



WASCO COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR SESSION  
FEBRUARY 15, 2012

PRESENT: Rod L. Runyon, Chair of Commission  
Sherry Holliday, County Commissioner  
Scott C. Hege, County Commissioner  
Tyler Stone, Administrative Officer  
Kathy McBride, Executive Assistant

At 9 a.m. Chairman Rod Runyon called the meeting to order.

**OPEN TO DEPARTMENTS**

COUNTY CLERK'S OFFICE REMODEL

Linda Brown, County Clerk, reminded the Board that they had recently signed a proposal for the remodeling of the County Clerk's office counter and work stations. She explained that upon reflection of the costs, she would like to reduce the scope of the work to include only the counter; going through the budget process for work stations. The new proposal would include the counter with printer stations and cabinets, but no work stations. The adjustment will allow more room in the budget for carpeting, paint and incidentals.

Fred Davis, Facilities Manager, stated that they will soon reach a point in the process for obtaining formal bids. It would not be appropriate to separate the process for flooring and carpeting.

{{{Commissioner Hege moved to rescind the February 1, 2012, approval of the proposal for the counter for clerk's office. Commissioner Holliday seconded the motion which passed unanimously.}}}

{{{Commissioner Hege moved to approve the revised proposal from OM Workspace for the additional printer tables in the amount of \$14,789.72. Commissioner Holliday seconded the motion which passed unanimously.}}}

Mr. Davis reported that work is progressing at the 10<sup>th</sup> Street shop site; they have cleaned up a massive amount of weeds and debris at the site. They have reestablished a fire cutting area to a designated space that is blocked from public view. They have removed growth from the fence line and purchased plastic privacy slats but are finding installation to be challenging – the fence has been stretched and pulled throughout its life. They hope to complete the project in the next two weeks and then will begin to move the Clerk's office to accommodate the remodel.

Commissioner Holliday noted that there are vehicles at that site that are owned by other entities. Mr. Davis responded that those vehicles are still there; there is no written policy for the use of that site. He would be grateful if the Board would address that gap.

WASCO COUNTY COMMISSION ON CHILDREN AND FAMILIES

Scott McKay, Chairman of the Wasco County Commission on Children and Families invited the Board to a joint meeting with them in March to discuss the future role of the WCCCF in light of the legislative changes on the horizon. Mr. McKay expressed the desire of the Commission to open a dialogue to explore what role the Commission might play in the community once the State dismantles their Commission system. He suggested that March 12<sup>th</sup> or 19<sup>th</sup> would be good dates for the proposed meeting.

Further discussion occurred regarding the upcoming legislative changes. Ms. McBride is to make the arrangements regarding the date for the meeting.

**Agenda Modifications – Consent Agenda**

Teri Thalhofer, Public Health Director, will be speaking to the Board regarding the Netsmart contracts; therefore, the Board elected to move it from the Consent agenda to the Discussion List. In addition, Chair Runyon had questions regarding IGA #4659 and asked that it be moved to the Discussion List.

**Discussion List – Netsmart**

Ms. Thalhofer explained that she was originally advised by legal counsel that the IGA only needed the director's approval. The auditor disagreed. To meet the auditor's requirement she is now bringing it to the Board for approval.

**{{{Commissioner Holliday moved to approve the License and Service Agreement as well as the Amendment to the License and Service Agreement with Netsmart. Commissioner Hege seconded the motion.}}}**

Commissioner Hege asked if the County IS Department had reviewed the agreement and amendment. Ms. Thalhofer replied that they have been involved throughout the process and she believes Paul Ferguson, Information Systems Manager, has reviewed the documents.



Commissioner Hege asked if the total cost of the contract is \$100,000.00. Ms. Thalhofer answered that with recurring fees, the total cost would be \$130,000.00 paid out over a number of years.

Commissioner Hege asked if the County can withdraw from the contract. Ms. Thalhofer responded affirmatively, adding that it seems to be meeting their needs. She said that there has been more work required on the part of her staff than had been anticipated.

