolition and Remodel Project should be finalized this week. This Friday they will have received proposals for the Demolition and Remodel of the Wasco County Clinic Annex B Building Project. Stone expects that Roof Toppers will be on the La Clinica roof within the next two weeks. Hale Construction will be on the project within the next few weeks for the Emergency Services Project.

Some discussion occurred.

The Board recessed at 10:14 a.m.

The Board reconvened at 10:18 a.m.

APPROVAL of Enforcement Actions by the Wasco County Hearing Officers.

Keith Cleveland, Code Compliance Officer, met with the Board to discuss the enforcement actions against Robert and Terrie Bryce. Cleveland noted that Terrie Bryce had indicated a desire to be at the meeting today. Mrs. Bryce was not present however.

Cleveland went over his handout material, (Attached as Exhibit C).

During Cleveland's presentation he noted that the code violation was three manufacture structures on property located on Ketchum Road. He is not sure when the structures were placed on the property.

Cleveland went over the proposed Hearings Officer Order. He noted that he sent them, in writing, the date and time of today's meeting. It is his understanding that they or their brother-in-law placed all structures on the property.

Some discussion occurred.

Cleveland noted that he had several conversations with them over the phone as to the consequences. They were willing to accept those consequences.

{{{Commissioner Lennox moved to approve the Hearings Officer Order #10-093 for Notice of Violation for Robert or Terrie Bryce. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

Todd Cornett, Planning & Development Director, stated that the lien is to insure if the property is sold that the new property owner will know of the illegal use. Wasco County can abate the violation.

Cleveland presented information pertaining to the code violations on property owned by Bridewill Properties, LLC.

Cleveland went over his handout material, (Attached as Exhibit D).

Cleveland went over the proposed Hearings Officer Order and noted the consequences. He discussed with the Board the cap on the lien.

Chairman Ericksen stated that he is beginning to see a possible flaw in our Ordinance. The value of the cap should be the value of the structure or the cost of removal whichever is higher.

Cleveland stated that he would like the minimum to be \$10,000 or up to the value of the structure. He would like to bring this change before the Board.

Some discussion occurred.

Chairman Ericksen asked if the County collects through the lien. Does it imply that the illegal structures will be removed?

Cleveland replied that the County would have to give the new owner a chance; we would follow the procedures under our Ordinance on the new owner.

Commissioner Lennox stated when the property changes ownership there should be no other options. We are giving the benefit of the doubt to property owners. We are putting down the hammer on someone buying the place.

Commissioner Holliday disagreed. She thinks that the enforcement should go on the person that did the violation; let's do it now. Commissioner Holliday stated that this is a hunting cabin.

Cleveland noted that the property owners are not living there, while Dennis James is living in his home.

A lengthy discussion occurred.

Cleveland noted that one property owner that he is working on looked at the consequences and tore the illegal structure down. One lady did not want a lien filed on her property. It is not that the Ordinance is not working; this is just two examples where someone does not want to comply. He is working with 20 to 25 illegal dwellings; several property owners are working on making them legal.

Cornett noted that the Board has the broad authority to do the soft approach or to be aggressive that we are going to tear the structure down. We could change it to make them pay some fines. The Ordinance could be amended.

Chairman Ericksen wondered if we could charge a penalty per year.

Commissioner Lennox felt that was a good idea.

Cleveland felt that raising the cap may help. These property owners did not like the idea; they just did not want to tear the cabin down. They know at some point that the County could have the structure torn down.

Commissioner Holliday does not feel a lien is enough.

Chairman Ericksen stated that we are getting compliance from a lot of people. If we pass this Order we need to carry the message that this is not the end of the enforcement on this property. The Board is still contemplating whether to abate it.

Cleveland stated that abatement by the County is still an option.

Chairman Ericksen stated that the Board is seeing certain deficiencies in our Ordinance and we are contemplating taking different tactics in the future. We may come back and review the process.

Chairman Ericksen wondered if we could put language within the Order stating that the penalty is due and payable upon the transfer of the property so that the seller would have to clear the lien.

Stone felt that the lien would have to be settled at the time the property is transferred.

