

**WASCO COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION / AGENDA WEDNESDAY, DECEMBER 3, 2014**  
**LOCATION: Wasco County Courthouse, Room #302**  
**511 Washington Street, The Dalles, OR 97058**

**Public Comment:** Individuals wishing to address the Commission on items not already listed on the Agenda may do so during the first half-hour and at other times throughout the meeting; please wait for the current speaker to conclude and raise your hand to be recognized by the Chair for direction. Speakers are required to give their name and address. Please limit comments to five minutes, unless extended by the Chair.

**Departments:** Are encouraged to have their issue added to the Agenda in advance. When that is not possible the Commission will attempt to make time to fit you in during the first half-hour or between listed Agenda items.

**NOTE:** With the exception of Public Hearings, the Agenda is subject to last minute changes; times are approximate – please arrive early. **Meetings are ADA accessible.** For special accommodations please contact the Commission Office in advance, (541) 506-2520. TDD 1-800-735-2900.

9:00 a.m.

**CALL TO ORDER**

*Items without a designated appointment may be rearranged to make the best use of time. Other matters may be discussed as deemed appropriate by the Board.*

- Corrections or Additions to the Agenda
- Administrative Officer - Tyler Stone: Comments
- [Discussion Items](#) (Items of general Commission discussion, not otherwise listed on the Agenda) [Election of Board Chair](#), [Election Results](#), [2015 BOCC Meeting Schedule](#), [12.17.2014 Session Start Time](#)
- [Consent Agenda](#) (Items of a routine nature: minutes, documents, items previously discussed.) [Minutes: 11.5.2014 Regular Session](#)

9:30 a.m.      [Supplemental Budget Hearing](#) – Monica Morris

9:40 a.m.      [Central Oregon Workforce Consortium Ordinance](#)

9:50 a.m.      [Vehicle Surplus](#) – Molly Rogers

10:00 a.m.     [Fair Budget Report](#) – Ken Polehn & Colleen Tenold-Sauter

10:15 a.m.     [Mid-Columbia Fire & Rescue Building Project](#) – Bob Palmer

10:30 a.m.     [SWAC Rate Increase Requests](#) – Dr. Vern Harpole

10:45 a.m.     [Tax Refund](#) – Tom Linhares  
[Foreclosure/Lease Agreement](#) – Jill Amery/Tyler Stone

11:00 a.m.     [Economic Development Commission Quarterly Report](#) – Carrie Pipinich

11:20 a.m.     [NORCOR Jail Populations](#) – Jim Weed

**LUNCH/BREAK**

5:30 p.m.      [Outdoor Mass Gathering Permit Application Hearing](#) – John Roberts  
*To be held in the Dufur School Cafeteria, 802 NE 5<sup>th</sup> St., Dufur, OR*

**NEW / OLD BUSINESS**  
**COMMISSION CALL / REPORTS**  
**ADJOURN**



WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
DECEMBER 3, 2014

PRESENT: Scott Hege, Commission Chair  
Rod Runyon, County Commissioner  
Steve Kramer, County Commissioner  
Tyler Stone, Administrative Officer  
STAFF: Kathy White, Executive Assistant

At 9:00 a.m. Chair Hege opened Special Session of the Board of Commissioners with the Pledge of Allegiance. Election of Chair was removed from the Discussion List and the Outdoor Mass Gathering Permit Public Hearing was cancelled due to hazardous driving conditions in Dufur.

**Public Comment – Wasco County District Attorney**

Richard Murray of The Dalles asked that the County stop paying District Attorney Eric Nisley for his services as County Counsel. He handed out a newspaper commentary (attached) authored by DA Nisley and asked that they read the circled passages. He pointed out that the DA had said that were his wife to be elected to the Board of Commissioners, he would step down as County Counsel. Mr. Murray stated that the law requires the District Attorney to provide legal counsel to the County free of charge. He said that not only is the County within its rights to stop paying him, he is not earning the money and is not entitled to it. Payment to the District Attorney for legal counsel is only for when that work is extraordinary in its nature – outside the expected scope of work.

Chair Hege explained that DA Nisley had recently tendered his letter of resignation as County Counsel. Mr. Murray replied that the DA cannot do that as he is required to represent the County free of charge.

Commissioner Runyon thanked Mr. Murray for his input. Mr. Murray replied that he would be following up on this issue.

#### **Public Comment – Introduction**

Shelly Campbell introduced herself as the new Tobacco Prevention Coordinator for North Central Public Health. The Board welcomed her.

#### **Discussion List – Election Results**

County Clerk Linda Brown came forward to report on the Wasco County election results (included in the Board Packet) and ask that the Board approve them.

**{{{Commissioner Kramer moved to approve the Wasco County election results of May 20, 2014. Commissioner Runyon seconded the motion which passed unanimously.}}}**

**{{{Commissioner Kramer moved to approve the election results of November 4, 2014. Commissioner Hege seconded the motion which passed unanimously.}}}**

Ms. Brown provided Commissioner's Runyon and Hege with their certificates of election and explained that once sworn in, they should file their oath with the office of the Clerk.

Chair Hege thanked Ms. Brown for the good work performance of her staff.

Ms. Brown explained that at a recall election last Wednesday, two of the Mosier Fire District's board members were recalled; that election will be certified on December 10, 2014. She said that a third member of the District Board had already resigned. She went on to say that at 4 p.m. on that day, the two recalled members will no longer hold office, leaving that board without a quorum. She stated that *if*, before that time, the Mosier Fire District Board is able to agree upon the appointment of a



new Board member, the resulting quorum of three would be able to appoint two more members to fill out the terms of the recalled members. However, if the four current members are not able to agree upon an appointment of a new member to create a quorum, the remaining two District Board members would have to come to the Board of County Commissioners to appoint that third member so that they would have a quorum authorized to appoint members to fill the terms of the recalled members.

The Board expressed their hope that the District Board would be able to reach an agreement on an appointment to fill the term of the resigned member.

Ms. Brown reported that she has received information that there may be a recall of members of the Parks and Recreation District Board. She stated that since two of the members come up for re-election in May, it might make more sense for sponsors of the recall to direct their efforts toward running candidates against the two incumbents. It takes 100 days to run a recall and certify the results; even if they had the required signatures for a recall, it would be mid-March before that process would be complete. It will take them time to gather the required signatures.

Chair Hege asked how the ballots are produced. Ms. Brown replied that they contract with a vendor in Bend. Chair Hege asked what the cost had been for the Mosier recall. Ms. Brown responded that it had cost \$1,500.00. She stated that since the Parks and Recreation District is so much larger, the cost would be approximately \$9,000.00

#### **Discussion List – 2015 Meeting Schedule**

After a brief discussion regarding the conflict of the annual AOC Fall Conference and the last BOCC session in November, the Board decided to cancel that session and be open to holding a special session before or after that week should the need arise.

**\*\*\*The Board was in consensus to approve the 2015 meeting schedule as outlined in the Board Packet with one change – cancel to last session in November, being open to a special session should the need arise.\*\*\***



**Discussion List – 12.17.2014 Board Session Start Time**

Commissioner Kramer asked that the start time for the 12.17.2014 Board Session be moved to the afternoon to allow him to attend a meeting on the reformation of the juvenile system. He asked that the start time be set for 1:00 p.m.

**\*\*\*The Board was in consensus to move the start time for the 12.17.2014 Session of the Board of County Commissioners to 1:00 p.m.\*\*\***

**Consent Agenda – 11.5.2014 Minutes**

**{{{Commissioner Kramer moved to approve the Consent Agenda. Chair Hege seconded the motion which passed unanimously.}}}**

At 9:24 a.m. Chair Hege recessed the session to open a public hearing for the supplemental budget.

**Agenda Item – Supplemental Budget Hearing**

Finance Director Monica Morris explained that this is a supplemental budget for enterprise zone funds which, at the time the budget was passed, she had expected to be expended by the close of the 2013-2014 Fiscal Year – therefore they had not been budgeted for the 2014-2015 Fiscal Year.

Ms. Morris reported that the Parks and Recreation funds had gained \$432 in interest. She went on to say that the Fire District had received a portion of their funds with the balance dependent upon the satisfaction of some previously agreed-upon conditions; once those conditions are met, the balance of \$386,125.00 will be paid out. Commissioner Runyon noted that the Fire District would be at today's session to demonstrate the satisfaction of those conditions.

Ms. Morris said that the remainder of the supplemental budget reflects an unexpected increase in revenue from video poker funds.

Chair Hege asked for public comment; there being none, he closed the hearing to public comment and asked the Board if they had any questions. The Board had no questions.

**{{{Commissioner Kramer moved to approve Resolution #14-029 adopting Fiscal year 2014-2015 Supplemental Budget for additional unanticipated carry-over funds from the 2013-2014 Fiscal Year Budget. Commissioner Runyon seconded the motion which passed unanimously.}}}**

Chair Hege closed the public hearing and reconvened the regular session at 9:34 a.m.

#### **Agenda Item – Central Oregon Workforce Consortium Ordinance**

Commissioner Runyon read the title of the COWC Ordinance into the record: Ordinance #14-003 In the matter of the adoption of ordinance ratifying the creation of an intergovernmental entity known as the Central Oregon Workforce Consortium (COWC).

Commissioner Runyon commented that he believes this program has been forced upon Oregon counties by the governor's office; in-effect it leaves counties' with no choice as to how to proceed.

**{{{This being the second reading of the title at two separate Board Sessions at least 14 days apart, Commissioner Runyon moved to approve Ordinance #14-003 ratifying the creation of the Central Oregon Workforce Consortium (COWC). Commissioner Kramer seconded the motion which passed unanimously.}}}**

#### **Agenda Item – Vehicle Surplus**

Youth Services Director Molly Rogers explained that in 2010 the County wrote a grant for a vehicle for the Youth Work Crew; said vehicle was placed into the vehicle plan. The \$32,000.00 grant award actually went to purchase a patrol car and the Youth Work Crew got a roll-down vehicle. She stated that Youth Services no longer houses the Youth Work Crew program – that program is now part of the T.O.O.L.S. program managed out of NORCOR. She said that the vehicle will need new tires and some other work of which NORCOR is aware. She went on to say that the vehicle is at the end of its rotation through the County vehicle program. She requested that the vehicle be transferred to the T.O.O.L.S. program where it will continue to serve as transportation for the Youth Work Crew.



**{{{Commissioner Kramer moved to approve Order #14-110 surplussing Youth Services vehicle Unit #08-01 2008 Dodge Durango VIN #1D8HB45238F126793. Commissioner Runyon seconded the motion which passed unanimously.}}}**

A brief discussion ensued regarding the 12.17.2014 Juvenile Services reformation meeting. Ms. Rogers invited the entire Board to attend, explaining that this meeting would serve as an introduction with a series of training sessions to follow at future meetings.

Chair Hege asked if challenges faced by the T.O.O.L.S. program had been resolved. Ms. Rogers replied that they had been only partially resolved but they are working on other solutions to funding issues.

A brief discussion ensued regarding security at the Youth Services office due to an incident with the parent of one of the teens taken into custody. As a result, they are re-thinking their process and may make some changes. The Board also discussed the panic alarm system and the need for test runs, suggesting that the Safety Committee should address that issue.

Chair Hege called for a break at 9:51 a.m.

The session reconvened at 9:57 a.m.

#### **Agenda Item – Fair Board Budget Report**

Fair Board members Ken Polehn and Colleena Tenold-Sauters thanked the Board for their participation in the 2014 Wasco County Fair where they served as Grand Marshalls. Ms. Tenold-Sauters reported that the Fair is online to get lottery funds in approximately the same amount as they received last year. She stated that the gate receipts from the 2014 Fair were double those of 2013. In addition, revenue for the campground is already at 94% of last year with several months left in the year.

Commissioner Runyon asked to what they attribute the increased gate receipts. Ms. Tenold-Sauter said that a combination of support from the County and the Downtown Association helped. Mr. Polehn added that the newly-instituted wild horse races bring in families from as far away as Yakima and Walla Walla.

WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
DECEMBER 3, 2014  
PAGE 7

Commissioner Kramer asked if the Fair still receives support for the free day at the Fair. Ms. Tenold-Sauter replied that they do naming a few of the sponsors: Mel's Sanitary, Century Tel, Columbia Bank, US Bank, Clock Tower, Safeway and Maupin Chamber.

Mr. Polehn reported that the commemorative postcard had been very successful. He said that he is seeking a community service organization to serve as the 2015 Grand Marshalls and asked that the Board assist in getting that information out to the service community.

Mr. Stone asked that the Fair Board members talk about the direction of the fair and the capital improvements that are ongoing. Mr. Polehn responded that the goal is to have a RV park that functions with sewer, water and internet service to attract more people and support the fair grounds. He said that once that goal is achieved, they would like to redo the entire back part of the grounds to accommodate tourism. He stated that Hunt Park is an amazing place to bring kids – it has no distractions and is a secure place. He said that if it is properly promoted, it can be something of which the community can be very proud.

Mr. Stone said that he is glad to see money reinvested in the facility. He reminded the Board that last year a monument and seating area were added to the grounds. In recent years, the Ken Webb Memorial Kitchen and a well were added. He said it needs to be made a sought-after destination. He added that the water system needs to be addressed.

Mr. Polehn stated that he would like to have the sidewalks redone to allow better ADA access. He said that many of the buildings were erected in the 1940s and 1950s – groundwater issues have caused the foundations to fail. He said that once the water issues are resolved, they will need to look at the physical structures – replacing them with longer lasting facilities. He announced that the Farm Bureau has put up some seed money and challenged other farm organizations to match or beat their donation. He said the Fair Board will need to raise money and develop a plan for improvements.

Ms. Tenold-Sauter continued the financial report saying that the park revenue is also



up – they have received 97% of the expected revenue with several months left in the fiscal year. Mr. Polehn asked if it would be possible to set up an improvement project fund in next year's budget.

**\*\*\*The Board was in consensus to address setting up an improvement project fund for the Fair Grounds in next year's budget.\*\*\***

**Agenda Item – Mid-Columbia Fire & Rescue (MCFR) Building Project**

The Dalles City Manager Nolan Young stated that the City and County has an agreement to provide \$484,000 of enterprise zone funds for the renovation of MCF&R's Station 2. He reported that the bids have come in and all were a little higher than the amount budgeted. He explained that while the base bid came in under budget, the City feels it is important to do the entire project and has voted to fund the overage. He said he is asking that the County approve the payment and release the funds to MCF&R for the building project.

MCF&R Fire Chief Robert Palmer said the project will renovate the interior of Station 2 for staff and volunteer living space as well as office space. He explained that the renovation will eliminate one bay and therefore they will build an additional bay to compensate for the loss of capacity. Mr. Young added that this project will have a positive impact on the City's fire insurance rating. He stated that there will be additional work that will need to be done to raise the rating. Chief Palmer said that he hopes to get back to their previous rating or perhaps improve on that.

Chief Palmer explained that the plan will accommodate a partnership with Columbia Gorge Community College (CGCC) in which students can volunteer to staff the station in exchange for living quarters which benefits both MCF&R as well as CGCC and students. He added that the improvements will also help to raise the insurance ratings for nearby Dallesport.

**{{{Commissioner Runyon moved to proceed with the Mid-Columbia Fire & Rescue Station 2 building project as part of the IGA and to pay the agreed upon amount. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**Agenda Item – SWAC Rate Increase Requests**

Dr. Vern Harpole of the North Central Public Health District stated that the Solid Waste Advisory Committee (SWAC) had met on November 13, 2014, where they considered rate increase requests from Mel's Sanitary Service, Inc., The Dalles Disposal and the Wasco County Landfill. He explained that there is a slight difference in the calculation of CPI for The Dalles Disposal which used a different time frame for their calculations. He stated that through discussions, The Dalles Disposal had agreed to bring their rate request more in line with the other two sanitation entities. SWAC will work with the three businesses throughout the coming year to insure that all rate increases are calculated based on the same CPI.

Some discussion ensued regarding the rate differences and calculations. Waste Connections District manager Erwin Swetnam explained that they had negotiated a 1.8% increase for commercial businesses and a 1.62% increase for residential accounts. He said that next year the three entities will be more consistent. Dr. Harpole added that they may have to amend the licensing agreements to move the rate increases to summer instead of during the holiday season.

Chair Hege asked if the City of The Dalles had approved the rates. Mr. Swetnam replied that they had asked for some comparables which he will provide at their next meeting. He reported that the comparables are favorable and he expects passage.

**{{{Commissioner Kramer moved to approve Resolution #14-026 increasing the rates for Mel's Sanitary Service, Inc. Commissioner Runyon seconded the motion which passed unanimously.}}}**

Chair Hege stated that he thought the rates should be included in the body of the resolution rather than as an exhibit.

**{{{Commissioner Runyon moved to approve Resolution #14-028 increasing the rates for Waste Connections. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**{{{Commissioner Kramer moved to approve Resolution #14-027 increasing the rates for the Wasco County Landfill. Commissioner Runyon seconded the**



**motion which passed unanimously.}}**

Chair Hege asked for clarification on some of the abbreviations included in the Landfill's rate increase price sheet:

ACM – Asbestos Containing Material

PCS – Petroleum Containing Substance

#### **Agenda Item – Tax Refund**

County Assessor and Tax Collector Jill Amery stated that Interim Assessor Director Tom Linhares had discovered that Design, LLC (Google) Account 16546 had been miscalculated for the 2012-2013 tax year resulting in an over payment of \$7,623.43 which includes a 12% interest payment. She said that when their exemption had been applied it had been done after the tax calculation rather than before. She said that it is difficult to reconstruct what lead to the error due to the sudden loss of former Assessor Tim Lynn in conjunction with the transition to a new software system. She assured the Board that following the discovery they did a series of checks and discovered some irregularities in the new system. They also checked the other commercial accounts with exempt status and found them to all be correctly calculated.

**\*\*\*The Board was in consensus to approve the refund of over-paid taxes plus interest to Account #16546 in the amount of \$7,623.43.\*\*\***

#### **Agenda Item – Foreclosure/Lease Agreement**

Mr. Stone explained that the County had foreclosed on a residential property due to non-payment of property taxes. He said that it is a rental property with tenants. He stated that his involvement has been on the tenant issue – the County is now a landlord but there is not agreement in place. He stated that the residence was part of a trust and through the trust process no-one redeemed their claim.

Ms. Amery said that the gentlemen owning the property had passed away and it had taken nearly 6 years to settle his estate. She reported that the County had begun notifying the trust Attorney in 2010 and took the deed in September, 2014. She stated that when the heir learned of the foreclosure, he came in wanting to pay the taxes but since it was past the redemption period, the County was not able to allow the

WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
DECEMBER 3, 2014  
PAGE 11

redemption. She said that Counsel has found a statute that allows the County to sell the property back to the heir.

Mr. Stone said the Board can sell for market value or for the redemption amount; in the meantime, there is an issue of the tenants and the need to have a lease agreement in place to protect all parties – he recommended that be done immediately. He said that the Board will also have to determine what to do in the long-term – the County can sell on the open market or sell to the heir, Curtis Gonzales, for back taxes and staff time.

Further discussion ensued regarding the reason for non-payment and the status of the tenants. Chair Hege asked if any work would need to be done to the residence. Mr. Stone replied that they would do minimal work to make sure it is a suitable dwelling since the goal is to sell the property. Ms. Amery reported that the home is an older manufactured home – the value of the property and dwelling is approximately \$87,000.00.

Chair Hege asked what the current renters had been paying. Donna Sutton, the heir's mother, stated that they have not paid rent in 6 years. Ms. Amery said that the County cannot collect rent now without an agreement. She said the tenants will have to sign a lease and pay rent to the County if they want to stay in the residence. Ms. Sutton stated that had she and her son known about the taxes and the foreclosure, they would have taken care of the issue. She added that her son plans to renovate the home and live there.

Commissioner Runyon said he would like to see the property returned to the family for the redemption value plus the County's staff time expense.

Chair Hege asked what the term of the lease would be. Mr. Stone replied that it would be a month to month lease, saying that the lease is just a stop-gap measure until the property can be disposed of.

**{{{Commissioner Runyon moved to sign the management agreement with Leeland Properties to act as the County's agent for a rental agreement and property management for the foreclosed property at 2824 W. 9<sup>th</sup> Street, The Dalles, OR. Commissioner Kramer seconded the motion which passed**



unanimously.}}}

{{{Commissioner Runyon moved to sell the foreclosed property at 2824 W. 9<sup>th</sup> Street, The Dalles, OR, per ORS 275.180, to the Estate of Jesus Gonzales for the redemption value plus all reasonable staff time, interest and fees as calculated by Mr. Stone and Ms. Amery. Chair Hege seconded the motion, saying that the County just wants to recover costs. The motion passed unanimously.}}}

#### Agenda Item – EDC Quarterly Report

MCEDD Project Manager Carrie Pipinich reviewed the EDC quarterly report included in the Board Packet. A discussion ensued regarding the annual prioritization process. Chair Hege pointed out that the list changes only slightly from year to year. He suggested that resources might be better spent if they only did the list every other year or every third year and use the time during the “off” years to actually accomplish some of the items on the list. Commissioner Runyon pointed out that the County funds going to MCEDD are for administrative costs and staffing and cannot be used to fund projects. The Board agreed that they could address that through the budget process. Ms. Pipinich said she would bring it to the EDC for discussion.

Ms. Pipinich reported that she had attended the Oregon Economic Development Conference and had learned a lot about attracting businesses, online tools, and what others around the state are doing. She concluded by saying that there are a few appointments expiring at the end of the year and she has recommendations from the EDC for appointments/re-appointments.

- Fred Justesen is available for reappointment and is recommended by the EDC.
- Andrea Klaas would like to step down in favor of someone new from the Port of The Dalles. Kathy Ursprung is recommended by the EDC for appointment as Ms. Klaas' replacement.
- Donnella Polehn would like to step down. The EDC recommends Greg Johnson from Renken Farms as a replacement for that position.

**Agenda Item – NORCOR Jail Population Management**

NORCOR Administrator James Weed reported that he, Mr. Stone and Sheriff Eiesland have been working with District Attorney Eric Nisley in the management of Wasco County prisoners housed in NORCOR. He reminded the Board that Wasco County's goal is to maintain no more than 50 prisoners in NORCOR at any given time. The release matrix is set to activate at 50 Wasco County inmates; however, in reality that trigger cannot keep the Wasco County NORCOR population at or below 50. It takes time to make the determination and release a prisoner. That lag-time means that other Wasco County prisoners can be taken in before lower-matrix prisoners are released which results in a Wasco County population exceeding the desired 50 maximum. He stated that often NORCOR is inappropriately used as a residential facility for members of the community who are non-criminal but homeless.