**{{After further discussion, the Board passed the motion unanimously.}}**

Ms. Thalhofer asked the Board if they were prepared to offer some direction regarding a stand-alone Health Department.

**\*\*\*It was the consensus of the Board to move forward with planning for a stand-alone Public Health Department. Ms. Thalhofer and Mr. Stone will meet to facilitate that. \*\*\***

<b>Agenda Item – Regional Solutions Team Update</b>
---

Annette Liebe, Regional Solutions Coordinator, reported that their current initiatives, which include the Community Solutions Teams, focusing on collaboration with State agencies have been progressing with minor changes.

Ms. Liebe will be located in Bend along with staff for 5 core agencies – Oregon Department of Environmental Quality, Oregon Department of Land Conservation and Development, Oregon Department of Transportation, Oregon Housing and Community Services, and Oregon Economic Development Districts. Another positive change is the establishment of local advisory committees.

She went on to say that there is a good mix of public and private parties at the table along with Higher Education. They are already working on the availability of industrial lands, work force housing & training, regulatory streamlining and infrastructure with a focus on wastewater and fiber optics. In addition they will look at business clusters (ie., arts, wine, high tech and agriculture.) At an upcoming meeting the local advisory committee will hear from housing organizations to address work force housing issues.

Chair Runyon asked if any efforts had been made to bring Columbia Gorge Community College and Mid-Columbia Council of Governments together around work force training. Ms. Liebe explained that she feels it would be premature, however, that is direction that can come from the Advisory Committee. She anticipates setting up meetings with both entities to avoid duplication of effort and identify common issues.

Further discussion occurred regarding moving forward with the Gorge Commission. Ms. Liebe will be meeting with their new director; he has a good background and she is very hopeful.

**Discussion List – Wasco County Solid Waste Advisory Committee**

Letters were received from Jim Winterbottom and Frank Kay. Commissioner Hege questioned if there are any conflicts of interest. His concern was around one of the applicants being an employee at the landfill/transfer station.

**{{Following further discussion, Commissioner Holliday moved to appoint Frank Kay to the Solid Waste Advisory Committee. Commissioner Hege seconded the motion which passed unanimously.}}**

Ms. McBride will create an appointment order for Mr. Kay and letters to both candidates.

Commissioner Hege asked that when placing items on the Consent Agenda, more thought be given as to whether or not there would be questions that would make it more appropriate to place the item on the discussion list.

Both Commissioner Hege and Chair Runyon had questions regarding the minutes. Approval of the minutes was tabled until adjustments can be made.

Chair Runyon recessed the session at 9:52 a.m.

The Board reconvened at 10:00 a.m.

**PUBLIC HEARING on the appeal of the Planning Commission's decision to uphold the decision of the Planning Director to deny a Conditional Use Permit and a Subject to Standards Review for the conversion of an existing unlawfully placed 2-story dwelling into a hunting cabin/lodge and approval of a wood storage building on property owned by Thomas Delzell and Julia Rouzie.**

At 10:00 a.m. Chair Runyon called the hearing to order and explained the format. There were eight people present. He called on Planning Department staff to give an opinion regarding the type of hearing to be conducted.

Associate Planner Dawn Baird stated that the staff is in support of a de novo hearing to allow new evidence as they feel there was a procedural error at the previous hearing.

Thomas Delzell came forward, stating he lives in Mc Minnville. In terms of the de novo hearing, he stated he was confused by the Planning Commission appeal. It threw his presentation off. There were two hearings, the initial one and one held over for the Planning Commission to visit the property. It was his understanding that they would all go up together. One or two commissioners visited the property without him; he



assumes they went with Planning Department staff. He thought prior to the second hearing they were all going up to the remote property together. Usually, he guides people in. It was at the hearing he learned that the Commissioners had viewed the property. He has no way of knowing who was there or what their comments were. He would like to have that information.