The Board of Commissioners would like to pursue amending the Wasco County Code Compliance and Nuisance Abatement Ordinance under an emergency adoption.

Chairman Ericksen and Commissioner Holliday would like the penalty to be \$20,000 or the value of the structure.

{{{Commissioner Holliday moved to approve the Hearings Officer Order #10-092 for Notice of Violation for Bridewill Properties LLC Et Al. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

The Board recessed at 11:20 a.m.

The Board reconvened at 11:25 a.m.

Cleveland discussed with the Board the proposed terms of the Agreement with Dennis James as outlined in his handout, (Attached as Exhibit E).

Chairman Ericksen wondered, under Section #7, if James does not comply if the Agreement becomes void.

Cleveland stated if James fails to comply with the terms of the Agreement it will result in the resumption of the code compliance process.

{{{Commissioner Lennox moved to approve the Agreement with Dennis James; said approval is contingent upon getting a legal opinion from County Counsel Eric Nisley in regards to Section #7.}}

Commissioner Holliday requested that we first go over the Options for James' Issue.

Cleveland went over the options at this time. Some discussion occurred.

The motion was seconded by Commissioner Holliday. It was then passed unanimously.}}

The Board briefly discussed the Options for James' Issue handout, (Attached as Exhibit F).

*****It was the consensus of the Board of Commissioners to support Option #3***.**

Chairman Ericksen asked Cleveland to mention to James that it may prompt a reassessment of the property upon the approval of the Agreement.

The Board and Cleveland discussed the handout entitled "Guidelines for Allowing an Illegal Dwelling for a Current Owner", (Attached as Exhibit G).

Cornett stated that these are guidelines; they are not intended to be rigid.

*****It was the consensus of the Board of Commissioners to accept these as guidelines for decisions on illegal dwellings for a current owner***.**

Cleveland stated that the City of Dufur is interested in discussing the County providing code compliance services to the City of Dufur. The Wasco County Code Compliance and Nuisance Abatement Ordinance allow the County to sign an Intergovernmental Agreement with incorporated cities to provide code compliance within a city.

Cornett wanted to be sure that the Board supports this before Cleveland begins working on developing an agreement with the City of Dufur.

Commissioner Lennox stated that he feels it builds consistencies.

Chairman Ericksen stated he feels it is a great opportunity for the County to help these small communities.

Cornett stated that we would need to figure out a fair compensation. We need to be sure that we are not subsidizing them or they are subsidizing us.

Cleveland stated the last issue to be discussed is the Planning & Development Department using double fees when it is a violation. The penalty fee is now a \$500 flat fee, or whichever is less. If the property owner turns themselves in and they did not build the illegal structure it is the Department's position that they will not be charged the penalty fee.

Some discussion occurred.

In closing, Cleveland noted that the Department's webpage now has the ability for online submissions for code violation complaints.

The Board recessed for lunch at 12:05 p.m.

The Board reconvened at 1:23 p.m.

EXECUTIVE SESSION as authorized by ORS 192.660(2)(i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

The Board convened into Executive Session as authorized by ORS 192.660 (2) (i) to review and evaluate the employment-related performance of the Chief Executive Officer of any public body, a public officer, employee or staff member who does not request an open hearing.

At 1:48 p.m. the Board adjourned out of Executive Session and returned to Regular Session.

INTRODUCTION of Barbara Seatter, Executive Director of Mid-Columbia Center for Living.

Barbara Seatter, Mid Columbia Center for Living Executive Director, introduced herself to members of the Board of Commissioners.

Seatter's stated that she began her job on June 1, 2010. She has enjoyed coming to an agency that was managed very well by the prior Director. They have bright staff that is committed to what they are doing. They are eager to have a new leader. She comes from 20 years of working in behavior health services, with 13 years or more in management experience.

Seatter's provided the Board with her education and work history background.

Seatter's stated that she feels Mid Columbia Center for Living is in a good financial situation; they still have some tightening to do. In terms of clinical services; she is impressed with what they provide. They served about 1,600 people last year. More than 50% are folks from The Dalles.

Some discussion occurred regarding budget reductions and the services that will be impacted by those reductions.