Mr. Weed said that to solve the immediate problem of maintaining the Wasco County inmate population at or below 50 the matrix trigger needs to be set at 40.

Chair Hege asked if the goal is still to top out at 50. Sheriff Eiesland replied that that is the goal; the trouble with setting the trigger at 50 is that they cannot matrix prisoners out fast enough to prevent the Wasco County population from exceeding 50. He said that if they cannot release until 50 then quite often the population exceeds 50 before they can release.

Mr. Weed added that he doesn't want to release any prisoners that he doesn't have to release – if you do the crime, you should do the time – but to keep the Wasco County population at 50 or below, they need to add some flexibility to the matrix system. Lowering the trigger to 40 will build in that flexibility.

Chair Hege asked how often they have several prisoners at once coming into the jail. Mr. Weed replied that it is not unusual to have seven or more waiting to be booked – not just from Wasco County, but also from Hood River, The Dalles, etc. Sheriff Eiesland added that on Wednesdays Wasco County warrants picked-up from throughout state are brought to NORCOR in mass.

Mr. Weed suggested that they meet as a group to work on options – the counties



need more beds than what they are using and NORCOR has the capacity to hold more. He explained that the costs for heating, staffing, etc. are almost the same for one prisoner as for one-hundred – it is frustrating to see prisoners released due to budgetary considerations. He said the funding formula may have to change – as long as it is based on the number of beds used it will be a race to the bottom.

Mr. Weed noted that it used to be that each County paid for a certain number of beds which were paid for whether they used them or not; if a county goes over the marginal costs were calculated per day.

Mr. Stone stated that the matrix needs to be addressed today and he supports Mr. Weed's recommendation.

**{{{Commissioner Runyon moved to amend Resolution #13-010 to trigger the population control matrix at 40 with a goal of keeping the Wasco County NORCOR population at or below 50. Commissioner Kramer seconded the motion which passed unanimously.}}}**

#### **Commission Call**

Discussion occurred regarding the cancelled public hearing.

**\*\*\*The board was in consensus to leave it to staff to determine time and venue for rescheduling the Outdoor Mass Gathering Permit Application Public Hearing.\*\*\***

Commissioner Runyon announced that the Director of Fort Dalles Museum tendered her resignation last night, effective immediately – she has served for 20 years. The County and City of The Dalles are the primary funding partners for the Museum.

Chair Hege adjourned the session at 11:56 a.m.

#### **Summary of Actions**

##### **Motions Passed**

- To approve the Wasco County election results of May 20, 2014.

- To approve the election results of November 4, 2014.
- To approve the Consent Agenda – 11.5.2014 Regular Session Minutes.
- To approve Resolution #14-029 adopting Fiscal year 2014-2015 Supplemental Budget for additional unanticipated carry-over funds from the 2013-2014 Fiscal Year Budget
- To approve Ordinance #14-003 ratifying the creation of the Central Oregon Workforce Consortium (COWC).
- To approve Order #14-110 surplussing Youth Services vehicle Unit #08-01 2008 Dodge Durango VIN #1D8HB45238F126793.
- To proceed with the Mid-Columbia Fire & Rescue Station 2 building project as part of the IGA and to pay the agreed upon amount.
- To approve Resolution #14-026 increasing the rates for Mel's Sanitary Service, Inc.
- To approve Resolution #14-028 increasing the rates for Waste Connections.
- To approve Resolution #14-027 increasing the rates for the Wasco County Landfill.
- To sign the management agreement with Leeland Properties to act as the County's agent for a rental agreement and property management for the foreclosed property at 2824 W. 9<sup>th</sup> Street, The Dalles, OR.
- To sell the foreclosed property at 2824 W. 9<sup>th</sup> Street, The Dalles, OR, per ORS 275.180, to the Estate of Jesus Gonzales for the redemption value plus all reasonable staff time, interest and fees as calculated by Mr. Stone and Ms. Amery.
- To amend Resolution #13-010 to trigger the population control matrix at 40 with a goal of keeping the Wasco County NORCOR population at or below 50.

#### Consensus

- To approve the 2015 meeting schedule as outlined in the Board Packet with one change – cancel to last session in November, being open to a special session should the need arise.
- To move the start time for the 12.17.2014 Session of the Board of County Commissioners to 1:00 p.m.
- To address setting up an improvement project fund for the Fair



Grounds in next year's budget.

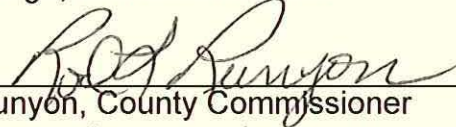
- To approve the refund of over-paid taxes plus interest to Account #16546 in the amount of \$7,7623.43.
- To leave it to staff to determine time and venue for rescheduling the Outdoor Mass Gathering Permit Application Public Hearing.

WASCO COUNTY BOARD  
OF COMMISSIONERS



---

Scott Hege, Commission Chair



---

Rod Runyon, County Commissioner



---

Steve Kramer, County Commissioner

**WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
DECEMBER 3, 2014**

**DISCUSSION LIST**

**ACTION AND DISCUSSION ITEMS:**

1.     [Election of Board Chair](#)
2.     [Election Results](#) – Linda Brown
3.     [2015 BOCC Meeting Schedule](#) – BOCC
4.     [12.17.2014 Session Start Time](#) – Commissioner Kramer



**Discussion Item**  
**Election of Board Chair**

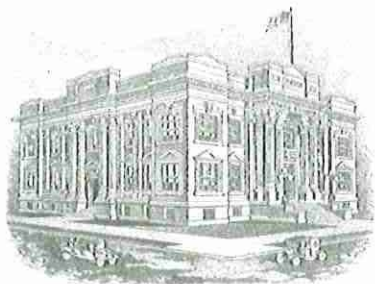
- [No documents have been submitted for this item:](#)

[RETURN TO AGENDA](#)

**Discussion Item**  
**2014 Wasco County Elections**

- [Clerk's Memo](#)
- [May 20<sup>th</sup> Result](#)
- [November 4<sup>th</sup> Results](#)





# WASCO COUNTY

## County Clerk

Suite 201  
511 Washington Street  
The Dalles, Oregon 97058  
(541) 506-2530  
Fax (541) 506-2531

Linda Brown  
*County Clerk*

David McGaughey  
*Chief Deputy County Clerk*

Chrissy Zaugg  
*Elections Deputy*

Paul Bowers  
*Recording Deputy*

Kathy White, Executive Assistant  
Wasco County Board of County Commissioners  
Co Cthse  
The Dalles Or 97058

Dear Kathy,

Please find certified copies of the official abstract from our office for the election held on **November 4, 2014**. Not later than the 30<sup>th</sup> day after receiving this copy the **County** is required to canvass the abstracts and to determine the results of the election and declare the results (ORS 255.295). I have also included the abstract of votes from the May 20, 2014, Primary at which Scott Hege was elected.

Thanks

Linda Brown, Wasco County Clerk

ABSTRACT AND RESULTS APPROVED BY:

Commissioner, Pos #1-Scott Hege  
Commissioner, Pos #3- Rod Runyon  
Assessor-Jill Filla-Amery

FINAL OFFICIAL

Wasco County, Oregon  
Primary Election  
May 20, 2014

Run Date:11/24/14 03:35 PM

VOTES PERCENT

County Commissioner, Position 1

Vote For 1

Scott Hege . . . . .	2,791	64.03
Nora Ferguson . . . . .	1,539	35.31
WRITE-IN. . . . .	29	.67
Over Votes . . . . .	2	
Under Votes . . . . .	458	



CERTIFIED TO BE A TRUE AND CORRECT  
COPY OF THE ORIGINAL DOCUMENT ON

FILE IN THE Election  
RECORDS OF MY OFFICE

LINDA BROWN, Wasco County Clerk  
By Linda Brown Deputy

Date 11/24/2014 The Dalles, OR



SUMMARY REPORT

Wasco County, Oregon  
General Election  
November 4, 2014

Run Date:11/24/14 03:18 PM

VOTES PERCENT

PRECINCTS COUNTED (OF 14)	14	100.00
REGISTERED VOTERS - TOTAL	13,013	
BALLOTS CAST - TOTAL	9,571	
VOTER TURNOUT - TOTAL		73.55

County Commissioner, Position 3

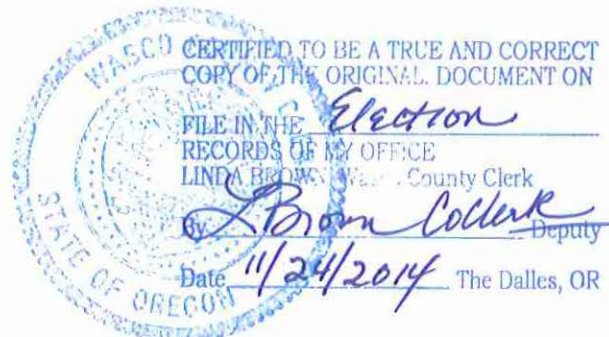
Vote For 1

Rod Runyon	4,719	55.17
Bridget Bailey	3,793	44.34
WRITE-IN	42	.49
Over Votes	1	
Under Votes	1,016	

County Assessor

Vote For 1

Jill Filla Amery	5,611	98.56
WRITE-IN	82	1.44
Over Votes	0	
Under Votes	3,878	



**Discussion Item**  
**2015 BOCC Meeting Schedule**

- [Tentative Meeting Schedule](#)
- [Tentative Town Hall Schedule](#)



## **Tentative 2015 Board Session Schedule**

**Meetings to begin at 9 a.m.**

<b>BOCC Session</b>
<b>January 2015 7th &amp; 21st</b>
<b>February 2015 4th &amp; 18th</b>
<b>March 2015 4th &amp; 18th</b>
<b>April 2015 1st &amp; 15th</b>
<b>May 2015 6th &amp; 20th</b>
<b>June 2015 3rd &amp; 17th</b>
<b>July 2015 1st &amp; 15th</b>
<b>August 2015 5th &amp; 19th</b>
<b>September 2015 2nd &amp; 16th</b>
<b>October 2015 7th &amp; 21st</b>
<b>November 2015 4th &amp; 18th</b>
<b>December 2015 2nd &amp; 16th</b>

# **Tentative 2015 BOCC Townhall Schedule**

**Meetings to be held in the evening.**

<b>BOCC Townhalls</b>
<b>Winter 2015 Moiser 3rd Week of February</b>
<b>Spring 2015 Maupin 1st Wednesday of May</b>
<b>Summer 2015 Tygh Valley/Wamic 1st Wednesday of September</b>
<b>Fall 2015 Dufur 1st Wednesday of November</b>



**Discussion Item**  
**12.17.2014 Meeting Start Time**

- [No documents have been submitted for this item:](#)

[RETURN TO AGENDA](#)

**WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
DECEMBER 3, 2014**

**CONSENT AGENDA**

1. [11.5.2014 Regular Session Minutes](#)





WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
11/5/2014

PRESENT: Scott Hege, Commission Chair  
Rod Runyon, County Commissioner  
Steve Kramer, County Commissioner  
STAFF: Tyler Stone, Administrative Officer  
Kathy White, Executive Assistant

At 9:00 a.m. Chair Hege opened the Regular Session of the Board of Commissioners with the Pledge of Allegiance. Additions to the Discussion List:

- Columbia Basin Care Facility Contract Amendment – Fred Davis
- Upcoming appointment expirations – Kathy White
- Wasco Electric Cooperative Ballot – Kathy White

**Discussion Item – Charter Appeal Update**

Tax & Assessment Interim Director Tom Linhares announced that the Assessor's Office has turned the roll; he handed out summary sheets for review (attached).

Mr. Linhares explained that in 2009 a major change in State policy reclassified cable service providers as utilities for the purposes of tax assessment. Charter (Comcast), whose value increased by \$4 million as a result of the change, along with all other cable service providers in Oregon, filed an appeal.

WASCO COUNTY BOARD OF COMMISSIONERS  
SPECIAL SESSION  
11/5/2014  
PAGE 2

All appeals from the smaller cable service providers were placed on hold pending the outcome of the Comcast appeal. Last month the Oregon Supreme Court ruled in favor of the State, but how value is calculated was not determined – it was remanded to Tax Court for that determination. He predicted that it could be up to two years before there is a final decision.

Had Comcast won, Oregon counties would have been required to issue massive tax refunds to them. In preparation for that possibility, former Assessor Tim Lynn had recommended that all Comcast taxes be placed in reserve; that account has a current balance of approximately \$500,000. Mr. Linhares advised that even if Comcast successfully reduces their taxing rate by half, there is enough already in reserve to issue a refund. He recommends that no additional funds be placed in the Comcast reserve account.

Commissioner Runyon asked if Finance director Monica Morris had been apprised of this recommendation. Mr. Linhares replied that he had spoken to County Treasurer Chad Krause. Commissioner Runyon suggested that He have a similar conversation with Ms. Morris.

Chair Hege asked how Google will be assessed. Mr. Linhares responded that Google is paying a healthy amount even though they would have paid more without the exemption. He explained that the Department of Revenue will do the appraisal. The Google servers are personal property and currently have almost as much value as the land and buildings; however, the servers depreciate quickly. He said his guess for Google value when they come off of the exemption is substantial – approximately \$200 million. The buildings will have to be assessed separately as some will come off of exemption status earlier than others. He added that there will be a meeting around those decisions; he has asked that the County Administrative Officer and one Commissioner be included in that meeting.

<b>Discussion Item – Assessor Appointment</b>
---

Chair Hege announced that Jill Amery won yesterday's election for County Assessor and would take office in January 2015.

**{{{Commissioner Kramer moved to approve Order #14-083 appointing Assessor-Elect Jill Amery as Wasco County Assessor effective immediately. Commissioner Runyon seconded the motion which passed unanimously.}}}**

**Discussion Item – FISMA Attestation**

Ms. White explained that when the BPA Weed Control agreement, previously approved by the Board, had come in to the County it had not included the attestation required for all federal contractors and their sub-contractors to insure the protection of sensitive information. She stated that she has been in communication with BPA regarding this oversight and had sent the attestation to Information Systems Director Paul Ferguson for confirmation of Wasco County's compliance.

Mr. Ferguson explained that the attestation is for NIST, the lowest FISMA level of security. He stated that because of the security requirements for the Sheriff's Department, Wasco County meets FIPS, the highest FISMA level of security. He went on to explain that although Wasco County meets the FIPS requirements for security, not all the Wasco County policies are in writing; his department is working to get that accomplished.

**{{{Commissioner Runyon moved to approve the FISMA Attestation.  
Commissioner Kramer seconded the motion which passed unanimously.}}}**

**Discussion Item – Sprint Lease Amendment**

Facilities Manager Fred Davis explained that this is not the first time Sprint has asked to modify their equipment at the Wasco County site; however this is the first time the request has taken the form of a lease amendment rather than a stand-alone agreement. He stated that he asked them to revise their plans to protect the site's parapet wall; they have complied. He said that nothing else about the lease changed although the assessed value of their personal property may increase.

**{{{Commissioner Kramer moved to approve the Sprint Lease Amendment.  
Commissioner Runyon seconded the motion which passed unanimously.}}}**

**Discussion Item – Columbia Basin Care Facility Cooler Repair  
Amendment**

Mr. Davis explained that the insurance settlement came in at a slightly lesser amount than had been quoted. Since the original agreement included the quoted amount, an amendment is necessary to reflect the change. Columbia Basin Care Facility will make up the difference as was previously agreed.

**{{{Commissioner Runyon moved to approve the Columbia Basin Care  
Facility Cooler Repair Amendment. Commissioner Kramer seconded the**



**motion which passed unanimously.}}**

Mr. Davis reported that courthouse window frame painting had been suspended due to the election but has resumed. He stated that they are making progress even in the rain and doing a great job – they go onto the glass of each window just enough to provide a reliable seal for the wood frame.

#### **Discussion Item – Staff Introduction**

Planning Director John Roberts introduced newly-hired Senior Planner Angie Brewer who has worked as a planner for the Gorge Commission for 9 years. Ms. Brewer begins work today. Local realtor Dennis Morgan stated that he has worked with Ms. Brewer and believes she will be a great addition to the Wasco County Planning Department. Mr. Roberts agreed, saying that it is a victory for Wasco County.

#### **Agenda Item – Disposition of County Property**

Mr. Roberts explained that Wasco County owns a great many parcels of land throughout the County; about one-third are in the urban growth boundary with 6-10 representing real value to the public, i.e., Annexes A & B, 10<sup>th</sup> Street properties, etc. However, the vast majority have been acquired through foreclosure or are orphaned through the survey process. He stated that the long-term goal should be to develop a strategy to dispose of these properties but that can be tricky and time-consuming.

Today he is bringing forward a property issue involving two slivers of County property located in the City of The Dalles. He explained that the two properties have been used for access by three adjoining property owners, although there are four property owners involved in the dispute.

Mr. Stone pointed out that the two tax lots in question were orphaned due to a remapping of the adjacent lots; they should have been part of the larger lots.

Mr. Roberts said through a mediation process facilitated by Six Rivers, the landowners have agreed to a multi-step solution. The first step is for the County to dispose of the two lots through sale to two of the property owners. He said the properties have no building potential and are of little value to the County. Mr. Morgan has agreed to assist with the necessary paperwork. Once the order to dispose of the property is approved, the sale will be noticed as is required by law.

Mr. Roberts recommended that the County sell for a minimal amount adding that

increased tax value would be only \$6-\$7 per year. He pointed out that the two landowners already have structures that extend into the County-owned tax lots.

Further discussion ensued regarding the possibility of identifying similar County-owned orphaned properties and employing a similar process to dispose of them. The general consensus was that this is a low-priority project.

Mr. Stone observed that when the sale is complete, a property owner could sell the larger parcel and retain ownership of the smaller lot giving rise to a new set of issues. Mr. Morgan agreed. Mr. Roberts said that they will have to make sure the title company describes it as part of the larger parcel rather than a separate lot.

**{{{Commissioner Kramer moved to approve Order #14-082 disposing of County properties at \$50.00 per tax lot for the two lots in question. Commissioner Runyon seconded the motion which passed unanimously.}}}**

<b>Agenda Item – EMPG Grant</b>
---------------------------------

Emergency Manager Kristy Beachamp explained that this grant funds the Emergency Program at a 50/50 cost share. Wasco County pays \$26,500 along with contributions from municipalities within the County. The rest comes from the Federal Government through the State.

Chair Hege asked if there is a written commitment from the participating cities. Ms. Beachamp replied it is not in writing although she has attended their council meetings where the cities agreed to participate. Chair Hege stated that he would like to see those agreements formalized in writing.

**{{{Commissioner Runyon moved to approve the Oregon Military Department Office of Emergency Management Emergency Management Performance Grant CFDA #97.042 Wasco County \$39,000 Grant #14-533. Commissioner Kramer seconded the motion which passed unanimously.}}}**

Ms. Beachamp reported that they are getting the virtual emergency center up and running. She said it will allow for the tracking of resources throughout the County. She said she is also working to increase public participation in the Everbridge Citizen Alert System. Everbridge has a new platform that will enable the County to add groups and customize programming. She is working to implement the upgrade which is at no additional cost to the County.

Chair Hege called for a recess at 10:09 a.m.

The session reconvened at 10:11 a.m.

**Agenda Item – DOJ VOCA Grant**

Victim's Advocate Judy Urness and District Attorney's Office Manager Elizabeth Osborne came forward to support approval for the grant. Ms. Urness explained that the grant pays her salary to provide mandated services.

Chair Hege asked if Wasco County meets the grant's requirement for an EEOP plan. Mr. Stone confirmed that Wasco County does have the required plan.

Ms. Osborne pointed out that this is actually an extension of a previously approved grant. She explained that the extension will synchronize the two funding streams that support the Victims Assistance Program.

**{{{Commissioner Runyon moved to approve the Department of Justice Victims of Crime Act 2012 Non-competitive Grant Award Amendment #1. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**Agenda Item – Youth Services Contracts**

Ms. White explained that Youth Services Director Molly Rogers is not able to attend today's session but that Ms. Morris is available to answer questions regarding the financial impact of the contracts.

Ms. Morris explained that IGA 9770 amendment is an increase in funding that represents pass-through dollars.

**{{{Commissioner Kramer moved to approve IGA Contract for Professional Services #9770 Amendment #4. Commissioner Runyon seconded the motion which passed unanimously.}}}**

Ms. White stated that the Haven Funding Agreement is an annual agreement previously administered by the Commission on Children and Families for services to victims of domestic violence.

**{{{Commissioner Kramer moved to approve the Haven Funding Agreement for \$6,221. Commissioner Runyon seconded the motion which passed unanimously.}}}**



**Agenda Item – Budget Adjustments**

Ms. Morris stated that the first adjustment is for the 9770 amendment; it accepts and appropriates the additional, unbudgeted amount.

**{{{Commissioner Kramer moved to approve Resolution #14-025 accepting and appropriating unanticipated Family Preservations Grant funds in the amount of \$6,221 during fiscal year 2014-2015. Commissioner Runyon seconded the motion which passed unanimously.}}}**

Ms. Morris explained that she has met with Community Corrections Director Robert Martin to review this adjustment; he is now more aware of the budgetary requirements. She stated that his 2013-2014 spending was over-budget due to a misunderstanding. She said this order moves money from his contingency fund to rent owed from the 2013-2014 fiscal year. In addition, money is also being moved to legal counseling for legal expenses incurred for FOPPO union negotiations, a cost Mr. Martin did not anticipate. She added that \$20,000 has already been expended on negotiations and she hopes they will not need to use all of the remaining \$30,000 that is being moved for a total of \$50,000 being transferred to cover legal services for the negotiations.

Chair Hege asked for further explanation of the rent issue. Ms. Morris responded that Community Corrections rent had been budgeted for the 2013-2014 fiscal year. At the end of that year she had advised him that he owed \$8,000 for FOPPO negotiations and he had overspent materials and services. To compensate for the deficit, she had reduced his rent for the 2013-2014 fiscal year with the understanding that the back rent would be paid in the 2014-2015 fiscal year.

**{{{Commissioner Runyon moved to approve Order #14-084 transferring \$68,000 from contingency to materials and services. Commissioner Kramer seconded the motion which passed unanimously.}}}**

Commissioner Runyon mentioned to Ms. Morris that he had asked Mr. Linhares to contact her regarding the Comcast/Charter reserve fund not having any further deposits. Ms. Morris replied she believes there is an agreement in place that may not allow for that.

**Discussion Item – Wolf Depredation Compensation Committee  
Resolution**

Commissioner Kramer explained that this resolution formalizes the Wolf Depredation Compensation Committee to which members have been appointed. Chair Hege asked if the Committee would have bylaws. Commissioner Kramer replied that operation guidelines for the Committee are set out in the State plan.