Mr. Delzell went on to say he had requested the de novo hearing so he could do a brief introduction and share notes that he wrote regarding inconsistent conditions. There are conditions he is having difficulty meeting. He also wanted to share his plan to relocate out of state for 13 months.

**{{Commissioner Hege moved to conduct a de novo hearing, Commissioner Holliday seconded the motion which passed unanimously.}}**

Chair Runyon opened the hearing by saying, "This is the time and place of the Public Hearing in the matter of the appeal of the Planning Commission's decision to uphold the decision of the Planning Director to deny a Conditional Use Permit and a Subject to Standards Review for the conversion of an existing unlawfully placed 2-story dwelling into a hunting cabin/lodge and approval of a wood storage building on property owned by Thomas Delzell and Julia Rouzie." Chair Runyon called on the staff to present their report.

Ms. Baird noted that the property is located on a private easement road - Lucky road. The Planning Commission made a decision on Dec. 6, 2011. Pursuant to 2.180 of the Wasco County Land Use and Development Ordinance, appeals must be heard by the Board of County Commissioners.

The Nov. 1, 2011 hearing was continued to Dec. 6 at which time the Directors decision was upheld. This began as an enforcement issue and is now an appeal of an issue. If the appeal is denied, the issue will go back on track with the codes enforcement department. She offered that Code Compliance Officer Keith Cleveland is in attendance if there are any questions.

Discussion ensued regarding the criteria to evaluate the application. Findings of fact were provided in the Planning Commission report. The Board upheld the Director's decision. The primary issues were noted on pages 2 & 3. One issue was wildfire concerns. Testimony was given by Dave Jacobs, Department of Forestry. In his opinion, more structures present a bigger risk of fire and an increased danger to fire suppression personnel. They have found the request inconsistent with the wildfire concerns. Wildlife concerns were also cited; the buildings intrude in to wildlife habitat.

The Planning Commission outlined five options for the Board to consider – found on pages 4&5 of the report.



Chair Runyon brought Mr. Delzell forward. Mr. Delzell provided the Board with a memo and photos (attached) and reviewed them with the Board. After providing a brief family history, he stated that he had never received a copy of the complaint. He also said that he is seeking bids to move the dwelling to accommodate the 300 foot winter game issue. His preliminary findings are that it will cost approximately \$10,000.00 to get the equipment on site and another \$10,000.00 to relocate the building. The cabin would have to be cut in half to make the move. It is currently set on concrete pads with no permanent foundation.

His two options, he said, are to apply for a reforestation permit or submit a hunting lodge application. The soil staff person walked the property and reported that only a small portion of the acreage would sustain any trees due to the lack of water. He did request to replant trees in that zone. Although he offered to replant trees in the spring, he is retracting the offer since he will be out of state in the spring.

He went on to say that this is a sizeable investment to attempt to save the resource and investment. He has a long history of being in outdoors in Oregon and does not plan to further develop the property. Prior to purchase, he did title search. He also contacted the Planning Department but did not document that phone call. He was given general answers about the area and did not pursue it further. He has learned that title searches do not guarantee permits. He believed that everything was legal up there. They moved forward with an offer and purchased the property not knowing that the cabin was put there illegally. They put the lean-to shed in to keep the wood covered. They could relocate the shed easily.

Mr. Delzell went on to explain that the structure was built very professionally by a former contractor. He has attempted to contact his neighbor to the north but has been unable to locate him. He suspects there is someone squatting on that property. He learned this morning that the property to the west has been sold; he will have to contact them for permission.

The access road was developed by S&D Lumber; an agreement was made with former owners to build that access as well as a seasonal pond. There is another road grade that forks off to the right and attaches to the driveway that leads to the structure; it is still beyond the 300 feet. Although Fish and Wildlife find 300 feet from the gate to be ideal, it would be very expensive to move it. The old road grade is blocked by boulders; he would be willing to reopen that with little to no impact but is not sure it would meet the conditions and feels it would cause more impact to sensitive wildlife. He would like to try to work with what is there with the least impact to the area.