Seatter mentioned that she spoke last week with Sheriff Rick Eiesland and Chief of Police Jay Waterbury regarding how they deal with the folks that fall under their watch.

Commissioner Lennox stated that we are very lucky to have Seatter. We had many qualified people apply all over the country. Seatter has experience in the Oregon System.

Seatter stated that she feels lucky as well. She knows a lot of people at the state level. Seatter has actually worked in 11 Counties in Oregon since 1990. At Cascadia she served five Counties.

At 2:06 p.m. the Board reconvened into Executive Session as authorized by ORS 192.660 (2) (i) to review and evaluate the employment-related performance of the Chief Executive Officer of any public body, a public officer, employee or staff member who does not request an open hearing.

At 2:28 p.m. the Board adjourned out of Executive Session and returned to Regular Session.

Chairman Ericksen stated that the Board has approved the Administrative Officer Position and the salary range for said position.

Stone discussed with the Board of Commissioners his role as the Administrative Officer for Wasco County.

The Board discussed the evaluation of Stone. They felt that Stone passed his probationary period, that he should be provided an increase in salary and that he should be removed from probationary status.

{{{Commissioner Lennox moved to take Tyler Stone, Administrative Officer, off of probationary status and to grant Stone an increase in salary to Step 1 of the Administrative Officer Salary Schedule, \$7,500 per month, effective July 1, 2010. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

PRIVATE SALE of property described as Township 1 North, Range 13 East, Section 18A, Tax Lot 200, Reference #16198 to Von E. & Loretta Sidman.

PRIVATE SALE of property described as Township 1 South, Range 16 East, Tax Lot 1600, Reference #16221 to William E. Hammel, Barbara K. Hammel and Marguerite C. Boyd.

Chairman Ericksen stated that he left a phone message with Curtis Baker regarding the property being sold to Von & Loretta Sidman. He never received a phone call back from Baker.

{{{Commissioner Holliday moved to approve Resolution #10-030 in the matter of supporting the transfer of property obtained by Foreclosure and Resolution #10-031 in the matter of supporting the transfer of property obtained by Foreclosure. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

{{{Commissioner Lennox moved to approve Order #10-090 in the matter of the distribution of the proceeds of the County's sale of Tax Foreclosed Property and Order #10-091 in the matter of the distribution of the proceeds of the County's sale of Tax Foreclosed Property. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

{{{Commissioner Holliday moved to approve the Quitclaim Deed between Wasco County and Von E. & Loretta Sidman and the Quitclaim Deed between Wasco County and William E. Hammel, Barbara K. Hammel, and Marguerite C. Boyd. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

CONSIDERATION AND APPROVAL of the Regular Session Consent Calendars of July 21, 2010, (Attached as Exhibit H).

{{{Commissioner Holliday moved to approve the Regular Session Consent Calendar #2 of July 21, 2010 as presented. Commissioner Lennox seconded the motion; it was then passed by a vote of two to zero. Commissioner Holliday and Commissioner Lennox voted yes, while Chairman Ericksen abstained from voting.}}}

{{{Commissioner Lennox moved to approve the Regular Session Consent Calendar #1 of July 21, 2010 as presented. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

{{{Commissioner Holliday moved to approve the Products and Services Agreement between Wasco County and Embarq Solutions, Inc.; said approval is contingent upon legal counsel approval. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

Commissioner Lennox asked the Board for their thoughts on someone getting compensation for retirement when the person is already retired.

Some discussion occurred.

{{{Commissioner Lennox moved to approve the Order #10-099 in the matter of holding a Public Hearing to consider the adoption of an Ordinance designating the Offices of Wasco County Commissioner as Nonpartisan Offices; Referred for the November, 2010, General Election. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

CONSIDERATION of items listed on the Discussion List of July 21, 2010, (Attached as Exhibit I).