**{{{Commissioner Kramer moved to approve Resolution #14-024 forming the Wasco County Wolf Depredation Compensation Committee. Commissioner Runyon seconded the motion which passed unanimously.}}}**

**Discussion Item – Upcoming Appointment Expirations**

Ms. White stated that there are 54 appointments and reappointments coming before the Board in December. She explained that the vast majority of those are reappointments to boards or committees and are based on recommendations of the entities to which the members are being appointed/reappointed. Reappointments are for people who have previously been reviewed and approved by the Board of County Commissioners and carry a recommendation for reappointment along with the confirmed willingness of the appointee to continue their service. Ms. White suggested that these reappointments be placed on the Consent agenda for approval, pointing out that individual reappointments can be moved to the Discussion List should any Commissioner feel it warrants further consideration.

**\*\*\*The Board was in consensus to have all recommended reappointments appear on the Consent Agenda.\*\*\***

Ms. White went on to say that some of the remaining appointments/reappointments are direct – meaning that the Board does not receive any recommendation from the entity to which the appointment is made. These are:

- North Central Public Health District Board of Health
- Wasco County Budget Committee
- Hospital Facility Authority Board

She reported that Chip Wood's appointment to the Budget Committee will expire at the end of the year; Carri Ramsey-Smith has resigned her position on the Board of Health effective 1.1.2015 and Fred Schubert's appointment to that Board expires on 12.31.2014. She reminded the Board that although she will advertise to fill these

vacancies, she rarely gets a response. She asked if the Board had anyone in mind who could contact to see if they would be interested in applying.

Chair Hege observed that Dr. Hamilton currently sits on the Board of Health for Sherman County but is a resident of Wasco County. The Board of Health bylaws require members to reside in the County they represent; he suggested that when Dr. Hamilton's Sherman County appointment expires, Wasco County could consider him for appointment.

**\*\*\*The Board was in consensus to ask expiring direct appointees to reapply should they be willing to continue to serve or write a letter of resignation should they not wish to be reappointed.\*\*\***

**\*\*\*The Board was in consensus to have recommended reappointments appear on the Consent agenda for approval.\*\*\***

After further discussion, the Board asked Ms. White to send applications for the Budget Committee to John Hutchison and Bob Delaney. Ms. White reported that she has already received an application from Ken Polehn for that vacancy. The Board agreed to provide additional names to Ms. White to send application for the various direct appointment vacancies.

#### **Discussion Item – Wasco Electric Cooperative Ballot**

**\*\*\*Following a brief discussion, the Board was in consensus to cast no ballot for the election of members to the Wasco Electric Cooperative Board of Directors.\*\*\***

#### **Agenda Item – WCLEA 2014-2018 Agreement**

Mr. Stone explained that this is the proposed contract agreed upon by WCLEA members and County representatives following several months of negotiations. He said that the highlights are:

- Article 11 – WCLEA members agree to go on the County's compensation program. For those employees at the top of the scale there is a ratification bonus of \$200 each (9-1-1 staff).
- Article 13 – Cleans up the language regarding vacation to mirror what is already being done.
- Page 24 – Reflects current law and awards new-hire sick leave three months



earlier.

- Certification pay has been removed.
- A fitness incentive has been added: Certified employees must pass a one-time fitness test. If they maintain that level of fitness for an annual fitness test, they can qualify for a fitness incentive of \$100 twice each year.

Chair Hege asked if there is a cost to the fitness test. Mr. Stone replied only in that the County pays the deputies for their time to take the test which is automatically held each year.

- The boot allowance has been increased by \$50 every three years. In exchange for that concession, the County will be able to conduct mandatory, random drug and alcohol testing – a procedure WCLEA has resisted for years.

Mr. Stone stated he recommends approval of the agreement conditioned on the roll-out process. Ms. Morris pointed out that the cost of the WCLEA negotiations was \$5,000 – significantly less than the other two unions. She said that once the agreement is approved, increases will be seen on the next payroll. Retro pay will be paid July 1<sup>st</sup>, signing bonuses will be paid and they will all move to their next step.

Chair Hege asked if retro pay has been done for anyone else. Ms. Morris replied that this is the first group to come on to the compensation program since its initial roll-out; the WCLEA contract ended June 30<sup>th</sup>. The former AFSCME employees are ready to commit to a package that will bring them into the compensation program; they are not asking for retroactive pay.

Mr. Stone provided the Board with a second side letter of agreement (attached) outlining the roll-out process. The first side letter of agreement is included in the Board Packet and states that if the Union members elect to opt out of the program, their wages will roll back to current levels.

**{{{Commissioner Kramer moved to approve the WCLEA Collective Bargaining Agreement 2014-2018, including side letters of agreement 11 and 11.1. Commissioner Runyon seconded the motion which passed unanimously.}}}**

<b>Agenda Item – Workforce IGA &amp; Ordinance</b>
--

Commissioner Runyon explained that this program was pushed down to the counties by the Governor's Office. Mr. Stone added that the smaller groups will report to a

larger group; theoretically, this system will allow the smaller groups to focus more on local issues. Chair Hege asked if the money for the program will go to MCCOG. Commissioner Runyon replied that as the County's agent, the funding would go to MCCOG.

Mr. Stone asked if this would be money that supports broadband. Commissioner Runyon responded that the money is for job creation, work force development, etc. He added that it seems like change for change's sake; it has been working well through the Oregon Consortium.

Commissioner Kramer reported that he had voiced the same concern when attending a formation meeting on behalf of Commissioner Runyon. He said Commissioner Runyon will participate in the group that will select three representatives from our region to serve on the state-wide group.

**{{{Commissioner Runyon moved to approve the Intergovernmental Agreement Creating the Central Oregon Workforce Consortium.  
Commissioner Kramer seconded the motion which passed unanimously.}}}**

Commissioner Kramer read the title of the COWC Ordinance into the record: In the matter of adoption of Ordinance ratifying the creation of an intergovernmental entity known as the Central Oregon Workforce Consortium (COWC).

The second reading will occur at the December 3<sup>rd</sup> session and it will be considered for passage at that time.

**Consent Agenda – Minutes: 10.15.2014 Regular Session, 10.16.2014  
Town Hall Meeting, 10.27.2014 Special Session**

**{{{Commissioner Runyon moved to approve the Consent Agenda.  
Commissioner Kramer seconded the motion which passed unanimously.}}}**

**Commission Call**

Commissioner Runyon thanked everyone for their support of his re-election.

The Board briefly discussed the afternoon work session determining that the purpose would be to reach a consensus as to how to move forward regarding the regulation of noise in Wasco County:

- Develop and enact a noise ordinance

- Develop and enact an outdoor mass gathering ordinance.
- Develop and enact both of the above
- Do nothing

Chair Hege recessed the session at 11:11 a.m.

The session reconvened at 1:33 p.m. in the Deschutes Room located in the basement of the courthouse.

<b>Work Session – The Regulation of Noise in Wasco County</b>
---

PRESENT:	Chair Scott Hege Commissioner Rod Runyon Commissioner Steve Kramer
STAFF:	Administrative Officer Tyler Stone Planning Director John Roberts Chief Deputy Lane Magill Executive Assistant Kathy White
INTERESTED CITIZENS:	Dr. David Wehrly Glenn Boyd

Chair Hege noted that there are 3 draft ordinances that have been developed:

1. Draft developed by Dr. Wehrly
2. Draft developed by Chief Deputy Magill
3. Draft developed by Chair Hege

Dr. Wehrly explained that his approach was to determine what a reasonable person's standard would be in terms of noise for the unincorporated portions of the County. He added that he drew from what has been done elsewhere in the State in terms of amplified sound.

Chief Deputy Magill reported that he had sent requests to all Oregon counties for information regarding noise regulations and received responses from four counties; he also reviewed the City of The Dalles noise ordinance. Based on commonalities among the ordinances, he drafted an ordinance for Wasco County. He explained that enforcement was one of the more difficult aspects to address. In talking with Clatsop County officials who have had Run 21 in their county, it is difficult to enforce due to the drain on resources. In addition, there is the direct costs of equipment and training necessary for enforcement.



Chair Hege explained that his draft is stripped down to be as simple as possible. He said that since the big issue last year was the timing of the amplified sound, he tried to focus on that without creating another layer of bureaucracy.

Mr. Roberts went to the white board to illustrate how existing County regulations and State regulations govern events. He explained that any new regulations would be housed in LUDO but not actually be part of LUDO; in Benton County it is housed in Parks and Recreation. He went on to say that for social gatherings and big events there is a lot of latitude to add regulations addressing noise. Outdoor Mass Gatherings (OMG) conditions are very narrow with little discretion.

Further discussion ensued regarding the various details that might be encompassed by a noise ordinance or an OMG ordinance with a component that addresses noise. In addition, the group discussed the challenges of regulating sound for both volume and distance and the enforcement of said regulations.

Chief Deputy Magill warned that if a noise ordinance is broad in scope with little detail, it is subject to interpretation by both law enforcement and the courts – a circumstance that invites litigation; violations would have to be proved in a court of law.

Dr. Wehrly asked what would happen if a social gathering exceeded its limits for time or number of attendees. Mr. Roberts replied that in that case they would trigger the need for a permit and could be shut down for lack thereof.

Dr. Wehrly said he had focused on amplified noise to remove the subjectivity and tried to make it easily measured – for instance, “plainly audible from 50 feet” without setting a decibel level. Mr. Boyd pointed out that “plainly audible” is a term subject to interpretation. Chief Deputy Magill stated that the more he looked into it the more difficult it seemed to be to regulate and enforce noise.

Mr. Boyd asked how many people continue to be noisy after having been warned by law enforcement. Chief Deputy Magill reported that he cannot recall a single incident where deputies have had to return after an initial warning. He stated that his office regularly receives noise complaints.

Mr. Roberts said that no matter how broad or narrow an ordinance it still falls back to enforcement. Chief Deputy Magill said that a noise ordinance directed only at events could be enforceable – anything broader would be problematic.

Mr. Stone expressed a concern that an ordinance could create a situation where people would use it to “beat up” neighbors in personal disputes. He asked if the Sheriff’s Department currently uses other mechanisms for noise complaints. Chief Deputy Magill responded that they currently enforce public disturbance/disorderly conduct regulations.

Dr. Wehrly stated that when he called about the noise in 2013, he was told that nothing could be done.

Commissioner Kramer asked Dr. Wehrly to be honest about his motivation – is this about a noise ordinance or is it about his own distaste for the What the Festival event. Dr. Wehrly replied that he believes that the rural population should not be subject to things that the municipalities’ residents are not subject to; he conceded that What the Festival is the trigger.

Chief Deputy Magill pointed out that they respond to all the calls with or without an ordinance . . . with an ordinance, instead of a warning, deputies will have to issue citations. He observed that if a citation is issued, there will have to be a report and it could go to court which will drain resources. He added that if there is a major crime, the noise complaint will get pushed back as a lower priority call.

Dr. Wehrly asked if a warning could still be issued as is sometimes the case in traffic stops. Chief Deputy Magill replied that it would depend on how the ordinance is written.

Chair Hege asked the Board to consider whether or not they want to direct staff to go forward with an ordinance to be presented for consideration.

Commissioner Runyon said he is not ready to go there; many of the subjective components of a noise ordinance are problematic and a more detailed ordinance would over-burden law enforcement. He stated that warnings appear to be working and a shut-off time for big events is easily enforceable. He reminded everyone that through a good process the WTF event has been improved each year.

Commissioner Kramer agreed, stating that with or without an ordinance, noise will continue to be an issue. He said he believes there are enough rules in place; there is not a need to burden the public with more regulations.

Chair Hege noted that the issue of noise is not likely to fade away and Mr. Roberts will continue to work on local outdoor mass gathering rules.

**\*\*\*The Board was in consensus to not go forward with any plans to develop a County noise ordinance.\*\*\***

Chair Hege adjourned the work session at 3:00 p.m.

<b>Summary of Actions</b>
---------------------------

**Motions Passed**

- To approve Order #14-083 appointing Assessor-Elect Jill Amery as Wasco County Assessor effective immediately.
- To approve the FISMA Attestation.
- To approve the Sprint Lease Amendment.
- To approve the Columbia Basin Care Facility Cooler Repair Amendment.
- To approve Order #14-082 disposing of County properties at \$50.00 per tax lot for the two lots in question.
- To approve the Oregon Military Department Office of Emergency Management Emergency Management Performance Grant CFDA #97.042 Wasco County \$39,000 Grant #14-533.
- To approve the Department of Justice Victims of Crime Act 2012 Non-competitive Grant Award Amendment #1.
- To approve IGA Contract for Professional Services #9770 Amendment #4.
- To approve the Haven Funding Agreement for \$6,221.
- To approve Resolution #14-025 accepting and appropriating unanticipated Family Preservations Grant funds in the amount of \$6,221 during fiscal year 2014-2015.
- To approve Order #14-084 transferring \$68,000 from contingency to materials and services.
- To approve Resolution #14-024 forming the Wasco County Wolf Depredation Compensation Committee.
- To approve the WCLEA Collective Bargaining Agreement 2014-2018, including side letters of agreement 11 and 11.1.
- To approve the Intergovernmental Agreement Creating the Central Oregon Workforce Consortium.
- To approve the Consent Agenda - Minutes: 10.15.2014 Regular Session,

**10.16.2014 Town Hall Meeting, 10.27.2014 Special Session**

**Consensus**

- **To have all recommended reappointments appear on the Consent Agenda.**
- **To ask expiring direct appointees to reapply should they be willing to continue to serve or write a letter of resignation should they not wish to be reappointed.**
- **To have recommended reappointments appear on the Consent agenda for approval.**
- **To cast no ballot for the election of members to the Wasco Electric Cooperative Board of Directors.**
- **To not go forward with any plans to develop a County noise ordinance.**

WASCO COUNTY BOARD  
OF COMMISSIONERS

---

Scott C. Hege, Commission Chair

---

Rod L. Runyon, County Commissioner

---

Steven D. Kramer, County Commissioner



**Agenda Item**  
**Supplemental Budget Hearing**

- [Public Notice](#)
- [Resolution #14-029 Adopting Supplemental Budget](#)

## NOTICE OF SUPPLEMENTAL BUDGET MEETING

A public meeting on a proposed supplemental budget for Wasco County, State of Oregon, for the fiscal year July 1, 2014 through June 30, 2015 will be held at the Wasco County Courthouse, Room #302. The meeting will take place on the 3rd day of December, 2014 at 9:30 am. The purpose of the meeting is to discuss the supplemental budget with interested persons. A copy of the supplemental budget document may be inspected on or after November 17, 2014 at the Wasco County Finance Office between the hours of 9:00- 12:00 and 1:00- 4:30pm.

### SUMMARY OF SUPPLEMENTAL BUDGET

#### SPECIAL ECONOMIC DEVELOPMENT PAYMENTS FUND

RESOURCE	<u>BUDGETED</u>	<u>AMENDED</u>
BEGINNING BALANCE -	\$0	\$513,532
VIDEO POKER -	\$185,000	\$205,000
<i>REVISED TOTAL RESOURCES: \$968,532</i>		
REQUIREMENT		
SPECIAL PROJECTS -	\$35,000	\$527,249
TRANSFERS OUT -	\$237,500	\$278,783
<i>REVISED TOTAL REQUIREMENTS: \$968,532</i>		

#### GENERAL FUND

RESOURCE	<u>BUDGETED</u>	<u>AMENDED</u>
TRANSFERS IN -	\$728,131	\$769,414
<i>REVISED TOTAL RESOURCES: \$11,757,716</i>		
REQUIREMENT		
ADMINISTRATION -	\$3,751,949	\$3,793,232
<i>REVISED TOTAL REQUIREMENTS: \$11,757,716</i>		

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE FISCAL YEAR	)	
2014-2015 SUPPLEMENTAL BUDGET	)	
FOR ADDITIONAL UNANTICIPATED	)	RESOLUTION
CARRY-OVER FUNDS FROM THE	)	#14-029
2013-2014 FISCAL YEAR BUDGET	)	

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

WHEREAS, these funds were not anticipated at the time of the adoption of the 2014-2015 Budget Document; and

NOW, THEREFORE IT IS HEREBY RESOLVED: That the Supplemental Budget for Fiscal Year 2014-2015 is hereby adopted for the total appropriated amount of \$27,538,116 and the total unappropriated amount of \$6,729,020 for a total budget of \$34,267,136; and

BE IT FURTHER RESOLVED: That the appropriations previously approved for the Special Economic Development Payments Fund are amended to a new total of \$968,532 as outlined in the attached detail; and

BE IT FURTHER RESOLVED: That the appropriations previously approved for the General Fund are amended to a new total of \$11,757,716 as outlined in the attached detail.

DATED this 3<sup>rd</sup> day of December, 2014.

WASCO COUNTY BOARD  
OF COMMISSIONERS

---

Scott C. Hege, Commission Chair

---

Rod L. Runyon, County Commissioner

---

Steve Kramer, County Commissioner



## ATTACHED DETAIL

### SUMMARY OF SUPPLEMENTAL BUDGET

#### SPECIAL ECONOMIC DEVELOPMENT PAYMENTS FUND

RESOURCE	<u>BUDGETED</u>	<u>AMENDED</u>
BEGINNING BALANCE -	\$0	\$513,532
VIDEO POKER -	\$185,000	\$205,000
<i>REVISED TOTAL RESOURCES: \$968,532</i>		

#### REQUIREMENT

SPECIAL PROJECTS -	\$35,000	\$527,249
TRANSFERS OUT -	\$237,500	\$278,783
<i>REVISED TOTAL REQUIREMENTS: \$968,532</i>		

#### GENERAL FUND

RESOURCE	<u>BUDGETED</u>	<u>AMENDED</u>
TRANSFERS IN -	\$728,131	\$769,414
<i>REVISED TOTAL RESOURCES: \$11,757,716</i>		

#### REQUIREMENT

ADMINISTRATION -	\$3,751,949	\$3,793,232
<i>REVISED TOTAL REQUIREMENTS: \$11,757,716</i>		

**Agenda Item**  
**Central Oregon Workforce Consortium**  
**Ordinance**

- [Staff Memo](#)
- [Ordinance #14-003 Ratifying Creation of COWC](#)

---

---

**MEMORANDUM**

---

---

**TO:** BOARD OF COUNTY COMMISSIONERS  
**FROM:** KATHY WHITE  
**SUBJECT:** CENTRAL OREGON WORKFORCE CONSORTIUM ORDINANCE  
**DATE:** 10/28/2014

---

PROCESS INFORMATION

An ordinance passed by the Board of County Commissioners requires a majority vote following readings at two sessions a minimum of 13 days apart and does not take effect until 90 days after passage. The reading of the title only meets State requirements, however, should any Commissioner request it, the ordinance must be read in full.

This will come before the Board again at the 11.19.2014 session for a second reading and vote.

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF ADOPTION OF	)	
ORDINANCE RATIFYING THE CREATION OF	)	ORDINANCE
AN INTERGOVERNMENTAL ENTITY	)	#14-003
KNOWN AS THE CENTRAL OREGON	)	
WORKFORCE CONSORTIUM (COWC)	)	

WHEREAS, ORS 190.085 requires local governments to enact ordinances ratifying the creation of intergovernmental entities through intergovernmental agreements prior to the effective date of the agreement; and

WHEREAS, the Counties of Crook, Deschutes, Gilliam, Hood River, Jefferson, Klamath, Lake, Sherman, Wasco and Wheeler wish to establish an intergovernmental entity comprised of local governing body elected officials to oversee a regional Workforce Board, to be created consistent with the Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014; and

WHEREAS, the intergovernmental entity shall have the power to enter into contracts, adopt rules for administrative and business operations, receive and distribute assets and revenue, and perform any lawful act as allowed by ORS Chapter 190; and



WHEREAS, it is the intent of the Board of County Commissioners of Wasco County, Oregon, to create an intergovernmental entity by intergovernmental agreement; and

WHEREAS, the intergovernmental agreement shall be effective on December 1, 2014 or when all ten (10) parties adopt it, whichever occurs last.

NOW, THEREFORE the Board of Commissioners of Wasco County ordains the adoption of the following:

1. Pursuant to ORS 190.085, it is the intent of the Board of Commissioners to create an intergovernmental entity known as the Central Oregon Workforce Consortium by intergovernmental agreement among Crook County, Deschutes County, Gilliam County, Hood River County, Jefferson County, Klamath County, Lake County, Sherman County, Wasco County and Wheeler County for the purpose of establishing a consortium of local govern body elected officials, which shall provide coordinated oversight of the Central Oregon Workforce Board.

2. A copy of the COWC Intergovernmental Agreement, attached to this ordinance and incorporated into this ordinance by this reference, is approved and ratified.

3. The intergovernmental agreement creating the COWC shall be effective on December 1, 2014 or whenever all the parties approve it, whichever occurs last.

4. The public purpose of the COWC is to establish a consortium of local governments to oversee the board that coordinates workforce development within the regional area.

5. The COWC shall have the powers, duties and functions as set out in the

Intergovernmental Agreement.

6. This Ordinance being necessary for the immediate preservation of the public peace, health, and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

Dated this 19<sup>th</sup> day of November, 2014

WASCO COUNTY  
BOARD OF COMMISSIONERS

---

Scott C. Hege, Chair

---

Rod L. Runyon, County Commissioner

---

Steven D. Kramer, County Commissioner

ATTEST:

---

Kathy R. White, Executive Assistant

Date of 1st Reading: 5<sup>th</sup> day of November, 2014.

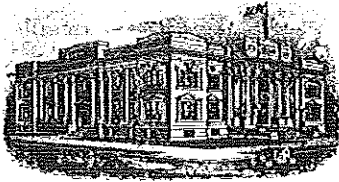
Date of 2nd Reading: 3<sup>rd</sup> day of December, 2014.

Effective date: 3<sup>rd</sup> day of March, 2015.

## **Agenda Item**

### **Vehicle Surplus**

- [Staff Memo](#)
- [Order #14-110 Surplussing Vehicle](#)



## WASCO COUNTY

### DEPARTMENT OF YOUTH SERVICES

Juvenile Justice Division  
202 East Fifth Street  
The Dalles, Oregon 97058-2220  
(541) 506-2660  
Fax: (541) 506-2661

Molly Rogers  
Director

Date: November 14, 2014

To: Wasco County Board of Commissioners

From: Molly Rogers, Director  
Wasco County Department of Youth Services

Re: 2008 Dodge Durango – Wasco Youth Services Community Work Service Vehicle

This memo is to request the transfer of the listed vehicle to the ownership of NORCOR – T.O.O.L.S Residential Program for the purpose of providing transportation for youth completing community work service in Wasco County.