Mr. Delzell then informed the Board that he is scheduled to begin graduate school out of state and plans to shut the property down, allowing no one to use it in his absence. He restated that he bought the property with the assumption that the structure was legal.



They did not set out to place a structure illegally and are trying to cooperate to be good stewards of the land.

Commissioner Hege noted that the taxes assessed and paid in 2009 were three to four times the normal payment. Mr. Delzell replied that the taxes had not been paid for a couple of cycles and he had caught them up.

Commissioner Hege asked Mr. Delzell to describe the process he went through to purchase the property. Mr. Delzell said most communications had been by phone with only one face to face meeting. The brokers did verbally disclose that the property could not be developed. There was no detailed discussion regarding the legality of the existing structure; they had told him that he could not further develop or newly develop a permanent structure with a foundation. They did mention that requirements can change. He does not have a disclosure document and nothing was disclosed in the advertisement.

Commissioner Hege asked Mr. Cleveland about the complaint. Mr. Cleveland responded that he had received a complaint about an illegal cabin in the woods with concerns about its impact to the surrounding area. He had redacted sensitive information and sent the complaint to Mr. Delzell via email.

Commissioner Hege asked if the cabin had been burned in the Sheldon Ridge fire. Mr. Delzell replied that it had not. He believes that the Department of Forestry foamed the structure as there are charred trees less than 100 feet away.

Commissioner Hege asked Mr. Delzell to outline his plan for a hunting lodge. Mr. Delzell explained that the cabin sleeps up to six and not including the loft. There is no electricity and no wiring should electricity become available. They do not plan to allow more than six guests at one time. It is not his intention to have a large hunting company. There is a lot of game in the area. He also is not planning any retail sales; guests will have to bring in their own equipment. They plan to only have guests during hunting seasons. They only intend to visit the property to perform maintenance although they may add a guide service to the business. They have removed trees and brush from around the structure. When Fish and Wildlife advised that the acreage was too small for hunting, they began to explore the possibility of gaining approval of the neighbors to retrieve game from their lots. Likely there will be only two or three hunters accessing it at any one time, therefore the impact would be minimal.

Commissioner Hege asked how Mr. Delzell would market the lodge. Mr. Delzell replied that his partner is a marketing researcher. They plan to market only locally, feeling that locals would have more knowledge of the area. They have experienced some problems with poachers.



WASCO COUNTY COURT  
REGULAR SESSION  
FEBRUARY 15, 2012  
PAGE 8

Commissioner Holliday expressed some concern regarding the disconnect between the Assessor's office and the Planning Department and would like to explore remedies. She also pointed out the need to keep water tanks from freezing in winter with a concern about fire.

Mr. Delzell has consulted with neighbors regarding the water issue and has found that by leaving some space on the opening of the tanks he was able to avoid freezing. He is also talking with a company that specializes in this issue and is optimistic about a permanent solution. The water would be potable, but they intend to provide water for guests with smaller vessels in the cabin. Guests can also bring potable water when they come in and take it with them when they leave.

Commissioner Holliday said that while she appreciates that Mr. Delzell is being careful, she is not confident that his guests will exercise the same level of care.

Mr. Delzell responded that they plan to develop a guide with rules for fire suppression and require an orientation for guests. They are also considering offering guided hunting trips.

Commissioner Holliday pointed out that the parcels start out small and then sometimes grow and are sold to families creating a school bus issue. Access to these remote areas is difficult.

Chair Runyon reminded the group that this hearing was complaint driven. He asked about the lack of water for trees and if that was mitigated at all by the pond that had been mentioned earlier. Mr. Delzell said that the pond was only seasonal and too far from the cabin to be of use. S&D built the pond and never properly sealed the bottom, so water is quickly absorbed; while it doesn't completely dry up, it gets very low.

Jeremy Thompson, District Wildlife Biologist for Fish and Wildlife, described the area as migratory for deer. Deer within the area generally spend summers at the watershed; by mid-October they are moving on to other areas. The original minimum lot size was 160 acres. They agreed that 40 acres would be acceptable if they clustered development, staying within 300 feet can condense where the human footprint is and still provide protection for wildlife. The most important habitat is the oak which is important to wintering wildlife. It is important to protect the wildlife.