Items #2 and #3

{{{Commissioner Holliday moved to rescind the Board's decision of July 7, 2010 in the approval of the Regular Session Minutes of March 17, 2010 and that the Regular Session Minutes of March 17, 2010 be approved as presented. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

Item #5

*****It was the consensus of the Board of Commissioners to support Wasco County providing a contribution towards the cost of hiring a contractor to coordinate the development of the Communities Regional Planning Grant, which would provide more transportation choices, promote equitable, affordable housing, enhance economic competitiveness, support existing communities, coordinate policies and leverage investment, value communities and neighborhoods***.**

The Board signed:

- Order #10-094 in the matter of the appointment of Dean Crofton to the newly created Wasco/Hood River County Veterans Services Advisory Committee.
- Order #10-095 in the matter of the appointment of Kathleen Martin to the newly created Wasco/Hood River County Veterans Services Advisory Committee.
- Order #10-096 in the matter of the appointment of Stephen Lawrence to the newly created Wasco/Hood River County Veterans Services Advisory Committee.
- Order #10-097 in the matter of the appointment of Mary Merrill to the newly created Wasco/Hood River County Veterans Services Advisory Committee.
- Order #10-098 in the matter of the appointment of Allan Morrison to the newly created Wasco/Hood River County Veterans Services Advisory Committee.
- Resolution #10-029 in the matter of achieving Statewide Interoperable Communications for Emergency Responders.
- Order #10-089 in the matter of the cancellation of certain Uncollectible Personal-Property Taxes.
- Wasco County Ambulance Service Area Contract to provide Ambulance Service for the newly created ASA-8 Wamic/Pine Hollow Area between Wasco County Board of Commissioners and Wamic Rural Fire Protection District.
- Wasco County Commission on Children and Families ByLaws.
- Amendment #3 Oregon Commission on Children and Families 2009-2011 County Intergovernmental Agreement WAS0911 between the Oregon Commission on Children and Families and Wasco County.
- Regular Session Minutes of April 7, 2010.
- Intergovernmental Agreement #170-10 for Document Publishing, Processing and Delivery between the Oregon Department of Administrative Services and Wasco County.
- Resolution #10-032 in the matter of approving a Sole-Source Exemption under the Wasco County Public Contract Review Board Rules and Regulations.
- Order #10-099 in the matter of holding a Public Hearing to consider the adoption of an Ordinance designating the Offices of Wasco County Commissioner as Nonpartisan Offices; Referred for the November, 2010, General Election.
- Order #10-090 in the matter of the distribution of the proceeds of the County's sale of Tax Foreclosed Property.

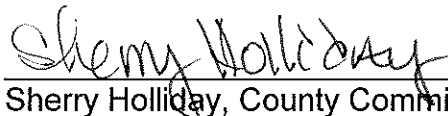
- Order #10-091 in the matter of the distribution of the proceeds of the County's sale of Tax Foreclosed Property.
- Hearings Officer Order #10-092 for Notice of Violation for Bridewill Properties LLC Et Al.
- Hearings Officer Order #10-093 for Notice of Violation for Robert or Terrie Bryce.
- Products and Services Agreement between Embarq Solutions, Inc. and County of Wasco.
- Agreement with Dennis James.
- Quitclaim Deed between Wasco County and Von E. & Loretta Sidman.
- Quitclaim Deed between Wasco County and William E. Hammel, Barbara K. Hammel, and Marguerite C. Boyd.
- Resolution #10-030 in the matter of supporting the transfer of property obtained by Foreclosure.
- Resolution #10-031 in the matter of supporting the transfer of property obtained by Foreclosure.
- Regular Session Minutes of March 17, 2010.

The Board adjourned at 3:26 p.m.