In the fall of 2010 Wasco County Department of Youth Services completed a grant proposal to the Hood-Willamette Regional Advisory Council (RAC) for the replacement of the previous vehicle for youth work crews. Based on the acceptance of the proposal, Youth Services in cooperation with the Sheriff's Office replaced the Suburban with a Durango from the vehicle plan. I have consulted with Lane Magill and this vehicle is not identified to continue in the vehicle plan as it was a special purchase.

The intent of the vehicle is to transport youth and equipment for community work service projects including sites within the Mt. Hood National Forest. The vehicle is equipped with a rack on top to attach equipment and supplies. Inside the vehicle has been worn and the seats are soiled with dirt and oil. It has been maintained with oil changes and check-ups. The transmission light is on and I have requested that it be checked out by Nelson's transmission repair. It will need new tires within the year.

In June of 2014 the Community Work Supervisor within Department of Youth Services retired. An agreement with the NORCOR Residential Program will be transferring the responsibility of supervision of Community Work Service to T.O.O.L.S.. When youth are ordered, either through our office or the Court, they will report to NORCOR to schedule and complete their requirements.

The transfer is beneficial to both Wasco County and to the NORCOR program. Many of the youth who are completing work site projects are currently participating in the residential program, which makes crews much more productive. Youth required through Wasco County will have consistent scheduling and meaningful work sites based on the dedicated coordination through the on-site staff coordinator. The ongoing maintenance and upkeep for the vehicle will transfer to NORCOR; with the vehicle continuing to be used in the manner it was intended. Finally, Wasco County will be able to access and request crews for specific job tasks, including the fairgrounds and ground maintenance.

If there are any additional questions please feel free to contact me for details.



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF SURPLUSSING YOUTH )  
SERVICES VEHICLE: UNIT #08-01 2008 DODGE ) ORDER  
DURANGO VIN #1D8HB48238F126793 ) #14-110

NOW ON THIS DAY, the above-entitled matter having come on  
regularly for consideration, said day being one duly set in term for the  
transaction of public business and a majority of the Board of County  
Commissioners being present; and

IT APPEARING TO THE BOARD: That said vehicle is not  
identified to continue in the vehicle plan; and

IT FURTHER APPEARING TO THE BOARD: That the purpose of  
this vehicle is to transport youth and equipment for community work service  
projects; and

IT FURTHER APPEARING TO THE BOARD: That an agreement  
with the NORCOR Residential Program will be transferring the responsibility  
of supervision of Community Work Service to T.O.O.L.S. at NORCOR; and

IT FURTHER APPEARING TO THE BOARD: That above said vehicle is no longer required by the County; and

IT FURTHER APPEARING TO THE BOARD: That the transfer of said vehicle to NORCOR is beneficial to both Wasco County and to the NORCOR program; and

NOW THEREFORE, IT IS HEREBY ORDERED: That above said vehicle will be considered surplus and transferred to NORCOR by the Wasco County Youth Services Department, in accordance with state laws governing the disposition of property.

DATED this 3<sup>rd</sup> day of December, 2014

WASCO COUNTY BOARD  
OF COMMISSIONERS

---

Scott C. Hege, Chair

---

Rod L. Runyon, County Commissioner

---

Steven D. Kramer, County Commissioner

**Agenda Item**  
**Fair Budget Report**

- [No documents have been submitted for this item:](#)

[RETURN TO AGENDA](#)

**Agenda Item**  
**Mid-Columbia Fire & Rescue Building Project**

- [MCF&R Letter](#)
- [City of The Dalles Staff Report](#)

# MID-COLUMBIA



## FIRE & RESCUE

1400 West Eighth Street  
The Dalles, Oregon 97058  
541-296-9445 • Fax: 541-296-8656

**DATE:** November 3, 2014

**TO:** Nolan Young, City Manager  
Scott Hege, Wasco County Commissioner

**FROM:** Robert Palmer, Fire Chief

**ISSUE:** Provisions concerning bidding and construction process relative to the Enterprise Zone Tax Abatement Agreement executed on September 24, 2013.

The competitive bids for the construction of the improvements for Station 2 located at 525 Columbia View Heights have been received and tabulated. The District must now provide a written report to the City and County summarizing the bids received and the amount of funds available for the award. Consent must be received by the City and County before it may proceed with the award of the contract.

Six construction bids were received by the fire district. The public bid opening took place on October 29, 2014 at 1:00 p.m. The bid process required that the contractor provide the following project quotes: 1) Base Project Bid; 2) Alt. Bid #1 – Addition of Bay; 3) Alt. Bid #2 – Sprinkler System; 4) Alt. bid #3 – Generator Install; 5) Rock Removal and 6) Engineered Fill. Including the base bid and alternate bids, the high bidder (Skyward Construction) came in at \$782,555 and the low bidder (2KG Contractors) came in at \$536,000. PSE Project Manager Jeff Bringenberg stated that 2KG is a reputable contractor that PSE has worked with before and the company is easy to work with. The bid summary document is attached for your reference.

Using the low bid figure with base and alternate bids, the total cost of this project will amount to \$536,000. The Enterprise Zone initial project fees amount to \$484,464 less \$40,000 in architectural fees leaving a total amount of \$444,464 for this project. This amounts to a difference of \$91,536 over current budget figures. The fire district was recently awarded a State Homeland Security grant in the amount of \$18,664 to help fund a portion of this project which will lower this difference to \$72,872.

The option of omitting one or more of the alternate bid items to initially save on project costs has been considered by the district but the advantage of doing so is outweighed by the following disadvantages:

1. It was noted by the architect that postponing construction of the apparatus bay addition to a later time would cost the district approximately 25% more in construction costs as opposed to completing the addition under the current project. In light of this financial impact, it is more than likely that the addition would never be completed if this is put off.
2. Omitting the apparatus bay addition from the project will place limitations on the district's ability to effectively deploy apparatus within this response zone. Upon project completion, the current deployment plan will include a Type I Engine, a Type III or VI Engine, and an Ambulance. Eliminating the bay addition will require the district to



sacrifice one of these pieces of apparatus which will reduce service level capabilities and response time.

Additionally, the added bay provides necessary space for the backup PSAP and radio room. Omitting the bay addition will sacrifice needed space from other areas in the existing bay to incorporate the rooms mentioned above.

3. Even though not required; omitting the fire protection sprinkler system is a critical life safety issue. It is the mission of the fire district to protect the lives of those we serve. This extends to our most valuable resource; our firefighters and EMT's.
4. The backup generator and transfer switch are critical components for maintaining continued operations when the power goes down. Omitting the installation of this equipment would be detrimental to our continuity of operations.

*Note: The district already possesses both the generator and transfer switch. Due to a miscommunication, the architect included the transfer switch along with the installation into the bid request. In light of this, we anticipate a savings as a result of this miscommunication.*

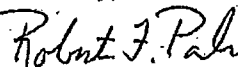
Upon receipt of the bids we have determined that the Station 2 project is currently \$72,872 over budget. We have further concluded that omitting one or more of the alternate bids would not be beneficial in light of the information referenced above. The success of this project is in the sum of its separate parts. This is what the community expects and this is what ISO and NFPA require. However, upon considering the current state of our economy, the fire district is unable to make up this noted deficit without an alternate means of doing so.

As noted by the City Manager during our recent meeting, the option exists to postpone the student volunteer program for one to two years and use these funds for completing the Station 2 project in its entirety. Additionally, it is also possible that the cost of a new training tower may come under initial projections. If this were to occur, this savings could be used for the Station 2 project. Or, the two options as noted above in combination could pose a third option.

In light of this, I am compelled to make the following request. I would ask that the City and County take into consideration the above concepts for the purpose of enabling the fire district to move forward with awarding the construction bid to complete the Station 2 project to include both the base bid and three alternate bids. I would be most willing to meet with the sponsorship representatives to work out the option details.

Finally, I would like to thank City Manager, Nolan Young for attending the public bid opening for this project. I further appreciate Nolan taking the time to meet with Jeff Bringenberg (Project Manager) and myself to review and discuss the details of this project.

Sincerely,



Robert F. Palmer  
Fire Chief

MID-COLUMBIA FIRE RESCUE STATION 2 RENOVATION ADDITION - BID FORM: 10/29/14

CONTRACTOR	BASE BID AMOUNT	DAYS	ADDENDA 1 & 2	ALT. BID No.1	ALT. BID No.2	ALT. BID No.3	ROCK REMOVAL	ENG. FILL	BID BOND
COLUMBIA CASCADE 10115 SE Schacht Road Boring, OR 97089	\$			\$	\$	\$	\$ /CY	\$ /CY	Y / N
PSI GENERAL CONTRACTORS PO Box 441 DuPont, WA 98327	\$			\$	\$	\$	\$ /CY	\$ /CY	Y / N
TRIPLETT WELLMAN 1717 Mt. Jefferson Ave. Woodburn, OR 97071	\$			\$	\$	\$	\$ /CY	\$ /CY	Y / N
SKYWARD CONSTRUCTION LLC 15908 NE 10th Ave. Ridgefield, WA 98642	\$ 537,000	240	Y	\$ 200,000	\$ 37,575	\$ 7,980	\$ 25 /CY	\$ 45 /CY	Ⓢ / N
PAR-TECH CONSTRUCTION INC 13783 Forsythe Road Oregon City, OR 97045	\$			\$	\$	\$	\$ /CY	\$ /CY	Y / N
CRESTLINE CONSTRUCTION 3600 Crates Way The Dalles, OR 97058	\$ 427,975	150	Y	\$ 143,575	\$ 25,505	\$ 5,025	\$ 20 /CY	\$ 75 /CY	Ⓢ / N
ABBOTT CONSTRUCTION 307 SE Hawthorne Blvd., Suite 150 Portland, OR 97214	\$ 419,755	80	Y	\$ 219,901	\$ 18,400	\$ N/E	\$ 20 /CY	\$ 46 /CY	Ⓢ / N
2KG CONTRACTORS 4917 NE 185th Drive Portland, OR 97230	\$ 412,000	150	Y	\$ 100,000	\$ 19,000	\$ 5,000	\$ 300 /CY	\$ 50 /CY	Ⓢ / N
HALE CONSTRUCTION NW 1034 Pine St. Hood River, OR 97031	\$			\$	\$	\$	\$ /CY	\$ /CY	Y / N
WC CONSTRUCTION INC 815 Hemlock Elgin, OR 97827	\$ 430,094	90	Y	\$ 159,554	\$ 19,629	\$ 14,24	\$ 1792 /CY	\$ 4252 /CY	Ⓢ / N
Wallens Farwell, Inc	\$ 467,000	210	2 only	140,000	35,000	10,000	200/cy	50/cy	Y



## CITY of THE DALLES

313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481  
FAX (541) 296-6906

### AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
November 24, 2014	Action Item 11, B	14-082

**TO:** Mayor and City Council

**FROM:** Nolan K. Young, City Manager *NKY*

**DATE:** November 12, 2014

**ISSUE:** Approval of Use of Enterprise Zone Fees for Award of Construction  
Contract of Mid-Columbia Fire and Rescue Districts Station 2 Remodel

**BACKGROUND:** In 2013 the City and the County entered into a second long term Enterprise Zone Agreement with Design, LLC. The agreement included distribution of an initial fee of \$1.2 million to the zone sponsors. The City and County then agreed to provide the sum of \$484,464 from this fee to Mid-Columbia Fire and Rescue for the design and construction services for expansion of fire station #2 to address some of the deficiencies in the Districts fire insurance rating (150). The agreement included a provision that prior to awarding a contract for construction the District would present a report to the City and County summarizing the bids received and the amount of funds available for the award, and the District would not proceed with the award of the contract without prior consent from the City and County.

Attached is required report from Chief Robert Palmer regarding the results of the bids. The total low bid for the project was from 2KG Contractors for \$536,000. When you deduct the \$40,000 for architectural fees from the amount available from the enterprise zone fund, and then add a State Homeland Security Grant of \$18,664, that leaves us \$72,872 short of the full bid. This does not include any contingency for change orders that may be needed during the course of construction.

As summarized in the report, the District did have three alternate bid items (extra fire bay, sprinkler system, and backup generator); removal of these items would lower the bid

by \$124,000. This would allow the enterprise zone funds to cover the full base bid and still have a contingency of \$32,464 or 7.9% of the base bid.

This Friday representatives from the fire district, City and County will be meeting to discuss alternatives for handling this shortage so we can build the entire project. We will send you a memo the first of next week summarizing the results of that meeting and recommending alternatives to the City Council for consideration at their November 24 meeting.

## **Agenda Item**

### **SWAC Rate Increase Requests**

- [Mel's Sanitary Service Rate Proposal](#)
- [Resolution #14-026 Approving Mel's Sanitary Inc  
Rate Increase](#)
- [Wasco County Landfill Rate Proposal](#)
- [Resolution #14-027 Approving Landfill Rate  
Increase](#)
- [Waste Connections – The Dalles Disposal Rural  
Rate Proposal](#)
- [Waste Connections – The Dalles Disposal UGA  
Rate Proposal](#)
- [Resolution #14-028 Approving Waste Connections  
– The Dalles Disposal Rate Increase](#)

Mel's

Wasco County  
New Rates Effective Jan 1<sup>st</sup> 2015

1 can oaw	22.48	On call service	9.76 per can
1 can tam	14.24	Extra can	6.84 each
1 can oam	9.36		
2 cans oaw	34.61		
3 cans oaw	45.96		
1.5yd oaw	115.58	1.5yd cleanup	34.65
1.5yd tam	75.27		
1.5yd oam	58.26		
2yd oaw	144.10	2yd cleanup	44.26
2yd tam	93.46		
2yd oam	66.54		
3yd oaw	231.12	3yd cleanup	69.25
3yd tam	150.44		
3yd oam	116.39		
4yd oaw	288.10	4yd cleanup	88.47
4yd oam	133.11		
1.5yd taw	207.36	Cleanup container del fee	33.36
2yd taw	256.36		
3yd taw	414.63		
4yd taw	574.16		
30yd Drop Box	422.69	After 5 Days	18.91 per day rental
20yd Drop Box	334.37	Drop Box Delivery Fee	54.19
10yd Drop Box	246.06	Drop Box P.U. Fee	54.19



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF APPROVING     )  
RATE INCREASES FOR                 )     RESOLUTION  
MEL'S SANITARY SERVICE, INC.     )     #14-026

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board being present; and

WHEREAS, on November 11, 2013, the Mel's Sanitary Service, Inc. submitted a rate increase request in accordance with the current license agreement between the Wasco County and Mel's Sanitary, Inc.; and

WHEREAS, on November 13, 2014, the Wasco County Solid Waste Committee reviewed the request and has recommended approval of Mel Sanitary Service, Inc.'s proposed rate increases; and

WHEREAS, on December 3, 2014, the Board voted to approve the requested rate increases.

NOW, THEREFORE, THE WASCO COUNTY BOARD OF COMMISSERS  
HEREBY RESOLVES to approve the Mel's Sanitary Service, Inc. rate increases as  
outlined in in the attached rate schedule, effective January 1, 2015.

DATED this 3<sup>rd</sup> day of December, 2014.

WASCO COUNTY  
BOARD OF COMMISSIONERS

---

Scott C. Hege, Commission Chair

---

Rod L. Runyon, County Commissioner

---

Steve D. Kramer, County Commissioner

# Wasco County Landfill

---

2550 Steele Rd  
The Dalles, OR 97058  
541/296-4082  
FAX 541/296-6449

October 22, 2014

John Zalaznik  
North Central Public Health District  
419 East Fifth Street, Room 100  
The Dalles, OR 97058

RE: Wasco County Landfill, 2015 Rate Change

Dear John Zalaznik:

In accordance with the current license agreement between the Wasco County Landfill (WCL) and Wasco County, we plan to adjust our rates in 2015. A summary of the rate change is as follows:

The Consumer Price Index (CPI) for the Standard Metropolitan Statistical Area (West-C 1982-84=100) for 2014 is 1.91%. Eighty-five percent of the CPI is 1.62%. The new rates for the year 2015 will reflect 1.62% increase.

The Wasco County license fee for 2014 was \$106701.00 this will increase to \$108,430.00 in 2015 due to the 1.62% CPI.

The County's Host Fee will change from \$1.48 to \$1.50 per ton in 2015 due to the 1.62% CPI.

The HHW Fee will change from \$7.70 to \$7.82 per ton in 2014 due to the 1.62% CPI.

A proposed rate schedule for 2015 is attached for your reference.

Please feel free to contact me if you have any questions.

Sincerely,



Nancy Mitchell  
Wasco County Landfill  
Site Manager



## **Wasco County Landfill New Rates effective January 1, 2015**

### **Wasco County**

**\$ 33.23 per ton + \$7.82 (HHW Fee) = \$ 41.05 per ton**

### **Hood River and Sherman County**

**\$ 37.15 per ton + \$7.82 (HHW Fee) = \$ 44.98 per ton**

### **Out of County**

**\$37.15 per ton**

### **ACM: In-County**

**\$ 83.60 per ton**

### **ACM: Out of County**

**\$ 85.23 per ton**

### **PCS: In-County**

**\$ 30.54 per ton**

### **PCS: Out of County**

**\$ 32.25 per ton**

**Public minimum is \$40.00**



Wasco County  
Calculation Of Annual Disposal Rate Adjustment Per Contract  
Rates Effective: January 1, 2015

I. Contract CPI Calculation:

Consumer Price Index: Urban Wage Earners & Clerical Workers (CPI-U)  
Area: Portland - Vancouver Metropolitan

CPI Calculation:

September 1, 2013	231.553
September 1, 2014	235.974
Difference	4.42

Percent Change	1.91%
----------------	-------

Per Contract @ 85%	1.62%
--------------------	-------

-	Current Rate
-	Proposed Rate

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF APPROVING     )  
RATE INCREASES FOR THE         )     RESOLUTION  
WASCO COUNTY LANDFILL         )     #14-027

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board being present; and

WHEREAS, on October 22, 2014, the Wasco County Landfill submitted a rate increase request in accordance with the current license agreement between the Wasco County and Wasco County Landfill; and

WHEREAS, on November 13, 2014, the Wasco County Solid Waste Committee reviewed the request and has recommended approval of the Wasco County Landfill's proposed rate increases; and

WHEREAS, on December 3, 2014, the Board voted to approve the requested rate increases.

NOW, THEREFORE, THE WASCO COUNTY BOARD OF COMMISSERS  
HEREBY RESOLVES to approve the Wasco County Landfill rate increases as outlined  
in the attached rate schedule, effective January 1, 2015.

DATED this 3<sup>rd</sup> day of December, 2014.

WASCO COUNTY  
BOARD OF COMMISSIONERS

---

Scott C. Hege, Commission Chair

---

Rod L. Runyon, County Commissioner

---

Steve D. Kramer, County Commissioner



# TD WASCO COUNTY RURAL GARBAGE RATES

Proposed Increase January 1, 2015

SERVICE	1/1/14 CURRENT RATE	1.62% 1.80%		TOTAL INCREASE	NEW RATE
		Total LF Increase	Business Increase		
RESIDENTIAL					
CANS/ROLLCARTS					
Weekly					
- (1) 20 gal can (NewRate)	\$11.20	\$0.04	\$0.17	\$0.21	\$11.41
- (1) 32 gal can	\$19.05	\$0.06	\$0.29	\$0.35	\$19.40
- 90 gal rollcart	\$28.94	\$0.16	\$0.38	\$0.54	\$29.48
- 105 gal cart (Phase Out)	\$30.67	\$0.18	\$0.39	\$0.58	\$31.25
- each add'l can/cart added at price of 1st unit					
EOW					
- (1) 32 gal can	\$15.02	\$0.04	\$0.24	\$0.27	\$15.29
- 90 gal rollcart	\$26.04	\$0.09	\$0.39	\$0.48	\$26.52
Call In					
- (1) 32 gal can	\$12.85	\$0.02	\$0.22	\$0.23	\$13.08
- 90 gal rollcart	\$17.29	\$0.05	\$0.27	\$0.32	\$17.61
SPECIAL CHARGES					
* The following additional charges : whose cans, rollcarts or containers pose a potential safety risk to our employees due to the difficult and unsafe location of their service containers.					
Additional Charge:					
- Sunken Can	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Excess distance	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Steps/stairs	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Through gate	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
-extra can/bag/box	\$6.51	\$0.01	\$0.11	\$0.12	\$6.63
- loose yardage per yd	\$26.85	\$0.12	\$0.38	\$0.50	\$27.35
(over-the-top extra around conts-cans-rollcarts or on the ground)					
- bulk items (*Bring to transfer station)					
- return trip can	\$6.37	\$0.01	\$0.11	\$0.12	\$6.49
- return trip rollcart	\$9.40	\$0.00	\$0.17	\$0.17	\$9.57
- rollcart redelivery	\$9.73	\$0.00	\$0.17	\$0.17	\$9.90
- Off day PU	\$6.98	\$0.00	\$0.13	\$0.13	\$7.11
- Delinquent fee	\$12.44	\$0.00	\$0.22	\$0.22	\$12.66
(Acct delinquent after 30 days from billing)					
- NSF/unhonored check fee	\$29.36	\$0.00	\$0.53	\$0.53	\$29.89
- New Acct set up fee	\$6.40	\$0.00	\$0.11	\$0.11	\$6.51
- Change in service	\$6.40	\$0.00	\$0.11	\$0.11	\$6.51
(name/address/service)					

# TD WASCO COUNTY RURAL GARBAGE RATES

Proposed Increase January 1, 2015

SERVICE	1/1/14 CURRENT RATE			TOTAL INCREASE	NEW RATE
		1.62% Total LF Increase	1.80% Business Increase		
COMMERCIAL					
Weekly					
- (1) 32 gal can	\$22.50	\$0.06	\$0.35	\$0.41	\$22.91
- 90 gal rollcart	\$33.39	\$0.16	\$0.46	\$0.62	\$34.01
- each add'l can/cart added at price of 1st unit					
EOW					
- (1) 32 gal can	\$18.06	\$0.04	\$0.29	\$0.33	\$18.39
Call In					
- (1) 32 gal can	\$14.13	\$0.02	\$0.24	\$0.26	\$14.39
- 90 gal rollcart	\$19.04	\$0.05	\$0.30	\$0.35	\$19.39

## **SPECIAL CHARGES**

\* The following additional charges are assessed to customers whose cans, rollcarts or containers pose a potential safety risk to our employees due to the difficult and unsafe location of their service containers.