Commissioner Hege asked Mr. Thompson to describe how a road impacts wildlife in a negative sense. Mr. Thompson replied that there is always a disturbance event when a road is traveled; just the presence of humans can move the deer away.

Commissioner Hege stated that it seems to him the moving of the structure is more disruptive than dealing with the 300 feet rule.



Mr. Thompson responded that the move would be a one-time event. If the structure were to be left where it currently stands, the larger circle of human activity would be permanent and ongoing.

Chair Runyon asked Keith Cleveland, Codes Compliance Officer, to address what would happen were the appeal to be denied. Mr. Cleveland stated that it would revert to being a code compliance issue. If the Board continues the hearing, then the compliance issue will remain on-hold. If it is denied and there is no request for more time, he will send out a notice of violation for which Mr. Delzell will have 15 days to respond. At the end of 15 days, another letter will be generated. With each notice, Mr. Delzell will have the opportunity to file an appeal. If Mr. Delzell leaves the structure in place he would then receive a notice of failure to comply and be fined \$2,000 per day up to \$20,000.00 or the value of the structure. In addition a lien would be placed against the parcel.

If Mr. Delzell then removes the structure and clears the property, he would receive a notice of compliance and the lien would be removed. The county has the option to remove the structure at the owner's expense.

Commissioner Holliday asked what actions would be taken were they to approve the appeal with conditions. For example, who would monitor use as a hunting lodge. Mr. Cleveland explained that he already monitors properties that are operating on temporary and conditional use permits; this would be similar.

Ms. Baird interjected that it would be difficult to assess what the structure was being used for; there would not be much available in the way of verification.

Mr. Delzell stated that he has made good faith efforts to address many of the cited violations. He asked that the Board grant him more time due to his unavoidable departure; it would be difficult to address the issues from Minnesota.

Chair Runyon closed the public comment portion of the hearing at 11:27 a.m.

Chair Runyon read aloud the Board options:

- A. Uphold the decision of the Planning Commission to uphold the denial of the Planning Director for the conversion of the unlawfully placed dwelling into a huntin cabin/lodge, and 14'x8'x8' tall wood storage structure, with the findings and conclusions in the Board of Commissioners Report; or
- B. Uphold the decision of the Planning Commission to uphold the denial of the Planning Director for the conversion of the cabin/lodge and wood storage structure with amended findings and conclusions; or

- C. Overturn the decision of the Planning Commission to uphold the denial of the Director and approve the conversion of the unlawfully placed dwelling into a hunting cabin/lodge, with amended findings and conclusions; or
- D. Overturn the decision of the Planning Commission to uphold the denial of the Director and approve the conversion of the unlawfully placed dwelling into a hunting cabin/lodge, with amended findings and conclusions, and conditions in Attachment C; or
- E. If additional information is needed, continue the hearing to a date and time certain to allow the submittal of additional information.

Commissioner Hege stated that after reviewing the options he prefers continuing the hearing until they can see the property and review what changes have been made to resolve some of the issues.

Commissioner Holliday agreed saying that there may be other solutions that have not yet been explored; more information would be helpful.

Ms. Baird advised the Board that if they continue with a certain date and time, the hearing would not need to be re-noticed. If they continue without setting a certain date and time, a re-notice would be required. She also reminded the Board that the property owner wants to be present for the final decision.

Further discussion found the Board in agreement to continue the hearing to an undetermined date to allow staff to work through some of the issues. Mr. Delzell offered that he would be available during a semester break in August.