WASCO COUNTY BOARD OF
COUNTY COMMISSIONERS



Dan Ericksen, Chair of Commission



Sherry Holliday, County Commissioner



Bill Lennox, County Commissioner

County

WASCO

Total Reduction \$ 19,498

| Funding Stream | Funded Programming | BIENNIAL Allocation | Biennial Reduction taken in 2010 | Revised Allocation |
|---------------------------|---|---------------------|----------------------------------|--------------------|
| Great Start | Expanded Home Visiting (NDI) | \$ 22,175 | \$ - | |
| Children Youth & Families | DV Advocate @ DHS (HAVEN) | \$ 22,175 | \$ - | |
| BC GF | Staff & Mobilization | \$ 237,143 | \$ 3,498 | |
| HS yr 1 | Healthy Start Program (NDI) | \$ 79,117 | \$ - | |
| HS yr 2 | | \$ 79,117 | \$ 16,000 | |
| Subtotal | | \$ 439,727 | \$ 19,498 | \$ 420,229 |
| JCP | Student Success through Truancy Reduction | \$ 50,000 | \$ - | \$ 50,000 |
| CASA | CASA Program | \$ 32,500 | \$ 1,452 | \$ 31,048 |
| RN GF | | | \$ - | \$ - |
| RHY | | \$ - | \$ - | \$ - |
| CS | | \$ - | \$ - | \$ - |
| | Subtotal | \$ 82,500 | \$ 1,452 | \$ 81,048 |
| | Total | \$ 522,227 | \$ 20,950 | \$ 501,277 |

Exhibit A

Telecommunication Changes Purposed

1. Sign a 5 year term PRI Contract with Centrylink allowing us to Bundle services giving the county a monthly savings of \$127.55 which equals a 5 year term savings of \$7653.00.
2. Switch Long Distance providers form Integra to Centrylink.
 - a. Currently we are paying \$0.06 a minute for long distance through Integra on a month to month basis, this is the best rate they can give us because they are not a local dial tone provider.
 - b. Centrylink has proposed a 3 year term at \$6000 per year or \$500.00 monthly which would is based on the following rates:
 - i. Interstate: \$0.0330/minute
 - ii. Intrastate/Intralata: \$0.0275/minute
 - iii. Intrastate/Interlata: \$0.375/minute \$ 0.0375
 - iv. These rates average out to \$0.03266/minute significantly lower than Integra's \$0.06/minute rate
 - c. This would lower our long distance per-minute charges by almost 50%
3. I purpose using the savings from the PRI bundle and the long distance rate change to pay for the data plan for designated county employees.

HEARINGS OFFICER REVIEW

I. REASON FOR HO REVIEW: Approve fines to be levied

A. LOCATION: 1N 12E 18 1700

B. OWNER: ROBERT AND TERRIE BRYCE

II. ISSUE: 2 storage MH one dwelling MH

III. HISTORY

A. SITE VISIT: observed several structures, rvs

B. IC LETTER SENT: 4/23/09

>spoke with owner; did not want to remove the structures

>wanted to try to permit, said it should be allowed, said they were temp structures

C. NOV SENT: 5/28/09

D. OTC SENT: 6/15/09

E. NFCACP (NOV recorded on deed) SENT: 9/29/09

>spoke with owner, went over consequences: NOV rec, fines, lien, abatement

>dec 16: HOO to rec NOV on deed

f. NFCACP (FINES) SENT: 5/27/10

IV. LEVEL OF CONSEQUENCES: NOV Recorded, fines, lien, county abatement

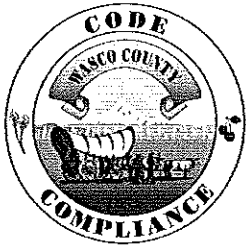
A. PLACED BY CURRENT/PREVIOUS OWNER: current

B. WHEN IT WAS PLACED: not sure

C. USE: occasional, lots of "sprawl"

D. SIZE: 3 MH single wide, 2 are construction type trailers

E. IMPACT: wood stove, septic?, visually VERY evident, junk, rvs



Wasco County Code Compliance

"Working for Our Community"

2705 East Second St., The Dalles, OR 97058
Phone: (541) 506-2564 Fax (541) 506-2561
Website: www.co.wasco.or.us/planning/codepg.html



Public Health
Prevent. Promote. Protect.

HEARINGS OFFICER ORDER #10-093

ROBERT OR TERRIE BRYCE
18160 S. DILLMAN RD
OREGON CITY, OR 97045

RE: CODENF-09-07-0004

This Notice references the use or condition of the following premises: Township 1 North, Range 12 E, Section 18, Tax Lot 1700 located in Wasco County, Oregon, which is in violation of the Wasco County Code Compliance Nuisance Abatement Ordinance¹ due to:

- 1) ILLEGAL DWELLING AND STRUCTURES (WCCCNA Section 2.090.A, B)

The following was affirmed by the Hearings Officers on July 21, 2010:

1. The violation is valid as stated in previous Code Compliance Notices and Orders
2. The penalties assessed including all County charges shall be: \$6,000.00
(3 dwellings/structures at \$2,000)
3. The owner will be responsible to:
 - a. Remedy the violation by August 31, 2010. Failure to remedy the violation can result in a property lien and further enforcement consequences.