### Additional Charge:

- Sunken Can	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Excess distance	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Steps/stairs	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Through gate	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
			\$0.00		
-extra can/bag/box	\$6.51	\$0.01	\$0.11	\$0.12	\$6.63
- loose yardage per yd	\$26.85	\$0.12	\$0.38	\$0.50	\$27.35
(*extra garbage ontop or around cans and rollcarts which must be manually handled & placed in truck)					
- bulk items (*Bring to transfer station)					
- return trip can	\$6.37	\$0.01	\$0.11	\$0.12	\$6.49
- return trip rollcart	\$9.41	\$0.02	\$0.15	\$0.17	\$9.58
- rollcart redelivery	\$9.73	\$0.00	\$0.17	\$0.17	\$9.90
- Off day PU	\$6.98	\$0.00	\$0.13	\$0.13	\$7.11
- Delinquent fee	\$12.44	\$0.00	\$0.22	\$0.22	\$12.66
(Acct delinquent after <b>30</b> days from billing)					
- NSF/unhonored check fee	\$29.36	\$0.00	\$0.53	\$0.53	\$29.89
- New Acct set up fee	\$6.40	\$0.00	\$0.11	\$0.11	\$6.51
- Change in service	\$6.40	\$0.00	\$0.11	\$0.11	\$6.51
(name/address/service)					

# TD WASCO COUNTY RURAL GARBAGE RATES

Proposed Increase January 1, 2015

SERVICE	1/1/14 CURRENT RATE	1.62%	1.80%	TOTAL INCREASE	NEW RATE
		Total LF Increase	Business Increase		
<b>CONTAINERS</b>					
1 1/2 Yd Containers					
- Call In	\$32.52	\$0.10	\$0.50	\$0.60	\$33.12
- EOW	\$46.60	\$0.21	\$0.65	\$0.87	\$47.47
- 1XPW	\$93.28	\$0.43	\$1.31	\$1.74	\$95.02
- Additional day rate = # days x 1 x wk rate					
2 Yd Containers					
- Call In	\$42.83	\$0.13	\$0.66	\$0.79	\$43.62
- EOW	\$61.92	\$0.28	\$0.87	\$1.15	\$63.07
- 1XPW	\$123.69	\$0.57	\$1.73	\$2.30	\$125.99
- Additional day rate = # days x 1 x wk rate					
3 Yd Containers					
- Call In	\$61.61	\$0.20	\$0.94	\$1.13	\$62.74
- 1XPW	\$186.56	\$0.85	\$2.62	\$3.47	\$190.03
- Additional day rate = # days x 1 x wk rate					
<b>SPECIAL CHARGES</b>					
- Delivery	\$31.17	\$0.00	\$0.56	\$0.56	\$31.73
- Rent	\$30.41	\$0.00	\$0.55	\$0.55	\$30.96
- Rent-a-bin	\$69.12	\$0.00	\$1.24	\$1.24	\$70.36
- Loose yardage	\$26.85	\$0.12	\$0.38	\$0.50	\$27.35
Containers with difficult access (per cont chg)					
- Not on solid surface	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Stuck in the mud	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Lodged in loose gravel	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Overweight	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Excess distance	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Rolloff curb	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
<b>COMPACTORS</b>					
* 50,000 max gross weight					
- Per compacted yard	\$29.47	\$0.33	\$0.24	\$0.58	\$30.05
- over 2 tons for 10 yds					
- over 4 tons for 20 yds					
- over 6 tons for 30 yds					
- over 50,000 GW x Fee (*Per each 2,000 lb excess)	297.72	\$0.00	\$5.34	\$5.34	\$303.06
- Extra miles over 15	\$2.95	\$0.00	\$0.05	\$0.05	\$3.00

## TD WASCO COUNTY RURAL GARBAGE RATES

Proposed Increase January 1, 2015

SERVICE	1/1/14 CURRENT RATE	1.62% 1.80%		TOTAL INCREASE	NEW RATE
		Total LF Increase	Business Increase		
DROP BOXES					
- 10 yd min fee empty	\$211.65	\$1.21	\$2.77	\$3.98	\$215.63
- 15 yd min fee empty	\$317.51	\$1.81	\$4.15	\$5.96	\$323.47
- 20 yd min fee empty	\$423.33	\$2.42	\$5.53	\$7.95	\$431.28
- 30 yd min fee empty	\$634.96	\$3.63	\$8.30	\$11.93	\$646.89
- Delivery	\$71.83	\$0.00	\$1.29	\$1.29	\$73.12
- Pickup	\$71.83	\$0.00	\$1.29	\$1.29	\$73.12
- Swap	\$71.83	\$0.00	\$1.29	\$1.29	\$73.12
- Ex miles over 15	\$2.95	\$0.00	\$0.05	\$0.05	\$3.00
- Demurrage per day after 5 days	\$13.95	\$0.00	\$0.25	\$0.25	\$14.20
- LS ydg	\$26.84	\$0.12	\$0.38	\$0.50	\$27.34
- over 2 tons for 10 yds					
- over 4 tons for 20 yds					
- over 6 tons for 30 yds					

# **TD WASCO COUNTY UGA GARBAGE RATES**

**Proposed Increase January 1, 2015**

SERVICE	1/1/14 CURRENT RATE	CPI		TOTAL INCREASE	BASIC NEW RATE
		1.62%	1.80%		
		Total LF Increase	Business Increase		
RESIDENTIAL					
CANS/ROLLCARTS					
Weekly					
- (1) 20 gal can	\$11.20	\$0.04	\$0.17	\$0.21	\$11.41
- (1) 32 gal can	\$17.03	\$0.06	\$0.25	\$0.31	\$17.34
- 90 gal rollcart	\$24.64	\$0.16	\$0.31	\$0.47	\$25.11
- 105 gal cart (Phase Out)	\$26.40	\$0.18	\$0.32	\$0.50	\$26.90
- each add'l can/cart added at price of 1st unit					
EOW					
- (1) 32 gal can	\$14.41	\$0.04	\$0.23	\$0.26	\$14.67
Call In					
- (1) 32 gal can	\$11.82	\$0.02	\$0.20	\$0.21	\$12.03
- 90 gal rollcart	\$17.23	\$0.05	\$0.27	\$0.32	\$17.55
YARD DEBRIS					
* 12 month min sign-up period					
* \$18 restart fee if service cancelled and restarted within year					
* 60 gal yard debris cart					
RESIDENTIAL					
Weekly	\$8.35	\$0.10	\$0.06	\$0.16	\$8.51
EOW	\$5.70	\$0.06	\$0.05	\$0.11	\$5.81

# TD WASCO COUNTY UGA GARBAGE RATES

Proposed Increase January 1, 2015

SERVICE	1/1/14 CURRENT RATE	CPI		TOTAL INCREASE	BASIC NEW RATE
		Total LF Increase	Business Increase		
<div>SPECIAL CHARGES</div>					
* The following additional charges : whose cans, rollcarts or containers pose a potential safety risk to our employees due to the difficult and unsafe location of their service containers.					
Additional Charge:					
- Sunken Can	\$20.75	\$0.00	\$0.37	\$0.37	\$21.12
- Excess distance	\$20.75	\$0.00	\$0.37	\$0.37	\$21.12
- Steps/stairs	\$20.75	\$0.00	\$0.37	\$0.37	\$21.12
- Through gate	\$20.75	\$0.00	\$0.37	\$0.37	\$21.12
-extra can/bag/box	\$6.39	\$0.01	\$0.11	\$0.12	\$6.51
- loose yardage per yd	\$26.85	\$0.12	\$0.38	\$0.50	\$27.35
(over-the-top extra around conts-cans-rollcarts or on the ground)					
- bulk items (*Bring to transfer station)					
- return trip can	\$6.37	\$0.01	\$0.11	\$0.12	\$6.49
- return trip rollcart	\$9.40	\$0.00	\$0.17	\$0.17	\$9.57
- rollcart redelivery	\$9.73	\$0.00	\$0.17	\$0.17	\$9.90
- Off day PU	\$6.98	\$0.00	\$0.13	\$0.13	\$7.11
- Delinquent fee	\$12.44	\$0.00	\$0.22	\$0.22	\$12.66
(Acct delinquent after <b>30</b> days from billing)					
- NSF/unhonored check fee	\$29.36	\$0.00	\$0.53	\$0.53	\$29.89
- New Acct set up fee	\$5.59	\$0.00	\$0.10	\$0.10	\$5.69
- Change in service	\$5.59	\$0.00	\$0.10	\$0.10	\$5.69
(name/address/service)					

# TD WASCO COUNTY UGA GARBAGE RATES

Proposed Increase January 1, 2015

SERVICE	1/1/14 CURRENT RATE	CPI		TOTAL INCREASE	BASIC NEW RATE
		1.62%	1.80%		
		Total LF Increase	Business Increase		
COMMERCIAL					
Weekly					
- (1) 32 gal can	\$20.59	\$0.06	\$0.32	\$0.38	\$20.97
- 90 gal rollcart	\$31.41	\$0.16	\$0.43	\$0.59	\$32.00
- each add'l can/cart added at price of 1st unit					
EOW					
- (1) 32 gal can	\$17.39	\$0.04	\$0.28	\$0.32	\$17.71
Call In					
- (1) 32 gal can	\$13.03	\$0.02	\$0.22	\$0.24	\$13.27
- 90 gal rollcart	\$18.80	\$0.05	\$0.30	\$0.34	\$19.14

## **SPECIAL CHARGES**

\* The following additional charges are assessed to customers whose cans, rollcarts or containers pose a potential safety risk to our employees due to the difficult and unsafe location of their service containers.

### Additional Charge:

- Sunken Can	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Excess distance	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Steps/stairs	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Through gate	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
			\$0.00		
-extra can/bag/box	\$6.39	\$0.01	\$0.11	\$0.12	\$6.51
- loose yardage per yd	\$26.85	\$0.12	\$0.38	\$0.50	\$27.35
(*extra garbage ontop or around cans and rollcarts which must be manually handled & placed in truck)					
- bulk items (*Bring to transfer station)					
- return trip can	\$6.37	\$0.01	\$0.11	\$0.12	\$6.49
- return trip rollcart	\$9.41	\$0.02	\$0.15	\$0.17	\$9.58
- rollcart redelivery	\$9.73	\$0.00	\$0.17	\$0.17	\$9.90
- Off day PU	\$6.98	\$0.00	\$0.13	\$0.13	\$7.11
- Delinquent fee	\$12.44	\$0.00	\$0.22	\$0.22	\$12.66
(Acct delinquent after <b>30</b> days from billing)					
- NSF/unhonored check fee	\$29.36	\$0.00	\$0.53	\$0.53	\$29.89
- New Acct set up fee	\$5.59	\$0.00	\$0.10	\$0.10	\$5.69
- Change in service	\$5.59	\$0.00	\$0.10	\$0.10	\$5.69
(name/address/service)					



# TD WASCO COUNTY UGA GARBAGE RATES

Proposed Increase January 1, 2015

SERVICE	1/1/14 CURRENT RATE	CPI		TOTAL INCREASE	BASIC NEW RATE
		1.62%	1.80%		
		Total LF Increase	Business Increase		
<b>CONTAINERS</b>					
1 1/2 Yd Containers					
- Call In	\$30.81	\$0.10	\$0.47	\$0.57	\$31.38
- EOW	\$43.04	\$0.21	\$0.59	\$0.80	\$43.84
- 1XPW	\$86.09	\$0.43	\$1.18	\$1.61	\$87.70
- Additional day rate = # days x 1 x wk rate					
2 Yd Containers					
- Call In	\$41.45	\$0.13	\$0.63	\$0.76	\$42.21
- EOW	\$57.53	\$0.28	\$0.79	\$1.07	\$58.60
- 1XPW	\$115.03	\$0.57	\$1.58	\$2.15	\$117.18
- Additional day rate = # days x 1 x wk rate					
3 Yd Containers					
- Call In	\$61.61	\$0.20	\$0.94	\$1.13	\$62.74
- EOW	\$86.08	\$0.43	\$1.18	\$1.61	\$87.69
- 1XPW	\$172.18	\$0.85	\$2.36	\$3.21	\$175.39
- Additional day rate = # days x 1 x wk rate					
<b>SPECIAL CHARGES</b>					
- Delivery	\$31.48	\$0.00	\$0.57	\$0.57	\$32.05
- Rent	\$30.72	\$0.00	\$0.55	\$0.55	\$31.27
- Rent-a-bin	\$69.12	\$0.00	\$1.24	\$1.24	\$70.36
- Loose yardage	\$26.85	\$0.12	\$0.38	\$0.50	\$27.35
Containers with difficult access (per cont chg)					
- Not on solid surface	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Stuck in the mud	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Lodged in loose gravel	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Overweight	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Excess distance	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
- Rolloff curb	\$22.82	\$0.00	\$0.41	\$0.41	\$23.23
<b>COMPACTORS</b>					
* 50,000 max gross weight					
- Per compacted yard	\$29.67	\$0.33	\$0.25	\$0.58	\$30.25
- over 2 tons for 10 yds					
- over 4 tons for 20 yds					
- over 6 tons for 30 yds					
- over 50,000 GW x Fee (*Per each 2,000 lb excess)	\$340.96	\$0.00	\$6.12	\$6.12	\$347.08
- Extra miles over 15	\$2.85	\$0.00	\$0.05	\$0.05	\$2.90

# **TD WASCO COUNTY UGA GARBAGE RATES**

**Proposed Increase January 1, 2015**

SERVICE	1/1/14 CURRENT RATE	CPI		TOTAL INCREASE	BASIC NEW RATE
		1.62%	1.80%		
		Total LF Increase	Business Increase		
<b>DROP BOXES</b>					
- 10 yd min fee empty	\$194.64	\$1.21	\$2.46	\$3.67	\$198.31
- 15 yd min fee empty	\$292.02	\$1.81	\$3.69	\$5.51	\$297.53
- 20 yd min fee empty	\$389.26	\$2.42	\$4.92	\$7.34	\$396.60
- 30 yd min fee empty	\$583.92	\$3.63	\$7.38	\$11.01	\$594.93
- Delivery	\$65.59	\$0.00	\$1.18	\$1.18	\$66.77
- Pickup	\$65.59	\$0.00	\$1.18	\$1.18	\$66.77
- Swap	\$65.59	\$0.00	\$1.18	\$1.18	\$66.77
- Ex miles over 15	\$2.85	\$0.00	\$0.05	\$0.05	\$2.90
- Demurrage per day after 5 days	\$13.96	\$0.00	\$0.25	\$0.25	\$14.21
- LS ydg	\$26.85	\$0.12	\$0.38	\$0.50	\$27.35
- over 2 tons for 10 yds					
- over 4 tons for 20 yds					
- over 6 tons for 30 yds					

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF APPROVING     )  
RATE INCREASES FOR                 )     RESOLUTION  
WASTE CONNECTIONS                 )     #14-028

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board being present; and

WHEREAS, on November 13, 2014, Waste Connections submitted a rate increase request in accordance with the current license agreement between the Wasco County and Waste Connections; and

WHEREAS, on November 13, 2014, the Wasco County Solid Waste Committee reviewed the request and has recommended approval of the Waste Connections' proposed rate increases; and

WHEREAS, on December 3, 2014, the Board voted to approve the requested rate increases.

NOW, THEREFORE, THE WASCO COUNTY BOARD OF COMMISSERS  
HEREBY RESOLVES to approve the Waste Connections rate increases as outlined in  
the attached rate schedule, effective January 1, 2015.

DATED this 3<sup>rd</sup> day of December, 2014.

WASCO COUNTY  
BOARD OF COMMISSIONERS

---

Scott C. Hege, Commission Chair

---

Rod L. Runyon, County Commissioner

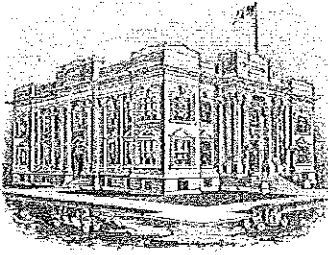
---

Steve D. Kramer, County Commissioner

## **Agenda Item**

### **Tax Refund**

- [Tax Collector's Request](#)
- [Notification of Clerical Error](#)
- [History of Values, Taxes Imposed and Taxes Abated for Design LLC](#)



## WASCO COUNTY

Dept. of Assessment & Tax

511 WASHINGTON ST ROOM 208  
THE DALLES, OREGON 97058-2265

Assessment (541) 506-2510

Tax (541) 506-2540

Fax (541) 506-2511

JILL AMERY  
TAX COLLECTOR

MARCI BEEBE  
OFFICE MANAGER

DARLENE LUFKIN  
CHIEF APPRAISER

LINDA PERKINS  
TAX DEPUTY

DATE: November 26, 2014

TO: Wasco County Board of Commissioners

FROM: Jill F. Amery, Tax Collector  
By Linda Perkins, Tax Deputy

SUBJECT: Tax Refund Approval Request

The Tax Collector requests the approval of the Board to make refunds for the attached accounts:

These are a result of Correction Vouchers received from the Assessor's Office.

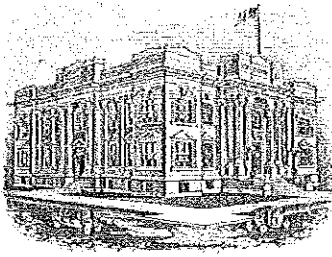
A listing of said accounts is attached hereto.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

By:

---

Member of Wasco County Board of Commissioners



# WASCO COUNTY

Dept. of Assessment & Tax

511 WASHINGTON ST ROOM 208  
THE DALLES, OREGON 97058-2265

Assessment (541) 506-2510

Tax (541) 506-2540

Fax (541) 506-2511

JILL AMERY  
TAX COLLECTOR

MARCI BEEBE  
OFFICE MANAGER

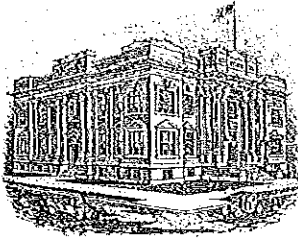
DARLENE LUFKIN  
CHIEF APPRAISER

LINDA PERKINS  
TAX DEPUTY

Design LLC      Account #16546      2012 year      CV#15-022

\$7446.24 Principal;      \$1860.81 Interest =      Total \$9304.05





## WASCO COUNTY

Dept. of Assessment & Tax

511 WASHINGTON ST ROOM 208  
THE DALLES, OREGON 97058-2265

Assessment (541) 506-2510

Tax (541) 506-2540

Fax (541) 506-2511

TIM R. LYNN  
ASSESSOR / TAX COLLECTOR

DONNA MOLLET  
CHIEF DEPUTY ASSESSOR

DARLENE LUFKIN  
CHIEF APPRAISER

LINDA PERKINS  
TAX DEPUTY

November 26, 2014

Design LLC

% Tax Department – Attn: Marlene Macek

1600 Amphitheater Pkwy.

Mountain View, CA 94043

RE: Notification of Clerical Error Under ORS 311.205  
Account No. 16546, 02NN13, Sec. 28, Tax Lot 101, Tax Code Area 9.7

Dear Ms. Macek:

It has come to our attention that the property taxes assessed on the above referenced property tax account for the 2012-13 tax year were calculated incorrectly. We are in the process of correcting that error and the result will be a reduction in the property taxes assessed. A refund, net of any discounts allowed for early payment and with interest from the date of payment, is being prepared and will be sent to you under separate cover.

The values shown on the original tax statement were correct. The problem came in the calculation of the property tax amount under Oregon's Constitution and laws. Property taxes are first calculated by multiplying the assessed value (AV) times the tax rate for each levying body.

A second set of calculations is then required which establishes the maximum amount of taxes a property can be assessed under Ballot Measure 5 (passed by voters in 1990). The measure establishes three categories of levies: education districts, non-education districts and voter approved levies to repay general obligation bonds. This second set of calculations uses the real market value (RMV) of the property and the maximum amount is \$5 per \$1,000 of RMV for education districts and \$10 per \$1,000 of RMV for non-education districts. Bond levies are not limited.

The lower of the two numbers in each category is then imposed as the property taxes assessed.

The calculation on this property used the total RMV to calculate the maximum amount of property taxes under Measure 5. However, the RMV should have been reduced to reflect the property tax exemption under the Long-Term Rural Enterprise Zone exemption the property qualifies for. In effect, the exemption was recognized in the first set of calculations but not in the second set of calculations.

Using the net RMV (after deducting for the enterprise zone exemption) reduces the maximum amount of property taxes allowed under the constitutional provisions of

Measure 5. This reduces the property taxes assessed for each of the two years. The changes, prior to any allowed discount for early payment are shown below:

	Original	Corrected	Reduction
2012-13	\$59,507.77	\$51,834.35	\$7,673.42

I apologize for our error and regret any inconvenience it may cause. If you should have any questions please do not hesitate to contact me.