**{{The Board was unanimous in their decision to continue the hearing to a future as yet undetermined date.}}**

<b>Consent Agenda</b>
-----------------------

1. Intergovernmental Agreement #4659 between the State of Oregon and Wasco County
2. License and Service Agreement with Netsmart Technologies, Inc.
3. Amendment to License and Service Agreement with Netsmart Technologies, Inc.
4. Order in the matter of the reappointment of Rod Runyon to the Mid-Columbia Economic Development District Board of Directors
5. Order in the matter of the reappointment of Ken Farner to the Mid-Columbia Housing Authority
6. Special Session Minutes of February 7, 2012



{{{Commissioner Hege moved to approve the Consent Agenda with the exception of Items 4 & 5. Commissioner Holliday seconded the motion which passed unanimously.}}}

**Public – Rodger Nichols**

Rodger Nichols, Wasco County Appointee to the Columbia River Gorge Commission, came forward to report the CRGC's plan to formally change some of their rules. They will begin the work on February 14<sup>th</sup> and continue the meeting until April. He also announced that the Chinese delegation would be coming again this year.

Further discussion occurred around local support for the CRGC and an upcoming Intergovernmental Agreement.

Chair Runyon recessed the session at 11:52 a.m. calling for the session to reconvene at 4:30 p.m.

**PUBLIC HEARING to consider the adoption of amendments to the Wasco County Land Use and Development Ordinance.**

At 4:30 p.m. Chair Runyon called the session back to order explaining that those who wished to testify should enter their information on the sign-in sheet; anyone testifying would be automatically notified of any future hearings. He then convened the LUDO Hearing.

Chair Runyon reviewed the format for the hearing and explained that due to the large number of people wishing to testify, he would be limiting each person to three minutes. He encouraged people to listen carefully to those testifying before them; if someone has already made your point, a statement of support for that person would be adequate. The hearing will be continued until March 20<sup>th</sup> at 9:00 a.m.

Jeanette Montour, Senior Planner, reviewed the planned changes. Todd Cornett, Planning Director, explained that Wasco County has an agreement with the State of Oregon. Chapter 19 is primarily the section being modified although other chapters are being updated. He went on to review the significant changes to the Wasco County Land Use and Development Ordinance for both commercial and non commercial uses, answering questions from the Board throughout.

Following the presentations from the Planning Department, Chair Runyon opened the hearing for public comment, taking people in the order in which they had signed the sheet.

John Silvertooth testified he will come back on March 20<sup>th</sup> after he has had an opportunity to read more.



Gary Nychyk, resident of The Dalles, asked for clarification as to whether or not a vote was taken to include template dwellings. The response was that the plan had not yet been adopted; no votes have been taken. Mr. Nychyk thinks delaying the hearing did not serve anyone and should not have been delayed.

Rob Miles, resident of Southern Wasco County, operates a business in Maupin and lives outside of town with his family. He wanted to know how much land can be tied up for a set back and expressed his opinion that the proposed setbacks are much larger than necessary. The non-resource setbacks are particularly excessive. He pointed out that houses in Southern Wasco County are separated by significant distances. Wind energy is important to the businesses and residents as it will bring people and money into the area. It should be done with an eye to proper usage.

Dan Carver has been involved with land use planning since 1972 through Imperial Stock Ranch. He has watched the trends and seen it grow from 5 outright uses to 50. He does not take land management lightly, including how the wind is harvested. Six years ago he was opposed to wind energy in his "backyard." Now he is onboard - three years ago he signed a wind lease. He sees it as a way for farmers to remain sustainable.

Jeannie Carver lives 20 miles out of Maupin and 12 miles out of Shaniko. Her first concern is the health of the land. She works with others to preserve heritage which includes buildings and facilities. They have turned down offers from wind energy producers before. They are aware that decisions they make could also affect others in their community.

John Hilderbrand, a resident of Wasco, Oregon has wind mills on 3 sides of his house. He testified that fears about noise are unfounded; when it is windy the trees make more noise. He took a meter out and could not get it to register any noise. He has 17 turbines on his farm. He acknowledged that the aesthetic leaves something to be desired and cannot be camouflaged.