Dated this 21st day of July, 2010, at The Dalles, Oregon.

**Wasco County Code Compliance
Hearings Officers**

APPROVED AS TO FORM:

Dan Ericksen, Chair, County Commissioner

Eric J. Nisley
Wasco County District Attorney

Sherry Holliday, County Commissioner

Bill Lennox, Wasco County Commissioner

¹ Access online at: http://co.wasco.or.us/planning/Code_ord.html

HEARINGS OFFICER REVIEW

I. REASON FOR HO REVIEW: Approve fines to be levied

A. LOCATION: 1N 12E 1200

B. OWNER: BRIDEWILL PROPERTIES LLC

II. ISSUE: 28'X30' cabin, no utilities (unverified)

III. HISTORY

A. SITE VISIT: locked gate, no trespassing posted

B. IC LETTER SENT: 10/28/09

>met with owners, explained CC and Planning process

>gave 30 days

>11/23/09: owners contacted me and said they would not be trying to permit, would not take down, would take consequences

C. NOV SENT: 11/23/09

>12/14/10: owner indicated they wanted to speak with a planner about issue

>gave 30 days to work out

D. OTC SENT: 1/19/10

>1/25/10: spoke with owner, they understand that the NOV will be recorded

E. NFCACP (NOV recorded on deed) SENT: 2/9/10

f. NFCACP (FINES) SENT: 5/27/10

IV. LEVEL OF CONSEQUENCES: NOV Recorded, fines, possible lien

A. PLACED BY CURRENT/PREVIOUS OWNER: no

B. WHEN IT WAS PLACED: 3 yrs ago

C. USE: occasional, hunting

D. SIZE: 28x30=840

E. IMPACT: no utilities, wood stove (unverified)



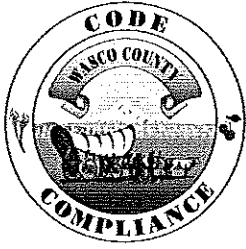
ASARDTR3 PUBLIC DISPLAY ACCOUNT APPRAISAL DISPLAY 6/09/10
 ACCOUNT # 206 1992 OWNER BRIDEWILL PROPERTIES LLC ET AL
 MAP 1N 12E 0 1200 SITUS
 APPR/DATE/YEAR 28 / 4/14/2010 / 1992 INSPECT AREA % 1.00 BASE YEAR 1992
 EXEMPT N ASMT YEAR 1992 PROP CLASS 401 VA 12 MAINT AREA 1 ZONING F280
 OPTIONS X=Select,Z=Ex LAND MARKET IMPROV TOTAL 6,000
 COMMENTS EXIST LAND ASSESSED TOTAL APPRAISAL 6,000

TOTAL EXCEPTIONS = LAND EXC. +

| ? DESCRIPTION | GP# | PHYS | FUNC | MISC | QTY | AREA | %CMP | LCH | CL | TOTAL | D | C | X |
|---------------|-----|------|------|------|------|------|------|------|----|-------|---|---|---|
| GPB | 1 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.05 | 5 | 6000 | | | |

Bottom

F2=Lnd 3=End 13=Com 14=Prt
 F16=Commercial Appraisal



Wasco County Code Compliance

"Working for Our Community"

2705 East Second St., The Dalles, OR 97058
Phone: (541) 506-2564 Fax (541) 506-2561
Website: www.co.wasco.or.us/planning/codepg.html



Public Health
Prevent. Promote. Protect.