Sincerely,



Tom Linhares,  
Interim Director of Assessment & Taxation

# History of Values, Taxes Imposed and Taxes Abated for Design LLC (aka Google)

## 2007-08

Account	RMV	MAV/TAV	(Exemption)	TAV	Tax Rate	Taxes *
16546	504,283,280	464,457,616	460,895,035	3,562,581	0.0197967	70,527.37
16551	416630	330321	0	330,321	0.0197967	6,539.27
<b>Totals</b>	<b>504,699,910</b>	<b>464,787,937</b>	<b>460,895,035</b>	<b>3,892,902</b>		<b>77,066.64</b>
		<b>Estimated Abated Taxes **</b>			<b>0.0174811</b>	<b>8,056,952.20</b>

## 2008-09

Account	RMV	MAV/TAV	(Exemption)	TAV	Tax Rate	Taxes *
16546	737,069,460	710,371,304	706,437,606	3,933,698	0.0190472	74,925.92
16551	439,830	340,230	0	340,230	0.0190472	6,480.42
63425	2,398,420	2,398,420	2,398,420	0	0.0190472	0
<b>Totals</b>	<b>739,907,710</b>	<b>713,109,954</b>	<b>708,836,026</b>	<b>4,273,928</b>		<b>81,406.34</b>
		<b>Estimated Abated Taxes **</b>			<b>0.0167064</b>	<b>11,842,098.18</b>

## 2009-10

Account	RMV	MAV/TAV	(Exemption)	TAV	Tax Rate	Taxes *
82060	330,066,300	330,066,300	325,837,630	4,228,670	0.0189989	80,340.07
82059	950,533,700	950,533,700	950,533,700	0	0.0189989	0
<b>Totals</b>	<b>1,280,600,000</b>	<b>1,280,600,000</b>	<b>1,276,371,330</b>	<b>4,228,670</b>		<b>80,340.07</b>
		<b>Estimated Abated Taxes **</b>			<b>0.0166337</b>	<b>21,230,777.79</b>

Note - 2009-10 property was changed to State Responsibility and moved to the Utility Roll

## 2010-11

Account	RMV	MAV/TAV	(Exemption)	TAV	Tax Rate	Taxes *
82060	335,890,500	335,890,500	329,498,600	6,391,900	0.0188242	120,322.39
82059	957,109,500	957,109,500	957,109,500	0	0.0188242	0
<b>Totals</b>	<b>1,293,000,000</b>	<b>1,293,000,000</b>	<b>1,286,608,100</b>	<b>6,391,900</b>		<b>120,322.39</b>
		<b>Estimated Abated Taxes **</b>			<b>0.0164783</b>	<b>21,201,114.25</b>

## 2011-12

Account	RMV	MAV/TAV	(Exemption)	TAV	Tax Rate	Taxes *
82060	977,726,600	977,726,600	977,726,600	0	0.0188454	0
82059	339,273,400	339,273,400	332,833,200	6,440,200	0.0188454	121,368.12
<b>Totals</b>	<b>1,317,000,000</b>	<b>1,317,000,000</b>	<b>1,310,559,800</b>	<b>6,440,200</b>		<b>121,368.12</b>
		<b>Estimated Abated Taxes **</b>			<b>0.0164639</b>	<b>21,576,925.49</b>

## 2012-13 \*\*

Account	RMV	MAV/TAV	(Exemption)	TAV	Tax Rate	Taxes *
63425	274,903,860	274,903,860	274,903,860	0	0.0188552	0
63924	70,400	70,400	0	70,400	0.0188552	1,154.64
16546	200,025,310	200,025,310	196,864,910	3,160,400	0.0188552	51,834.35
16549	1,855,760	1,853,661	0	1,853,661	0.0188552	30,433.74
16551	339,260	339,260	0	339,260	0.0188552	5,564.27
<b>Totals</b>	<b>477,194,590</b>	<b>477,192,491</b>	<b>471,768,770</b>	<b>5,423,721</b>		<b>88,987.00</b>
		<b>Exempt AV &amp; Abated Taxes **</b>			<b>0.0164807</b>	<b>7,775,079.67</b>

Note - 2012-13 property was State Responsibility and moved back to the Real Property Roll

## 2013-14

Account	RMV	MAV/TAV	(Exemption)	TAV	Tax Rate	Taxes *
63425	275,907,110	275,907,110	275,907,110	0	0.0181239	0
63924	61,270	61,270	0	61,270	0.0181239	964.14
16546	213,299,100	206,026,069	203,677,372	2,348,697	0.0181239	47,250.52
16549	1,763,080	1,763,080	0	1,763,080	0.0181239	27,743.65
16551	323,800	323,800	0	323,800	0.0181239	5,095.29
<b>Totals</b>	<b>491,354,360</b>	<b>484,081,329</b>	<b>479,584,482</b>	<b>4,496,847</b>		<b>81,053.60</b>
		<b>Estimated Abated Taxes **</b>			<b>0.0157651</b>	<b>7,560,697.32</b>

## 2014-15 \*\*

Account	RMV	MAV/TAV	(Exemption)	TAV	Tax Rate	Taxes *
63425	209,753,490	209,753,490	209,753,490	0	0.0184178	0
63924	54,760	54,760	0	54,760	0.0184178	964.14
16546	219,654,850	212,206,851	209,293,251	2,913,600	0.0184178	48,228.16
16549	1,763,080	1,763,080	0	1,763,080	0.0184178	28,255.56
16551	323,800	323,800	0	323,800	0.0184178	5,189.32
<b>Totals</b>	<b>431,549,980</b>	<b>424,101,981</b>	<b>419,046,741</b>	<b>5,055,240</b>		<b>82,637.18</b>
		<b>Estimated Abated Taxes **</b>			<b>0.0160263</b>	<b>6,715,768.79</b>

Total Taxes Paid to Date: 733,181.34  
Estimated Total Taxes Abated to Date: 105,959,413.69

\* Taxes reduced by Measure 5 compression, if any.

\*\* Tax Rate reduced to effective Measure 5 rate.

\*\*\* Values and taxes for Account 16546 have been adjusted to reflect pending roll corrections.

**Agenda Item**  
**Foreclosure/Lease Agreement**

- [Eviction Notice](#)
- [Letter from Dick & Dick](#)
- [Account Change Record](#)
- [Quitclaim Deed](#)
- [2013 Property Tax Statement](#)
- [ORS275.180](#)
- [Leeland Property Management Agreement](#)



# NOTICE OF TERMINATION

5

NAME(S): \_\_\_\_\_ et al (and all others)

ADDRESS: \_\_\_\_\_ UNIT: \_\_\_\_\_

CITY: The Dalles OREGON, ZIP: 97058

DATE: 10 / 2 / 2014 TIME POSTED & MAILED: \_\_\_\_\_ OR TIME PERSONALLY SERVED ON RESIDENT: \_\_\_\_\_ OR MAILED: \_\_\_\_\_

This notice is given without stated cause. If the Owner/Agent gives the reason the tenancy is being terminated, the Owner/Agent is not required to prove the reason in any court action and the Tenant does not have the right to cure the reason and reinstate the tenancy.

Your Landlord hereby provides you \_\_\_\_\_ 30 days' OR ☒ 60 days' (check one) notice of the termination of your tenancy.

This is to notify you that your tenancy terminates on and you must vacate the premises you now occupy no later than midnight (end of day) on 12 / 5 / 2014.

Your prorated rent from \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ through \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ is: \$ \_\_\_\_\_.

The ending date must be at least 30 days from the date of service (not counting day of service). If all the tenants have occupied the premises for more than one year, the ending date must be at least 60 days from the date of service (not including day of service). If notice is served by mail ONLY, the ending date must include an additional three (3) days to allow for the delivery of notice, not counting date of mailing. This notice, if mailed, shall be mailed First Class Mail ONLY (not certified, registered, etc.)

Landlord does not waive the right to terminate by simultaneously or subsequently served notices.



**Equal Housing Opportunity**

WARNING: No portion of this form may be reprinted without written permission of the Oregon Rental Housing Association, Inc.  
© Copyright 2010 Rev. 4/10

\_\_\_\_\_  
Owner/Agent

*Oregon Rental Housing Association, Inc.*

DICK, DICK & COREY, LLP

WILLIAM G. DICK II  
JASON R. COREY

ATTORNEYS AT LAW  
601 WASHINGTON STREET  
THE DALLES, OREGON 97058  
(541) 296-2152

WILLIAM G. DICK (1916-1992)  
EDGAR M. DICK (1924-1986)  
ROGER L. DICK (1922-2010)

October 8, 2014

HAND DELIVERED

Tom Linhares, Director  
Wasco County Department of Assessment & Tax  
511 Washington Street, Room 208  
The Dalles, OR 97058-2265

RE: Account No. 2576, Map No. 2N 13E 32AC 1500 Code area 97  
[REDACTED]

Dear Mr. Linhares:

I am the attorney representing the above estate and specifically [REDACTED] personal representative of the estate of [REDACTED]. Enclosed is a copy of deed from the estate to devisee, [REDACTED] conveying the above referenced property. A copy of this deed would have obviously been reviewed by your office after it was recorded in February of this year.

It is my understanding that [REDACTED] went into possession of the property and cared for it following the date of the deed. I am told that he thought he would receive a notice from the county with regard to back taxes.

I now understand that the redemption period just recently expired. [REDACTED] I am told by [REDACTED] has the funds in full to redeem the property at this time. Technically, if the redemption period is deemed expired, even though [REDACTED] had no knowledge of that from the county, I would assume he is prepared to buy the property back from the county for the same amount of money as he would have been recently eligible to redeem the property.

This property was in very rough shape and had years of delayed maintenance when last I had any knowledge of it. [REDACTED] plans have included bringing the property back to reasonable condition, restoring it to use and to get it back on the tax rolls. On behalf of [REDACTED] of the estate and brother to [REDACTED], we ask the county to consider allowing him to make immediate payment to secure his title to the property in this regard.

In addition to sending a copy of this letter to the personal representative, I will be mailing a copy to Eric Nisley, county counsel. Thank you for your consideration of this matter.

Yours truly,



William G. Dick II  
WGDII/kr

cc: [REDACTED]  
Eric Nisley

Dick & Dick has  
been receiving  
notice since 2010.

ACCOUNT #2576

CHANGE DATEWORKSTN ID

USER ID .FIELD NAME

ACCT	NMBR	YEAR	DATE	TIME	WRKST ID	USER ID	FIELD	J.V #
	2576	2010	5/10/2010	14:27:30	ASSESS	TIM	IMPRV AV	0
OLD	000006690				NEW 000005550			
	2576	2010	5/10/2010	14:41:37	ASSESS	TIM	LAND MKT	0
OLD	000063990				NEW 000053110			
	2576	2010	3/05/2010	7:48:24	T3X	LINDAP	OWNERSHP	0
OLD	C/O DICK, DICK & COREY				NEW C/O DICK, DICK & COREY			
	2576	2010	2/08/2010	11:43:24	T3X	LINDAP	OWNERSHP	0
OLD					NEW C/O DICK, DICK & COREY			
	2576	2010	2/08/2010	11:43:24	T3X	LINDAP	OWNERSHP	0
OLD	PO BOX 575				NEW 601 WASHINGTON ST			

More...

L Dick's Dick in charge of Estate



Grantor's Name and Address:

The Dalles, OR 97058

Grantee's Name and Address:

After recording return to:  
DICK, DICK & COREY, LLP  
601 Washington St  
The Dalles, OR 97058

True and actual consideration:

None. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration and by General Judgment of Final Distribution and Money Award of the Circuit Court of the State of Oregon for Wasco County in the Matter of the Estate of Jesus Gonzales, Deceased, Clerk's number P07-20 and Oregon Revised Statute 116.223

Until a change is requested all tax statements shall be sent to:  
Curtis Gonzales  
730 Lee Street  
The Dalles, OR 97058

Wasco County Official Records 2014-000317  
DEED-D

Cnt=1 Stn=1 WASCO COUNTY 02/05/2014 01:18 PM

\$10.00 \$11.00 \$20.00 \$10.00 \$15.00 \$66.00



00062230201400003170020021

Linda Brown, County Clerk for Wasco County,  
Oregon, certify that the instrument identified  
herein was recorded in the Clerk records.



## PERSONAL REPRESENTATIVE'S QUITCLAIM DEED

THIS INDENTURE Made this 22 day of January, 2014, by and between [REDACTED] the duly appointed, qualified and acting personal representative of the Estate of [REDACTED], Deceased, hereinafter called the first party, and [REDACTED] hereinafter called the second party; WITNESSETH:

For the consideration hereinafter stated, the receipt whereof hereby is acknowledged, the first party releases and quitclaims, and by these presents does releases and quitclaims unto the said second party and the second party's heirs, successors-in-interest and assigns all of the estate, right and interest of the said deceased at the time of decedent's death, and all of the right, title and interest that the said estate of said deceased by operation of the law or otherwise may have thereafter acquired in that certain real property situated in the County of Wasco, State of Oregon, described as follows, to-wit:

Beginning on the Southerly boundary line of Tract 25, Snipes Acres, in the County of Wasco and State of Oregon, at a point 112 feet 1 inch Southeasterly from the most Northwesterly corner of Tract 25; thence Southeasterly along Westerly boundary line of Tract 25, 120 feet to the most Westerly line of that tract conveyed to W. H. Turner by deed recorded April 23, 1930 in Book 82, Page 198, Deed Records for Wasco County, Oregon; thence Easterly at right angles, being parallel to the Southerly line of said Lot 25, 142 feet 6 inches; thence Northwesterly at a right angle, being parallel with the Southwesterly boundary line of Lot 25, a distance of 120 feet; thence Westerly at a right angle 142.5 feet to the point of beginning.

EXCEPTING THEREFROM that portion described in deed recorded April 25, 1988, Microfilm No. 88-1023, Wasco County Records.

SUBJECT TO AND EXCEPTING the tenancy rights of parties in possession of the real property; rights, title and interest of any and all third parties in and to said property; all encumbrances, liens, taxes and assessments of record against said real property; Rights or claims of parties in possession not shown by the public records; Rights or claims not shown by the public records which could be ascertained by an inspection of the land or by making inquiry of persons in possession; Public or private easements, or claims of easements not shown by the public records; Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises; Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished imposed by law and not shown by the public records; Rights of use, control or regulation by the United States of America; any prohibition or limitation on the use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any



waters; unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water; Any service, installation, connection, maintenance or construction charges for sewer, water, electricity or garbage removal; existing rights of way for roads, ditches, canals and pole lines; General taxes not now payable or matters relating to special assessments and special levies, if any, preceding the same becoming a lien; all easements of record, zoning, use and building restrictions and the limitations and restrictions of all comprehensive plans and/or regulatory and/or land use statutes, ordinances, laws, rules and regulations of every kind and nature, any part of the above described real property lying within the boundaries of public roads and highways and reservations in government patents and deeds. Grantor expressly do not warrant or covenant against unknown claims of others not now known to grantor or which may hereafter arise through the acts or conduct of grantee or grantees' agents; all taxes owed to Wasco County Department of Assessment and Tax on said real property which may have been foreclosed upon and subject to all rights of the county in and to said property as a result thereto; all other matters of record regarding said property.

To Have and to Hold the same unto the said second party and second party's heirs, successors-in-interest and assigns forever.

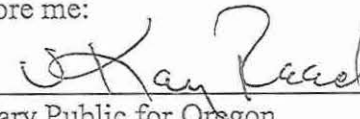
The true and actual consideration for this transfer is None. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration and by General Judgment of Final Distribution and Money Award of the Circuit Court of the State of Oregon for Wasco County in the Matter of the Estate of Jesus Gonzales, Deceased, Clerk's number P07-20 and Oregon Revised Statute 116.223.

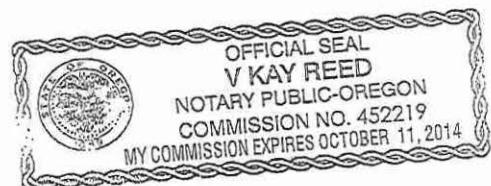
IN WITNESS WHEREOF, the first party has executed this instrument this 22 day of January, 2014.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010; TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

  
[REDACTED]  
STATE OF OREGON                     )  
   ) ss.  
County of Wasco                     )

January 22, 2014  
Personally appeared the above named [REDACTED]  
[REDACTED] personal representative of the estate of  
[REDACTED] deceased and acknowledged the  
foregoing instrument to be his voluntary act and deed.  
Before me:

  
\_\_\_\_\_  
Notary Public for Oregon  
My commission expires 10-11-14



# 2013 WASCO COUNTY REAL PROPERTY TAX STATEMENT

Account: 2576 Alternate Property Number: 02N13 E32AC01500 00  
TCA: 97  
Legal Desc: SECTION 32 TOWNSHIP 2N RANGE 13E QUARTER  
AC PRCL 1500  
Location: 2824 W 9TH  
Bill To Party: [REDACTED]  
THE DALLES OR 97058

Lender:  
Delinquent Interest Computed Through: 9/22/2014

ACCOUNT VALUES		
Description	2012	2013
Assessed Value Regular (AVR)	\$55,428	\$57,091
Taxable Value Regular (TVR)	\$55,428	\$57,091
Real MKT Total (MKTTL)	\$73,270	\$87,180
Exception Assessed Value (EAV)	\$0	\$0

TAXES AND SPECIAL ASSESSMENTS			
Year	Description	Amount Assessed	Balance Due
2013	Property Tax Principal	\$1,034.71	\$1,034.71
2013	Property Tax Interest	\$110.37	\$110.37
Total for Tax Year 2013			\$1,145.08
2012	Property Tax Principal	\$1,045.11	\$1,045.11
2012	Property Tax Interest	\$278.69	\$278.69
Total for Tax Year 2012			\$1,323.80
2011	Property Tax Principal	\$851.86	\$851.86
2011	Property Tax Interest	\$90.87	\$90.87
2011	Property Tax Interest	\$20.44	\$20.44
2011	Additional Interest Foreclosure	\$170.16	\$170.16
2011	Additional Interest Foreclosure	\$38.27	\$38.27
2011	Delinquent Sewer City of The Dalles	\$191.57	\$191.57
2011	Foreclosure Costs	\$100.00	\$100.00
Total for Tax Year 2011			\$1,463.17

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

+ 2014 Tax  
3.6% penalty

PAYMENT INSTALLMENTS	
Amount includes any unpaid prior year tax	
Pay This Amount	Due By
\$11,710.15	9/22/2014

DISCOUNT IS LOST & INTEREST APPLIES AFTER DUE DATES

[REDACTED]  
THE DALLES OR 97058

Total Taxes and Assessments: \$11,710.15  
Account: 2576

Enter Payment Amount
\$

Make payment to:  
Department of Assessment & Tax 511 Washington Street, Room 208 The Dalles, Oregon 97058

## **2013 ORS § 275.180<sup>1</sup>**

### **Sale to record owner or contract purchaser of property**

#### **• conditions**

- (1) The governing body of a county may at any time, without the publication of any notice, sell and convey by deed to the record owner or the contract purchaser of record, any property acquired by the county for delinquent taxes for not less than the amount of taxes and interest accrued and charged against such property at the time of purchase by the county with interest thereon at the rate of six percent per annum from the date of such purchase.
- (2) All such sales of any such property to the record owner or the contract purchaser of record shall be subject to all liens or claims arising out of any assessment for a local improvement levied against such property, or any part thereof, by any municipal corporation and remaining unsatisfied, and also shall be subject to any title or equity of the municipal corporation predicated upon or growing out of any such lien or assessment. [Amended by 1973 c.843 §1; 1975 c.657 §1; 2005 c.243 §17]

...

### **Atty. Gen. Opinions**

Prior owners purchasing right in exchange of foreclosed land, (1974) Vol 36, p 1142

§§ 275.110 (Order to sell certain county lands) to 275.250 (Notice to county assessor of sale or resale)

### **Atty. Gen. Opinions**

Prior owners purchasing right in exchange of foreclosed land, (1974) Vol 36, p 1142; exchange of land purchased with money from County Road Fund, (1982) Vol 42, p 271

## Related Statutes<sup>3</sup>

- 275.030  
Sale of real estate not in use for county purposes
- 275.080  
Sale of county lands for public water supply purposes

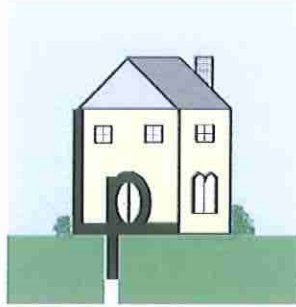
<sup>1</sup> Legislative Counsel Committee, *CHAPTER 275—County Lands*, [https://www.oregonlegislature.gov/bills\\_laws/lawsstatutes/2013ors275.html](https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2013ors275.html) (2013) (last accessed Apr. 27, 2014).

<sup>2</sup> Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2013, Chapter 275*, [https://www.oregonlegislature.gov/bills\\_laws/lawsstatutes/2013ano275.html](https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2013ano275.html) (2013) (last accessed Apr. 27, 2014).

<sup>3</sup> OregonLaws.org assembles these lists by analyzing references between Sections. Each listed item refers back to the current Section in its own text. The result reveals relationships in the code that may not have otherwise been apparent.

Currency Information

Copyright 2013 by WebLaws.org  
[www.oregonlaws.org](http://www.oregonlaws.org)



## Leeland Property Management

### Real Estate Property Management Agreement

For: [REDACTED]

Upon signature by Agent and Owner, this Agreement is a legal and binding contract.  
If not understood, seek competent legal advice before signing.

1. **Parties.**

1.1. **AGENT:** All references in this Agreement to "Agent" shall refer to LEELAND PROPERTY MANAGEMENT, LLC, licensed in the State of Oregon, pursuant to ORS Chapter 696.

1.2. **OWNER(S):** All references in this Agreement to "Owner" shall refer to the person(s) who have signed under the "Owner" section of the signature page.

2. **Agency Acknowledgement and Disclosure.** Owner and Agent hereby acknowledge and consent to the following agency relationship in this agreement: Leeland Property Management, LLC (Agent), acting in the capacity of an independent contractor is hereby contracted as Owner's exclusive Agent to perform professional property management services for the real property described herein

2.1. Agent shall owe the Owner the following affirmative duties:

- (a) To exercise reasonable care and diligence;
- (b) To deal honestly and in good faith;
- (c) To account in a timely manner for funds received or disbursed on behalf of the Owner;
- (d) To be loyal to the Owner by not taking action that is adverse or detrimental to the Owner's interest;
- (e) To disclose in writing and in a timely manner to the Owner to perform work on the Property, any use of employees, or a business, in which the Agent has a pecuniary interest;
- (f) To advise the Owner to seek expert advice on matters related to property management that are beyond the licensee's expertise;



(g) To maintain as confidential financial information obtained from, or about, the Owner, except under subpoena or court order or as otherwise required by applicable law and except as permitted by the Owner, even after the termination of the property management agreement.

### 3. - Property.

3.1. **Property:** All references in this Agreement to "Premises" or "Property" shall refer to the property being professionally managed under this Management Agreement.

3.2. **Property Descriptions:** The real property covered under this agreement is situated in the County of Wasco, State of Oregon, and more commonly known as with the addresses at 2824 West 9th St., The Dalles.

3.3. **Owner's Representations and Warranties:** Owner hereby represents and warrants to Agent:

- (a) That the undersigned Owner is the true and sole Owner of the Property and has full authority to enter into this Property Management Agreement;
- (b) All references to "Owner" herein shall include each and every joint and several Owners, and the Agreement shall be binding on each of them jointly and severally;
- (c) As of the date of this agreement the Property shall be in good operating condition and not in imminent danger of foreclosure.

### 4. Term of Agreement.

4.1. **Term:** The initial term of this Agreement commences immediately as of the signing of this document, and ends on the Last day of the month after the date of the signing of this document (the "Initial Term"). Thereafter, this Agreement shall automatically renew monthly (each a "Renewal Term"). Either party may terminate this Agreement at the end of the Initial Term by providing the other party with written notice of such termination at least sixty (60) days prior.

4.2. **Requirements of Commencement:** This agreement shall not commence until Owner has provided to Agent the following items:

- (a) ~~A \$350.00 deposit to open the Owner's client trust account with a banking or savings institution chartered by the State of Oregon or the United States of America, this deposit shall be then payable to Leeland Property Management, LLC as the initial setup fee;~~
- (b) Proof of property liability insurance and policy in the amount of at least \$500,000 with Leeland Property Management, LLC, listed as an additional insured;
- (c) This agreement signed by the Owner of the above referenced Property;
- (d) Keys to the above referenced Property.

4.3. **Additional Terms and Provisions:** Either party without the express written consent of each party shall not assign this agreement. The terms and provisions of this agreement shall be binding on the parties, and to their respective heirs, executors, administrators and successors, and to the assignees of the parties to the extent that said terms and provisions are capable of assignment. In construing terms of this agreement, it is understood that the Owner may be a person, persons, a corporation or other legal entity. If the context so requires, all grammatical

changes shall be made, assumed and implied to make the terms hereof apply equally to corporations, other legal entities or multiple individuals or entities. Agent shall NOT in any manner mortgage the Property or hypothecate the Property.