Gary Nap said he does not understand why people are trying to throw monkey wrenches in the works; he sees this as a huge economic boon to the area. Remote areas such as Shaniko, Antelope, Grass Valley, Maupin and Kent will all benefit from the wind industry. Not only will it be good for the communities but additional tax revenues will come into the County. He added that there will also be additional employment opportunities as a result of the installation of wind turbines.

Frances Connelly, South Wasco County resident, owns property that is subject to lease. The changes to the ordinance will restrict wind energy development on her land. She asked that the Board reconsider the setbacks. She believes that 3250 feet would be appropriate and in some cases as little as 1350 feet. Wasco County can benefit greatly



from wind energy and residents of the County can benefit also. She cautioned the Board not to miss opportunities with excessive regulation.

Steve Ashley, third generation landowner in South Wasco County, and has seen the seasonal tourism. He believes the wind energy is an economic opportunity that cannot be passed up. They have an aging population and this could benefit all residents. The preceding speakers have already expressed most of what he wanted to say. He added that on a larger scale, this helps the nation in its efforts towards energy independence. He urged the Planning Commission to maintain the State regulations and fully support wind development and clean energy.

Bob Krien, a resident of the Maupin/Bakeoven area, supported the last three speakers. He supports the ¼ mile safety setback pointing out that it is possible to obtain a waiver with the support of neighbors. He pointed out that a review of the maps reveals that the good wind speed areas are not at risk of controversy.

Dave Thiese, representative of the Columbia Gorge Audobon Society, cautioned that Klickitat County PUD has invested in wind power and taken a 61% loss. Should that happen here, who will clean up all the towers – Is there a decommissioning plan in place? There are 600 towers in Klickitat County with no decommissioning plan. While landowners and power employees support the rules, there are others who will be negatively impacted. When people move to a rural area, they have an expectation that it will remain rural. Zoning looks out for present use. He encouraged everyone to keep that in mind when making decisions.

Phil Swaim, resident of resource zone F2 behind Mosier, testified that his mother was born in the Antelope area; his family is invested in the area. He pointed out that the sound travel is different in forested areas than it is in barren flat lands. He has a log skidder across the way from his property that sounds like it is at the end of his driveway when it is in operation.

Fred Justesen testified that his family has lived in Wasco and Sherman Counties for five generations. He asked for clarification on the difference between State required setbacks and the proposed Wasco County requirements – why is there a difference?

Mr. Cornett responded that the adjustments were made in response to concerns raised by citizens. The Planning Commission evaluated a significant amount of public testimony to arrive at their decisions.

Mr. Justesen indicated that those decisions should be left to those who will live among the turbines. The regulations should be as unrestrictive as possible – it will mean more revenue for the County. We should have as many turbines as we can.

An unidentified man seconded the comments. Leo Kelp also supported Mr. Justesen's remarks.

Art Decker, Sherman County resident, testified that he owns land in Shaniko and Antelope. He cannot add much to what has been said but is in support of Mr. Justesen's remarks. He is opposed to the 1.5 mile setback as being too restrictive and reducing his ability to use his property. He is in support of a site specific regulation that would help to determine the appropriate set back based on the noise.

Elaine Albrich would like to reserve her comments for the next hearing.

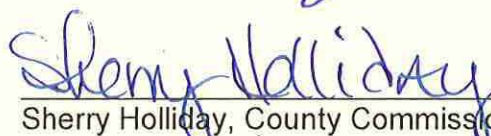
Chair Runyon thanked the public for their comments and reminded them that written comments are still being accepted.

**{{{Commissioner Holliday moved to continue the Land Use and Development Codes hearing with a focus on Chapter 19 until March 20<sup>th</sup> at 9:00 a.m. at the Circuit Courtroom on the 3<sup>rd</sup> floor. Commissioner Hege seconded the motion which passed unanimously.}}}**

The meeting was adjourned at 6:45 p.m.

WASCO COUNTY BOARD OF  
COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Rod L. Runyon, Chair of Commission

  
\_\_\_\_\_  
Sherry Holliday, County Commissioner

  
\_\_\_\_\_  
Scott C. Hege, County Commissioner