HEARINGS OFFICER ORDER #10-092

BRIDEWILL PROPERTIES LLC ET AL
PO BOX 703
KENO, OR 97627

RE: CODENF-09-10-0043

This Notice references the use or condition of the following premises: Township 1 North, Range 12E, Tax Lot 1200 located in Wasco County, Oregon, which is in violation of the Wasco County Code Compliance Nuisance Abatement Ordinance¹ due to:

- 1) ILLEGAL STRUCTURE (WCCNA Section 2.090.B)

The following was affirmed by the Hearings Officers on July 21, 2010:

1. The violation is valid as stated in previous Code Compliance Notices and Orders
2. The penalties assessed including all County charges shall be: \$2000.00
3. The owner will be responsible to:
 - a. Remedy the violation by August 2, 2010 or penalty will accrue daily at a rate of \$2,000 per day up to \$10,000 or to the value of the structure. Failure to pay can result in a property lien and further enforcement consequences.

Dated this 21st day of July, 2010, at The Dalles, Oregon.

**Wasco County Code Compliance
Hearings Officers**

APPROVED AS TO FORM:

Dan Ericksen, Chair, County Commissioner

Eric J. Nisley
Wasco County District Attorney

Sherry Holliday, County Commissioner

Bill Lennox, County Commissioner

¹ Access online at: http://co.wasco.or.us/planning/Code_ord.html

AGREEMENT

This Agreement is made this _____ day of July, 2010, by and between **WASCO COUNTY, OREGON**, (hereinafter referred to as "**COUNTY**") and **DENNIS JAMES**, (hereinafter referred to as "**JAMES**").

WHEREAS, the dwelling and structures on the property described as Township 1 South, Range 13 East, Tax Lot 1200 were illegally created and will remain so until they are removed or land use regulations governing the property have changed to allow the use, a land use application has been submitted by **JAMES** for all of the illegal uses, and the land use application has been approved by Planning and Development Staff.

NOW, THEREFORE, in consideration of the terms, conditions and covenants herein stated, it is agreed as follows:

JAMES agrees to the following:

1. No new structures will be placed, built or erected on the property; and
2. All other code compliance violations are not a part of this Agreement and may be acted on pursuant to the Wasco County Code Compliance and Nuisance Abatement Ordinance (WCCCNAO); and

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3. Only repairs of existing structures will be allowed. No additions or remodels that increase either the footprint or square footage of any structures will be allowed; and
4. Current dwelling and structures must meet all applicable property development standards; and
5. An Oregon Department of Environmental Quality compliant septic system inspected by the North Central Public Health District and maintained to standards; and
6. The Department of Assessment & Taxation will be allowed full access to the property to perform their normal duties; and
7. This Agreement is void when JAMES no longer either:
 - a) Lives on the property for at least nine (9) months per year; **OR**
 - b) Is the sole owner of the property; and
8. When this Agreement is void for any reason, **JAMES** is responsible to remove the dwelling, and permit or remove all structures on the property either before he is no longer the sole owner of the property or within thirty (30) days after he no longer lives on the property for nine (9) months per year; and
9. **JAMES** agrees to indemnify and hold harmless the **COUNTY** from any and all liability, loss or damage the **COUNTY**, **JAMES**, or any other party may suffer as a result of claims, demands, injuries or death, costs or judgments against it arising from the illegal dwelling and/or structures

located on the property described as Township 1 South, Range 13 East,
Tax Lot 1200 or this Agreement.

COUNTY and **JAMES** agrees to the following:

1. That failure of **JAMES** to strictly adhere to the requirements listed in this Agreement will result in the resumption of the code compliance process and any or all punitive measures will be pursued by **COUNTY**; and
2. This Agreement does not "legalize" the structures in any way; and
3. **JAMES** and **COUNTY** acknowledge that the dwelling and structures are in violation, and that **COUNTY** by not pursuing its right to apply all the consequences outlined in the WCCCNAO in no way is admitting or implying that the dwelling and structures are not in violation of the WCCCNAO and the Wasco County Land Use and Development Ordinance (LUDO).