## **5. Property Management Services.**

**5.1. Management Services:** Agent shall operate, manage and maintain the Property described herein pursuant to ORS Chapter 696 and OAR Chapter 863. For the purpose of this agreement, Agent and Owner hereby define property management services to include the following:

- (a) Day-to-day tenant relations;
- (b) Property marketing;
- (c) Tenant screening services;
- (d) Leasing services;
- (e) Collection of rent;
- (f) Coordination of tenant maintenance requests;
- (g) Vendor Management
- (h) Annual property inspections;
- (i) Monthly bank statement reconciliation and reporting;
- (j) Evictions of tenants not placed by LPM will be charged on an hourly basis plus court/sheriff fees.

## **5.2. On-site and Additional Personnel:**

- (a) On behalf of Owner, Agent solely shall employ, discharge, supervise, and pay, all employees or contractors considered by Agent as necessary for the efficient management of the Property. Agent shall not be liable to the Owner or to others for any act or omission on the part of such employees if Agent has taken reasonable care in their employment and supervision. Owner agrees to indemnify and hold Agent harmless from claims, demands, causes of action, or judgment, which may result from the acts or omissions of the employees while on missions on behalf of Agent for Owner.
- (b) Owner may request that Agent hire additional personnel for property management services not covered under this agreement.

## **6. Agent's Compensation.**

**6.1. Compensation:** In consideration of the services herein described, Owner shall pay Agent a monthly property management fee equal to:

- (a) Ten percent (10%) of the "Gross Rentals" collected during each month or Fifty dollars (\$50) per month, whichever is greater. The property management fee shall be considered earned and may be withdrawn from the Owner's client trust account when the monthly has been collected.



**6.2. Project Management Fee:** A project management fee equal to ten percent (10%) of the project cost shall be charged when Agent coordinates and/or oversees maintenance, construction, or improvement projects on the Property in excess of \$10,000.

**6.3. Additional Services:** Agent and Owner agree that Agent shall be paid a fee for any services that are in addition to the Property Management Services described herein. Owner shall be charged a \$50 per hour fee, or a fee agreed upon in writing by both parties prior to arranging for or providing the service or activity. These additional services may include but are not limited to coordinating with real estate brokers on the showing of the Property that the Owner is currently in the process of selling, coordinating appraisals on the Property, and project/property analysis of properties not under contract with Agent. Agent agrees to not perform any additional services without the prior written authorization of the Owner, except in case of emergency.

**6.4. Gross Rentals (Definition):** The term "Gross Rentals" shall include all rental income received from occupancy of the Property covered under this agreement and if applicable, insurance payments for lost rent. "Gross Rentals" shall not include tenant screening fees, application fees, ancillary services, or amounts collected as security deposits.

**6.5. Tenant Fee Distribution:** The Agent may collect a "Move In" fee from the owner of two hundred fifty (\$250), which is paid to the Agent. The Agent shall collect an "Application Fee" from prospective tenants to cover the costs of background checks, which is paid to the Agent. 50% of the "Late Fees" shall be paid to the Owner the remaining 50% is to be paid to the Agent. All fees will be subject to market conditions and customary practices.

## **7. Agent's Authority.**

**7.1. Leasing Authority:** Agent shall have the authority to enter into leases, terminate tenancies, serve notices, and represent Owner in eviction proceedings.

(a) For the purpose of renting or leasing the Property, the Agent or Agent's employees shall use all reasonable efforts to market the Property at Owner's expense. Owner shall refer all inquiries for rent, lease or renewals to Agent, and all negotiations for rent, lease and renewals shall be conducted and controlled by Agent.

(b) Agent shall also have the authority to initiate action to terminate any tenancy when, in the Agent's judgment, there is material non-compliance with the lease or other good cause for such termination. The tenant will be properly notified of his/her right to appeal. Attorney's fees and other necessary costs incurred in connection with such actions will be paid out of the client's trust account as an expense.

**7.2. Maintenance Authority:** Agent shall have the authority to perform maintenance services with an estimated total cost of not more than \$500.00 per service without prior consultation with Owner. Agent shall also have the authority to perform emergency maintenance services without prior consultation with Owner. All maintenance services with an estimated repair cost in excess of \$500.00 shall not be performed without prior consultation with Owner except in cases of emergency. Owner shall be responsible for all costs of maintenance including service fees for contractors, Agent's personnel, and any cost of materials.

**7.3. Accounting Authority:**

(a) Agent shall open and maintain at least one federally insured clients' trust account, pursuant to ORS 696 .241, for the deposit of all funds received on behalf of the Owner for the Property managed



under this agreement. Such monies of Owner shall not be commingled with funds of Agent. Bank fees (if any) and banking document costs are the responsibility of the Owner.

(b) Agent may endorse Owners name on rent checks made payable to Owner. It is expressly agreed that Agent does not guarantee the collection of rents or any other tenant obligations.

(c) Agent is authorized to withdraw from client's trust account all disbursements at the expense of Owner, including compensation of Agent or any other encumbrance on the Property from the Gross Rents collected from the Property.

(d) Agent shall provide to the Owner a monthly statement of operations for all receipts and disbursements for the account of the Owner during the prior monthly period.

(e) Agent shall have the authority to transfer funds between two or more ledger accounts maintained by the Owner. Agent shall not withdraw, pay or transfer funds for payment of generally authorized expenses from the Owner's ledger account in excess of the actual credit balance of the account. This credit shall not include the amount of the tenant's conditionally refundable deposits being held at the time of the withdrawal, payment or transfer of funds.

**7.4. Record Keeping Authority:** Legible copies of all agreements, records and supporting data shall be filed and maintained by the Agent in the Agent's licensed business location for a period of six years following the date on which such agreement or document is superseded, is terminated, or has expired. Copies of invoices shall be provided to Owner upon request. Owner shall review the monthly operational statements and notify Agent within thirty days of receipt of any questions or requests for copies of invoices. If not contacted, Agent shall assume reports are understood and satisfactory. Within sixty days after the end of each calendar year, and during the term of this agreement, Agent shall provide to the Owner an annual statement of operations on their Property account.

**7.5. Security Deposit Authority:** The Owner authorizes the Agent to deposit all security deposit funds into the clients' trust account managed and maintained by the Agent. If Owner is transferring the Property from another property management company, Owner agrees to turn over all existing security deposit funds to the Agent.

## **8. Responsibilities of Owner.**

**8.1. Insufficient Funds Collection:** Should the "Gross Rentals" with respect to the Property, plus any other funds advanced by Owner to Agent in connection with said Property, at any time be insufficient to pay the expenses of operation and other sums reasonable or necessary for the use and maintenance of said

Property:

(a) Owner agrees upon demand to immediately pay to Agent such amount, as Agent deems reasonable and necessary to the operation, use, and maintenance of the Property. These funds shall be deposited into the Owner's client trust account and disbursed as needed by the Agent;

(b) In the event that Owner does not pay to Agent the funds owing when notified, and if there is no other account held by Agent on behalf of Owner where funds can be obtained, Owner agrees to pay interest on any unpaid balance at the rate of 10% (or prime plus 2%, whichever is higher), until paid in full. Interest shall accrue monthly, and shall be reported on the monthly operating statement of Property for the Owner.

(c) Owner shall indemnify the Agent against any and all losses of Agent due to shortages in Owner's account brought about by the operation or maintenance of the Property.

8.2. Owner shall be responsible for any and all contracts and agreements made on Owner's behalf by agent and in existence at the termination of this Agreement and shall hold agent harmless there from.

## **9. Insurance and Indemnification.**

**9.1. Property Insurance Requirements:** Owner, at Owner's expense, agrees to keep managed buildings and personal property of Premises continuously insured against loss or damage by fire, with an extended coverage endorsement. Owner agrees to maintain property liability insurance in full force and effect during the term of this agreement, covering the operating of said Property and injury to persons or damage of property resulting from such operation. On an annual basis, Owner shall furnish Agent with evidence that insurance coverage has been procured and is being maintained in full force and effect. Owner agrees that all policies of insurance with regard to fire, extended coverage or any other casualty or loss affecting the above-mentioned Premises, shall include a waiver of subrogation and waiver of right to recovery against Agent for loss or damage covered by any such fire, extended coverage, or any other casualty insurance. Further, Owner shall name the Agent as an additional insured on all insurance policies in connection with the Property.

**9.2. Property Liability Insurance Policy Limit:** Owner agrees to maintain a standard comprehensive general liability insurance policy for the Property with coverage not less than \$500,000 combined single limit each occurrence with Agent listed as an additional insured.

**9.3. Hold Harmless Disclosure:** Agent shall not be responsible for any possessions left at the Premises by Owner, even if they are secured. Owner agrees to indemnify and hold harmless Agent and Agent's employees from all damage, injury and costs by reason of the conditions of and occurrences upon the Property or elsewhere while Agent is performing Agent's duties under this Agreement or otherwise effecting the Owner's directions. Owner agrees to promptly and diligently defend Agent at Owner's expense from any claim, suit, action, demand or proceeding brought against Agent or Agent's employees. Owner also agrees to indemnify and hold harmless Agent from all loss and damage on account of Agent's performance of this Agreement. The Owner's obligations to indemnify and hold Agent harmless shall survive termination of this agreement, but no provision of this Agreement purports to protect the Agent from Agent's gross negligence, willful misconduct, or illegal activity. Owner expressly agrees to indemnify and hold Agent and Agents' employees harmless from any breach of terms of any and all underlying encumbrance, and waives any claim, which may arise because of a payment not made or made late or in any manner, which causes Owner to incur additional expense or loss of the Property.

## **10. Termination of Agreement.**

**10.1. Termination of Agreement:** Owner or Agent may terminate this Agreement with cause at any time by giving thirty (30) days written notice of intent to terminate to the other party. Such notice shall provide adequate explanation of the cause for termination, which shall be limited to breach of this Agreement. The other party shall have thirty (30) days to correct the cause(s) in such notice. If such causes are corrected within this period, this Agreement shall remain in force, and such notice of termination shall be null and void. This Agreement will also terminate by mutual written consent of Agent and Owner or upon the occurrence of any of the following circumstances:

(a) Either party shall serve written notice of cancellation to the other party, which shall become effective thirty (30) days after such notice is received.

(b) In the event either party files a petition of bankruptcy of insolvency or a petition for reorganization under bankruptcy law.



(c) If Owner directs the Agent to violate Landlord/Tenant law, State or Federal Fair Housing Law, the Agent may terminate this agreement with a ten (10) day written notice.

**10.2. Final Accountings:** Upon termination of this Agreement for any reason, Agent shall deliver to Owner within forty-five (45) days of termination the following with respect to the Property:

- (a) Any tenant security deposits or other monies belonging to Owner held by Agent on Owner's behalf;
- (b) All records, contracts, leases, receipts and deposits, unpaid bills and other papers or documents relating to the Property.

## **11. Miscellaneous.**

**11.1. Arbitration:** The parties agree to submit to final and binding arbitration any dispute, claim, or cause of action that arises out of, or relates to this agreement or the agency relationship between Agent and Owner. This includes, but is not limited to, claims under Title VII of the Civil Rights Act of 1964, as amended, common law claims arising from the employment relationship, unlawful practices claims under Oregon law (ORS Chapter 659), the Americans with Disabilities Act, the Age Discrimination in Employment Act, state and federal wage and hour laws and any other state, federal or common law. The only disputes not covered by this provision shall be claims under state worker's compensation statutes, claims for unemployment compensation, and claims to enforce non-disclosure of trade secrets or confidential information. The parties agree that any controversy covered by this provision shall be arbitrated pursuant to the Oregon court-annexed arbitration statutes and rules applicable to the Wasco County Circuit Court. The parties may engage in professional mediation services prior to arbitration upon mutual consent; however no party shall be required to settle.

**11.2. Attorney's Fees:** In case suit or action is instituted to enforce any of the provisions of this agreement, the prevailing party shall be entitled to recover from the other party its attorney's fees and out of pocket expenses incurred in the suit or action in such amounts as the court may adjudge reasonable.

**11.3. Compliance with Law:** Owner and Agent shall comply with all law as relating to the Property and the management thereof, including without limitation, the obligation to offer the Property for rent to any person without regard to age, race, color, religion, sex, handicap, marital status, familial status, or national origin.

IN WITNESS WHEREOF, the parties hereto do signify their mutual agreement of the terms and provisions of the Agreement as of the day and year first written above.

OWNER: Wasco County

Signed: \_\_\_\_\_

Print: Scott C. Hege Date: 12.3.14  
Chair, Wasco County Board of Commissioners.

OWNER: \_\_\_\_\_

Signed: \_\_\_\_\_

Print: \_\_\_\_\_ Date: \_\_\_\_\_

*(If legal representative or attorney-in-fact please state capacity and name of real party in interest)*

AGENT: Leeland Property Management, LLC

Signed: \_\_\_\_\_

Print: Jeffry A. Stiles Date: \_\_\_\_\_

OWNER INFORMATION RIDER TO PROPERTY MANAGEMENT AGREEMENT

This is the Owner Information Rider to the Property Management Agreement attached hereto, dated Dec. 3 2014, by and between:

Leeland Property Management, LLC \_\_\_\_\_ (Agent)

Wasco County \_\_\_\_\_ Owner(s)).

PROPERTY ADDRESS:

2824 West 9th St., The Dalles, OR 97058

AGENT AND OWNER HEREBY AGREE THE FOLLOWING SHALL BE A PART OF THE PROPERTY MANAGEMENT AGREEMENT REFERENCED ABOVE.

OWNER NAME: Wasco County Date(s) of Birth \_\_\_\_/\_\_\_\_/\_\_\_\_

OWNER SS#/EIN(s): 93-6002315

MAIL ADDRESS: 511 Washington, Suite 101  
The Dalles, OR 97058

OWNER PHONE #1: 541-506-2553 Home: \_\_\_\_\_

OWNER PHONE #2: 541-506-2550

OWNER FAX: 541-506-2551

OWNER EMAIL: fred@co.wasco.or.us

INSURANCE PROVIDER: City County Ins.

INSURANCE AGENT: Mike Courtney

INSURANCE PHONE: 541-296-4604

Owner(s) \_\_\_\_\_

Print Scott C. Hege, Chair, Wasco County Board of Commissioners Date 12.3.14

(If legal representative or attorney-in-fact please state capacity and name of real party in interest)

Agent \_\_\_\_\_

Print: Jeffrey A. Stiles Date \_\_\_\_\_

Owner Initials/Date \_\_\_\_/\_\_\_\_

**RENTAL SPECIFICATIONS**  
(one sheet per unit)

Property Address(s):

The Dalles, OR 97058**Desires of the Owner.** (If currently rented, please indicate what contract states)

0 = Owner T = Tenant OAAgent to pay bills on Owners behalf from rent payments

Electricity T Water T Sewer T Garbage TGardening T Gas TMinimum acceptable Rent per month: \$ \_\_\_\_\_  
(Property Manager will make every attempt to get the highest rent possible)

Security Deposits: \_\_\_\_\_ We typically charge 1 months' rent + at least \$200

Reserve of \$ \_\_\_\_\_ for emergencies shall be kept in checking. (Recommended)

Accept Section 8 (HUD)? Yes No Lead Based Paint: Yes No I don't Know

Pets ARE ARE NOT allowed. Restrictions? \_\_\_\_\_  
Please circle one If pets are allowed

Smoking: Not on Premises Outside Only Inside is OK

Appliance included: Range Refrigerator Washer Dryer Dishwasher  
Garbage Disposal #of A/C's \_\_\_\_\_

Preferred Contractors: Name(s) Phone Number(s)

\_\_\_\_\_  
\_\_\_\_\_

Property Issues/Concerns/Location of water, gas, electric shut offs &amp; utility companies:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tenant Issues/Concerns/Oddities:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Owners Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Initials/Date \_\_\_\_/\_\_\_\_



## **Continued Rental Specifications**

(one sheet per unit)

### Gardening:

When your property is vacant, who do you want to take care of the yard? ie, watering, mowing, and trimming the shrubs? \_\_\_\_\_ How often? \_\_\_\_\_

What type of irrigation does the property have? \_\_\_\_\_

### Winterizing:

Who is responsible for snow removal? Tenant \_\_\_\_\_ Owner \_\_\_\_\_

Ice melt! Shoveling the driveway and walkways? Tenant \_\_\_\_\_ Owner \_\_\_\_\_

Furnace filters: When was the last time you replaced them? \_\_\_\_\_

Do we need to put hose bibs covers on? \_\_\_\_\_ If so, how many? \_\_\_\_\_

### Additional information:

Sqft of dwelling? \_\_\_\_\_ Year built? \_\_\_\_\_ # Bedrooms? \_\_\_\_\_ # Baths? \_\_\_\_\_

When was the carpet professionally cleaned? \_\_\_\_\_ Receipt? \_\_\_\_\_

When was the chimney and heating and cooling ducts last cleaned? \_\_\_\_\_

Does the dwelling have an oil heater? \_\_\_\_\_ When was it last filled? \_\_\_\_\_

If it is a multi-unit complex do the tenants have shared garbage? \_\_\_\_\_

When the dwelling is vacant where do you want the bills sent to? LPM \_\_\_\_\_ Owner \_\_\_\_\_

Were utility companies given a landlord agreement? \_\_\_\_\_

Do you have any manuals on any of the appliances? \_\_\_\_\_ If so, what appliances? \_\_\_\_\_

Do we notify Owner before performing any maintenance? \_\_\_\_\_

### Keys & Lock changes:

How many sets of keys are you giving Leeland Property Management? \_\_\_\_\_

Would you like us to change main locks after each tenant moves out? \_\_\_\_\_

Is there a garage door opener? \_\_\_\_\_ If so, how many openers? \_\_\_\_\_

Owner Initials/Date \_\_\_\_/\_\_\_\_



**Agenda Item**  
**EDC Quarterly Report**

- [Staff Report](#)

**Wasco County Economic Development Commission  
Report to the Wasco County Board of Commissioners**

---

December 2014

The Wasco County Economic Development Commission and its staff through the Mid-Columbia Economic Development District provided the following services in support of Wasco County:

**Community Enhancement Projects**

Updates on Community Enhancement Projects:

- Staff have continued to support the Tygh Valley Rural Fire Protection District to help identify potential funding sources for their new fire house as well as provide technical assistance to The Dalles Senior Center to support submission of additional grant applications to fund the Uplifting Elevator Project.
- Staff have begun working with several EDC Commissioners to consider updates to the project prioritization criteria to ensure the process meets the needs of the EDC in terms of highlighting projects ready to move forward as well as those needing technical assistance to do so. Updates for the 2015 Community Enhancement Projects will center around adjusting the information required to better reflect creating a comprehensive project profile on the Agora Platform so that project profiles will be a useful reference to funders as well as EDC Staff as they are looking to support priority projects.

**Industrial Lands Committee**

- The Industrial Lands Committee reviewed its work and priorities from 2014, and discussed opportunities moving forward. The group determined that the next significant project should center around ensuring that adequate infrastructure is available in communities throughout the county. This would both ensure that these communities continued to have the services needed for livability but also for appropriate growth. The group suggested that staff work closely with the cities and unincorporated rural communities to ensure their infrastructure needs are captured in the Community Enhancement Process so that the Industrial Lands Committee can start with a full understanding of the current infrastructure needs as they determine strategies for finding funding for the projects. Potential opportunities identified have included working to incorporate several communities into one proposal for funding, as well as working with the Regional Solutions Team to identify opportunities to support these rural communities.
- Staff have identified two dates for work sessions with communities related to infrastructure projects. December 16<sup>th</sup> from 1pm to 3pm in Maupin at the City Park, and January 14<sup>th</sup> from 10am to 1pm at the MCEDD office in The Dalles. These sessions are intended to provide an opportunity to work together to improve information available both for staff and on the Agora platform about the projects.

**Broadband**

One of the strategic priorities for the EDC has been supporting expansion of broadband in our rural communities and promoting adoption of those services for businesses and residents. Application submitted

- Staff hosted two meetings for the South Wasco Broadband Access Project. The meetings had good attendance from the SWA Internet Capacity Committee to work with staff on gathering the information needed to determine any potential business case for service. The group will send out a demand survey in January to

residents, and is in conversations with other local governmental entities to work with for the mailing where possible. In addition, staff have begun meeting with internet service providers to discuss the project as well. The next meeting is scheduled for early December.

- Staff, in partnership with Keith Mobley, Q-Life staff, put together a Web Works: Anywhere! Forum that was hosted in The Dalles on November 19<sup>th</sup> from 6pm to 7:30pm at Maison de Glace. Organizations and businesses featured include:
  - The Dalles Chronicle discussing their online presence;
  - Chronodeco, a home based watch restoration and building businesses with a web presence;
  - Keith Mobley discussing how resources and filing instruments are becoming increasingly digital for lawyers today;
  - Diane Uto, a CGCC Instructor who extensively utilizes distance learning;
  - The Dalles Main Street Organization's Executive Director, Matthew Klebes, who uses social media to engage with the community effectively.
- Staff participated in several conversations around opportunities to support increasing broadband access in our region. There have been continued conversations around the Regional Solutions broadband prioritization, which will result in a request for investment from the state in broadband infrastructure in our region. Staff also met with USDA, Rural Development and Regional Solutions staff to review USDA programs available to finance broadband infrastructure, both grants and loans, as well as to begin exploring opportunities for the state to support increased access to these programs in Oregon.
- Staff attended the Oregon Connections conference, as well as assisting in the planning leading up to it. While the event takes place in Hood River, it is a great opportunity to network and learn more about broadband and telecommunications. MCEDD acts as the host for the event which took place October 23-24, 2014. The conference program explored the emerging Internet of Things, strategies for cyber-security in the age of Big Data, and the status of Broadband in Oregon. Our keynote speaker was Daniel Obodovski, a technologist and co-author of the recent book, *The Silent Intelligence: The Internet of Things*. The Conference will be held in Hood River again in 2015. For more information, visit [www.oregonconnections.info](http://www.oregonconnections.info)



*Oregon Connections Conference*

### **South Wasco Alliance**

- Staff attended the South Wasco Alliance Townhall and County Commission Meeting in Tygh Valley.
- Staff met with the newly appointed South Wasco Alliance Advisory Council to discuss opportunities to partner and ways to avoid duplication. Staff provided an overview of the EDC's purpose and role, as well as the proposed work plan so that there would be understanding of the work being done currently. The SWA noted they are still forming, and are looking at their organizational structures and ways to best identify projects to move forward. The SWA requested that the EDC staff participate in the Economic Development Committee as well as continue

dialogue about opportunities to support South Wasco County through existing structures as well as the SWA.