By _____
Dennis James

WASCO COUNTY BOARD OF
COUNTY COMMISSIONERS

By _____
Dan Ericksen, Chairman

APPROVED AS TO FORM:

By _____
Sherry Holliday, Commissioner

Eric J. Nisley, District Attorney

By _____
Bill Lennox, Commissioner

Options for James' Issue

1. File the Notice of Violation on the property deed record and keep the signed agreement with James on file and attached to the property in EDEN
2. File both the Notice of Violation and the signed agreement with James on the deed record
3. Both #1 and #2 and levee a fine up to the value of the illegal structures and lien the property (about \$20,000) When or if the violation is corrected the lien will be removed

Additional:

Taxes: The James dwelling is definitely non-farm so it should pay those rates if not already assessed as such by the Assessor

Planning: a HOLD will be placed on the property halting any further development of the property

GUIDELINES FOR ALLOWING AN ILLEGAL DWELLING FOR A CURRENT OWNER

- I. Must be the primary residence of the owner: if it is a secondary residence (weekend cabin) and it was removed, the owner would still have a place to live.
- II. The use of the land must be consistent with the primary purpose of the zone: such as a farming use in the A1 zone.
- III. The use must be consistent with other lawful uses in the surrounding area.
- IV. Must not represent a potential burden on governmental services.
 - a. adequate road network
 - b. able to be served by fire, sheriff
 - c. utilities, sewage
 - d. school busing
 - e. garbage collection

**WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
July 21, 2010**

CONSENT CALENDAR (1)

1. Order #10-094 in the matter of the appointment of Dean Crofton to the newly created Wasco/Hood River County Veterans Services Advisory Committee.
2. Order #10-095 in the matter of the appointment of Kathleen Martin to the newly created Wasco/Hood River County Veterans Services Advisory Committee.
3. Order #10-096 in the matter of the appointment of Stephen Lawrence to the newly created Wasco/Hood River County Veterans Services Advisory Committee.
4. Order #10-097 in the matter of the appointment of Mary Merrill to the newly created Wasco/Hood River County Veterans Services Advisory Committee.
5. Order #10-098 in the matter of the appointment of Allan Morrison to the newly created Wasco/Hood River County Veterans Services Advisory Committee.
6. Resolution #10-029 in the matter of achieving Statewide Interoperable Communications for Emergency Responders.
7. Order #10-089 in the matter of the cancellation of certain Uncollectible Personal Property Taxes.
8. Wasco County Ambulance Service Area Contract to provide Ambulance Service for the newly created ASA-8 Wamic/Pine Hollow Area between Wasco County Board of Commissioners and Wamic Rural Fire Protection District.
9. Wasco County Commission on Children and Families ByLaws.
10. Amendment #3 Oregon Commission on Children and Families 2009-2011 County Intergovernmental Agreement WAS0911 between the Oregon Commission on Children and Families and Wasco County.
11. Regular Session Minutes of April 7, 2010.
12. Intergovernmental Agreement #170-10 for Document Publishing, Processing and Delivery between the Oregon Department of Administrative Services and Wasco County.
13. Resolution #10-032 in the matter of approving a Sole-Source Exemption under the Wasco County Public Contract Review Board Rules and Regulations.

**WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
July 21, 2010**

CONSENT CALENDAR (2)

1. Special Session Minutes of June 8, 2010.

**WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
July 21, 2010**

DISCUSSION LIST

ACTION AND DISCUSSION ITEMS:

1. Decision on the request from Jay LeRoux for permission to utilize a portion of the County owned property for accessing his home located off of East Fifth Street.
2. Decision to rescind Board's decision of July 7, 2010, to approve the Regular Session of March 17, 2010.
3. Motion to approve the Regular Session Minutes of March 17, 2010 as presented.
4. Discussion on designation of the Office of Wasco County Commissioner as Nonpartisan Offices.
5. Consideration of the opportunity for Wasco County to participate in providing funding assistance to hire a contractor to coordinate the development of the Communities Regional Planning Grant, which would provide more transportation choices, promote equitable, affordable housing, enhance economic competitiveness, support existing communities, coordinate policies and leverage investment, value communities and neighborhoods.

ON HOLD:

1. Discussion on office space for County reorganization.
2. Discussion on Amending Document Approval Policy.
3. Discussion on Model Executive Session News Media Attendance Policy.
4. Discussion on Draft Continuity of Operations Planning Policy.
5. Discussion on establishing an administrative rate for grants.
6. Discussion on dog running at large in public parks.