### **General EDC Activities:**

EDC staff provided the following support services:

- Staff attended the Oregon Economic Development Association Conference in Eugene, OR in October. Staff attended sessions on infrastructure financing, Oregon Prospector and working with the State Business Development Specialists, development of the Strategic Beverage Cluster, developing an entrepreneurial environment, and workforce and economic development connections.
- Staff have worked with those EDC Commissioners who have terms expiring and the County to determine the best approach to reappointment/new appointment for the next term and implement it. Please see attached memo for details.
- Staff have continued to meet with community leaders in areas throughout Wasco County to gather information about community priorities, challenges, and successes that will inform opportunities for the Economic Development Commission to work in partnership with these communities. Staff visited with Maupin leaders as well as the City of Mosier. Common threads throughout the communities have thus far included challenges with downtown commercial space and filling business locations, the importance of tourism-both agri-tourism and cycling tourism, and infrastructure needs. As these visits wrap up staff will provide a summary with recommendations for next steps.
- Staff are working with the communities of Dufur and Maupin and their economic development entities to create business siting guides specific to each community. Currently, business siting guides are available for the unincorporated areas of the County as well as the City of The Dalles.
- Wasco EDC staff has been participating in discussions with Columbia Gorge Bi-State Renewable Energy Zone (CGBREZ) and toured a large potential pump storage project in Klickitat County that could support additional investment in wind energy while storing energy for low water periods where it can be most useful in evening out the loads. The group is working to capture the potential impact of additional wind projects in the pipeline for the region. Staff are assisting with the Wasco County data collection along with the Wasco County Planning Department.
- Staff supported The Dalles Main Street Program's Energy Workshop held on September 22<sup>nd</sup>. Speakers from Oregon Department of Energy, Restore Oregon, Energy Trust, and N Wasco PUD spoke about the incentives available related to energy efficiency projects. This information will be of use as investment occurs in older buildings throughout the county.



*Downtown Dufur*



*Potential Pump Storage Project  
Location*

### Activities of Interest to the EDC

- MCEDD supported Klickitat County and City of The Dalles in submission of an EDA Public Works application for the Airport Flex space project in Dallesport. This facility is critical to local employers, including MCMC. Funding was awarded for the project this fall.
- **Investing in Manufacturing Communities Partnership:** Through the IMCP grant, forums around UAS applications for Tree Fruit, certifications required for advanced manufacturing and food manufacturing businesses, and a Value Added Food Manufacturing Forum have taken place over the last quarter. The forum highlighted several Wasco County businesses including Muirhead Canning and Oregon Chery Growers in the conversation about where the industry is today, and what its future looks like in the Mid-Columbia. The forum began to formalize the industry cluster through understanding of economic benefit, and the roles for development and exploration of growth opportunities. For further information, visit the project webpage: [www.mcedd.org/imcp.htm](http://www.mcedd.org/imcp.htm).
- The **Gorge Hubs Project** has received a Transportation Demand Management (TDM) grant from DLCD and ODOT to create a design framework for these bike and pedestrian stations that will be located along the Historic Columbia River Highway from Troutdale through to The Dalles. Currently, the City of The Dalles and Mosier are exploring having bike hubs. These facilities will provide repair tools as well as information about the communities and additional points of interest for visitors.



*Value Added Ag Food  
Manufacturing Forum*

### By The Numbers

*Source: Oregon Employment Department*

- Unemployment rate (seasonally adjusted)

	<b>Oct. 2014</b>	<b>Sept. 2014</b>	<b>Oct. 2013</b>
<b>Oregon</b>	7.0%	7.0%	7.5%
<b>Wasco County</b>	6.5%	6.3%	7.1%

- Total Nonfarm Payroll Employment (Not Seasonally Adjusted)

	<b>Oct. 2014</b>	<b>Sept. 2014</b>	<b>Oct. 2013</b>
<b>Oregon</b>	1,747,600	1,726,500	1,703,400
<b>Wasco County</b>	9,800	10,070	9,810

**Agenda Item**  
**NORCOR Jail Populations**

- [No documents have been submitted for this item:](#)

[RETURN TO AGENDA](#)

**Agenda Item**  
**Outdoor Mass Gathering Permit Application**  
**Hearing**

- [Summary of Information](#)
- [Staff Report](#)
- [2015 WTF Application](#)
- [Public Comment](#)





# Wasco County Planning Department

*"Service, Sustainability & Solutions"*

2705 East Second St. • The Dalles, OR 97058  
(541) 506-2560 • [wcplanning@co.wasco.or.us](mailto:wcplanning@co.wasco.or.us)  
[www.co.wasco.or.us/planning](http://www.co.wasco.or.us/planning)

## SUMMARY OF INFORMATION

Prepared for Wasco County Board of Commissioners Hearing

**FILE #** PLAOMG-14-02-0002

**HEARING DATE:**

December 3, 2014

**PUBLISH DATE:**

November 24, 2014

---

**REQUEST:** Outdoor Mass Gathering permit for a music and art festival entitled "What the Festival," June 18-22, 2015. Estimated attendance is 3,000-5,000.

**RECOMMENDATION:** Approval, with conditions

---

### APPLICANT/OWNER INFORMATION:

**Applicant:** Moonshine Events, LLC, 25 NW 23<sup>rd</sup> Place, Suite 6, PMB 505, Portland, OR 97210

**Owner:** Wolf Run Ranch, LLC, 25 NW 23<sup>rd</sup> Place, Suite 6, PMB 505, Portland, OR 97210

---

### PROPERTY INFORMATION:

The property is located on the north side of Dufur Valley Road, approximately 10 miles southwest of Dufur, OR. More specifically described as:

78889 Dufur Valley Road, Dufur, OR 97021

<u>Existing Taxlot</u>	<u>Previous</u>	<u>Acct#</u>	<u>Acres</u>
2S 12E 0 1400	2S 12E 0 2000	9603	245

---

### ATTACHMENTS:

- A. Options & Staff Recommendation**
- B. Recommended Conditions**
- C. Maps**
- D. Staff Report**
- E. Sanitary Food Service Requirements**
- F. Wildland Fire Prevention Plan**

## ATTACHMENT A – OPTIONS & STAFF RECOMMENDATION

Under ORS 433.750, the Board of County Commissioners is the only body authorized to issue an outdoor mass gathering permit in Wasco County. While Wasco County has exercised its authority to expand the definition of outdoor mass gathering, the only applicable regulations are those contained in ORS 433.735 to 433.770 and OAR 330 Division 39.

The following Staff Report provides important background information and addresses the applicable standards. After reviewing the applicable regulations, Staff has identified the following four options for consideration by the Board of County Commissioners.

### Board of County Commissioner Options:

1. **Approve** the application for an Outdoor Mass Gathering, and accept the proposed conditions and findings contained in the Staff Report.
2. **Approve** the application for an Outdoor Mass Gathering with amended findings and conditions.
3. **Deny** the application with amended findings that the request does not comply with the applicable health and safety regulations contained in ORS 433.735 to 433.770 and OAR 330 Division 39
4. **Continue** the hearing, to a date and time certain, if additional information is needed to determine whether applicable standards and criteria are sufficiently addressed.

### Staff Recommendation:

Staff recommends **Option 1** – Approve the application for an Outdoor Mass Gathering, and accept the proposed conditions and findings contained in the Staff Report (**Attachment D**).

## ATTACHMENT B – RECOMMENDED CONDITIONS

The full staff report with all proposed findings of fact and conclusions of law is enclosed as **Attachment D** and was available at the Wasco County Planning Department for review one week prior to the December 3, 2014 hearing. The full staff report is made a part of the record. This summary does not supersede or alter any of the findings or conclusions in the staff report, but summarizes the results of Staff's review and recommendation. The request and subsequent decision do not constitute land use decisions, as governed by Oregon law. All applicable standards are addressed in **Attachment D**.

Subject to the proposed findings contained in **Attachment D**, Staff recommends the following **conditions of approval**:

- A. Applicant and property owners shall comply with the application as reviewed and approved by the staff report, which is available at the Wasco County Planning Department. This report details the restrictions on aspects of the proposed development including but not limited to location, dimensions and use. This decision does not constitute tacit approval for any other development or use.
- B. **Attendance**: Maximum attendees for What the Festival 2014 shall be 5,000, including staff and volunteers necessary to operate the event safely and effectively, as described in **Attachment D**.
- C. **Insurance**: Applicant shall provide a Commercial General Liability Insurance policy of not less than \$1,000,000 specific to What the Festival, and naming Wasco County, its officers, agents, volunteers, and employees as an additional insured. Applicant shall furnish Wasco County Planning with a Certificate of Insurance including a copy of the Additional Insured Endorsement that is attached to, and part of, the insurance policy by June 1, 2014.
- D. **Water Supply System Construction, Maintenance, and Design**: The temporary water system shall be inspected by Wasco County or partner agencies prior to the event for compliance with *OAR 333-039-0015(3)(a) through (3)(l)*.
- E. **Pool Records**: Pool records need to be done at least every 4 hours. The results shall be recorded and the log sheet needs to be available for inspection.
- F. **Water Hauler**: The potable water hauler needs to fill out the form supplied by the State/NCPHD which tracks the chlorine levels when delivered. The chlorine that is being used to increase the chlorine level needs to be NSF certified product. There should be a copy of that on hand when the inspection takes place.
- G. **Greywater**: Greywater tanks shall be located not more than 50 feet from the food vendors and labeled with a sign stating "Waste Water Disposal". The seepage pit shall be constructed and ready for inspection by June 1, 2014 and shall be at least three feet deep covering an area not less than 32 square feet. The pit shall be backfilled with clean, course rock and be protected by a one-fourth inch

screen which shall be removed, with any waste being appropriately disposed, and cleaned every 24 hours during the event.

- H. **West Entrance Facilities:** Locate toilet facilities near the West Entrance during peak arrival times in order to best accommodate attendees who are waiting in line to enter the property and approach the Box Office.
- I. **Food and Sanitary Food Service:** All food vendors shall comply with the applicable food and sanitary food service requirements listed in *OAR 333-039-0035 (Attachment E)*, and make themselves available for inspection during the event. Furthermore, only vendors with valid licenses, as provided by the Oregon Health Authority, shall be contracted to prepare and provide food for the event.
- J. **Oregon Liquor Control Commission (OLCC):** If the submitted Temporary Sales License (TSL) is approved by the OLCC, Applicant shall submit a copy to Wasco County Planning Department.
- K. **Emergency Medical Facilities:**
  - 1) One licensed physician and one licensed nurse shall be present during the operating hours of the event.
  - 2) The medical tent shall contain the facilities listed in *OAR 333-039-0040(2)* through (7) and be inspected by Wasco County or partner agencies.
- L. **Fire Protection:** Applicant shall comply with the Wildland Fire Prevention Plan detailed in the Oregon Department of Forestry letter (**Attachment F**).
- M. **Traffic:** Each vehicle parking space shall have a minimum width of 10' and minimum width of 20' and parking shall be clearly marked. Furthermore, parking shall be arranged to provide clear access to exits at all times.

## ATTACHMENT C – MAPS

### Vicinity Map and 750' Adjacent Property Owner (APO) Notification Radius

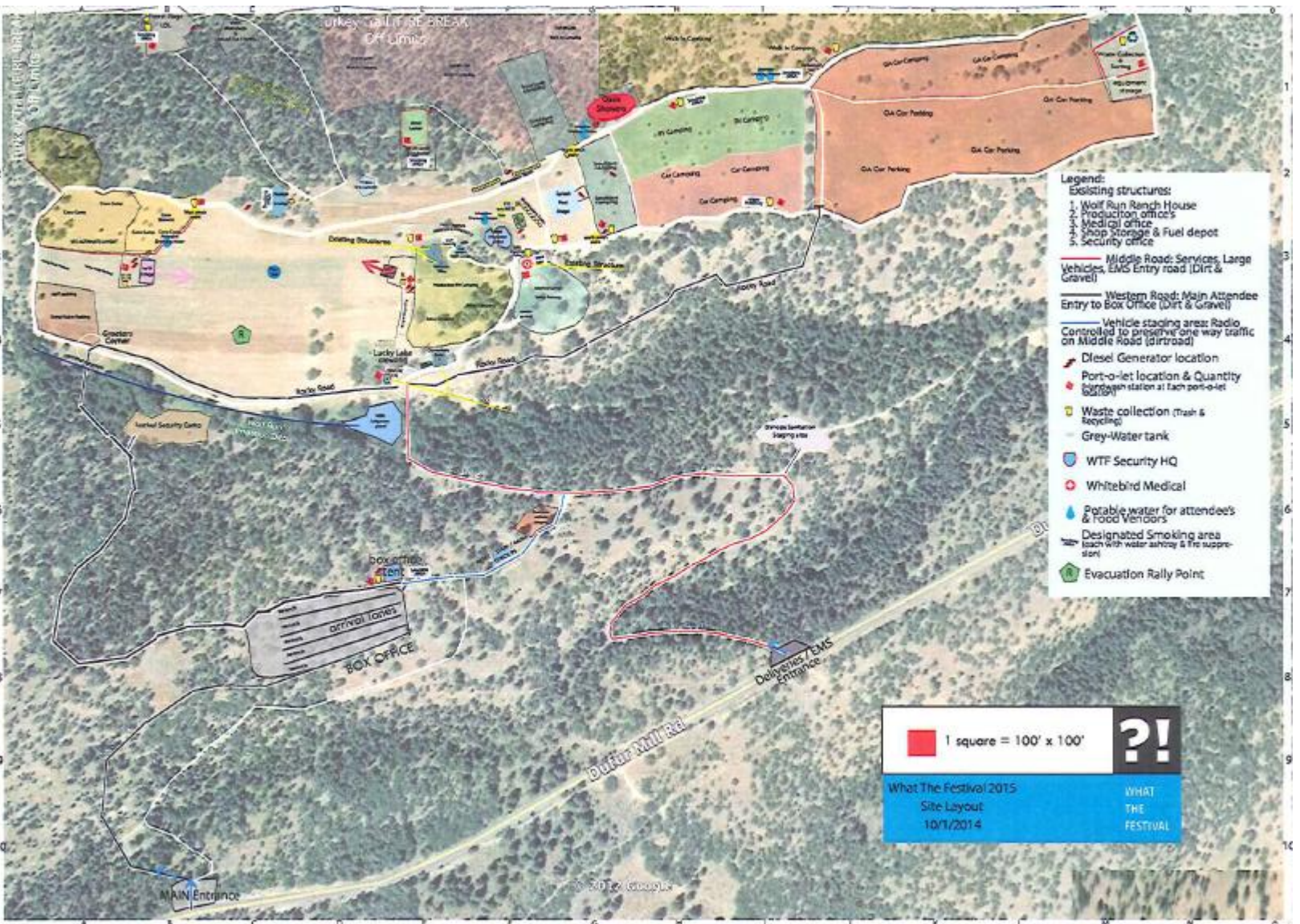


This product is for information purposes only and is not necessarily suitable for legal, engineering, or surveying purposes.



# ATTACHMENT C – MAPS

## Site Plan



## ATTACHMENT D – STAFF REPORT

**File Number:** PLAOMG-14-10-0002

**Applicant:** Moonshine Events, LLC

**Property Owner:** Wolf Run Ranch, LLC

**Request:** Outdoor Mass Gathering for a music and art festival entitled “What the Festival,” June 18-22, 2015. Estimated attendance is 3,000-5,000 (including attendees and staff/volunteers).

**Staff Recommendation:** Approval, with **conditions**

**Hearing Date:** December 3, 2014 (5:30 p.m. Dufur School cafeteria)

**Location:** The north side of Dufur Valley Road, approximately 10 miles southwest of Dufur, Oregon. More specifically described as:

78889 Dufur Valley Rd, Dufur, OR 97021

<u>Existing Taxlot</u>	<u>Previous</u>	<u>Acct#</u>	<u>Acres</u>
2S 12E 0 1400	2S 12E 0 2000	9603	245

**Past Actions:** PLAMOMG-14-02-0001  
PLAOMG-13-03-0001  
FFD-05-106  
TUP-05-105

**Procedure Type:** Public Hearing by Wasco County Board of Commissioners

**Prepared By:** John Roberts, Planning Director



## I. APPLICABLE STANDARDS

### Wasco County Land Use & Development Ordinance (WCLUDO)

- |  |  |
|--|--|
| <b>A. Chapter 3</b><br>Section 3.120.C | <b>Basic Provisions</b><br>Uses Permitted Without Review |
|--|--|

### Oregon Revised Statute (ORS)

- |  |   |
|--|---|
| <b>B. ORS 433.735 to 433.770</b><br>ORS 433.750<br>ORS 433.755 | <b>Regulation of Outdoor Mass Gatherings</b><br>Permit application; procedure for issuance of permit; fee<br>Additional information; liability of permit holder; casualty insurance; county as additional insured |
|--|---|

### Oregon Administrative Rules (OAR)

- |   |   |
|---|---|
| <b>C. OAR 330 Division 39</b><br><br>OAR 330-039-0015<br>OAR 330-039-0020<br>OAR 330-039-0025<br>OAR 330-039-0030<br>OAR 330-039-0035<br>OAR 330-039-0040<br>OAR 330-039-0045<br>OAR 330-039-0050<br>OAR 330-039-0055 | <b>Regulations Governing Health and Safety at Outdoor Mass Gatherings</b><br><br>Water Supply<br>Drainage<br>Sewerage Facilities<br>Refuse Storage and Disposal<br>Food and Sanitary Food Service<br>Emergency Medical Facilities<br>Fire Protection<br>Security Personnel<br>Traffic |
|---|---|

## II. BACKGROUND

- A. Legal Parcel:** The subject parcel was created in its current configuration by Deed 72-1438, filed with the Wasco County Clerk on June 22, 1972. It is consistent with the definition of a (Legal) Parcel in Section 1.090 of the WCLUDO. Wolf Run Ranch, LLC is shown as the owner on the current deed.
- B. Site Description:** The 245 acre subject parcel consists of variable terrain and slopes ranging from approximately 2,800' to 2,600' in elevation. The most uneven slopes are from Dufur Valley Road up to the event site, which is generally flat but slopes down gently (less than 5%) from west to east. The parcel is forested with pockets of denser trees and vegetation in the northwest and southeast. A strip of cleared land approximately 1,000' wide runs east to west along the northern half of the parcel.

Improvements include a 2,700 SF dwelling, two irrigation ponds, several barns, garages and smaller outbuildings. A portion of Wolf Creek Ditch runs through the subject property, and the parcel has a water right for three acre feet of water to be stored in the ponds. A network of internal roads run throughout the property, serving the authorized residential and forest uses, and connecting to Dufur Valley Rd in two locations.

- C. Surrounding Land Use:** The subject parcel is located on a winding seam between forest land and farm land. Lands to the west are largely forested with large tracts of US Forest Service system lands beginning 1.2 miles due west. Adjacent parcels to the southeast are zoned A-1 (160)

Exclusive Farm Use. To the east/northeast, the adjacent parcels are forested but gradually transition to farmland.

Using GIS and aerial photographs, an analysis of surrounding taxlots indicates that there are approximately six dwellings within one mile of the proposed event stages, all located to the east and northeast. The two nearest dwellings are located approximately 3,500' (0.66 miles) due east from the nearest proposed stage.

- D. Public Notice & Comments:** Per ORS 433.750(4), notice of the public hearing was published 10 days prior to the hearing on both November 16<sup>th</sup> and 26<sup>th</sup>, 2014 in *The Dalles Chronicle*. Additionally, Staff mailed notice on November 17, 2014 to all owners of property within 750' of the subject parcel. Comments received will be made part of the record.
- E. Agency Comments:** Staff did not coordinate a pre-application meeting with the applicants for a number of reasons:
- The event has been held in the same location in both 2013 and 2014. The application for the 2015 event did not alter or significantly deviate from the prior events.
  - On August 21, 2014 a debrief meeting was held to summarize the 2014 event and identify opportunities for improvement. The debrief meeting was attended by representatives from the following agencies and departments: Wasco County Administrative Services, Wasco County Planning, Wasco County Public Works, Wasco County Sheriff's Office, North Central Public Health, and the Oregon Department of Forestry.
  - A "WTF After Action Report" was prepared by the Wasco County Sheriff. The report proffered recommendations the applicant was made aware of at the August 2014 debrief meeting.

Upon deeming the outdoor mass gathering application complete, Staff notified partner agencies on November 17, 2014 and invited additional written comments.

Comments/concerns received from John Zalaznik, North Central Public Health District (NCPHD) were:

- 1) Pool records need to be done at least every 4 hours and the results recorded and the log sheet needs to be available for inspection.
- 2) The potable water hauler needs to fill out the form supplied to him by the State/NCPHD which tracks the chlorine levels when delivered. The chlorine that is being used to increase the chlorine level needs to be NSF certified product. There should be a copy of that on hand when the inspection takes place.

Staff Response: Comments are addressed throughout the report an applicable conditions included.

## FINDINGS:

### A. Chapter 3 – Basic Provisions

*Section 3.120.C.13. An outdoor mass gathering as defined in ORS 433.735 (assembly of more than 3,000 people reasonably expected to continue for more than 24 consecutive hours but less than 120 hours within any three month period and which is held primarily in open spaces and not in any permanent structure) **OR** other gathering of fewer than 3,000 persons that is not anticipated to continue for more than 120 hours in any three month period. **NOTE:** A gathering described above is not subject to a land use decision or land use permitting. A Permit is required for outdoor mass gathering. Permit Application, notice, and fee, requirements are outlined in ORS 433.750-755, to protect health and safety.*

**FINDING:** The LUDO text addressing outdoor mass gatherings is more expansive than the language found in ORS 433.735(1) because the statute allows counties to “otherwise define” outdoor mass gatherings. It appears Wasco County expanded the definition of outdoor mass gathering to also include gatherings of “fewer than 3,000 persons” in the course of legislative updates to the LUDO which became effective on January 17, 2006. Consequently, an outdoor mass gathering permit became a pathway for anyone seeking authorization for a gathering of fewer than 3,000 people that is reasonably expected to continue for less than 120 hours. All such gatherings described above are subject to the outdoor mass gatherings regulations found in ORS 433.735 to 433.770.

Applicant is requesting approval for an outdoor mass gathering for a music and art festival entitled, “What the Festival,” June 18-22, 2015 on Wolf Run Ranch located at 78889 Dufur Valley Road, Dufur, OR. Applicant estimates attendance at 3,000-5,000 people, with 5,000 attendees being Applicant’s self-imposed maximum for the event. The attendance estimates include event staff and volunteers. Venue box office opens to early arrivals at 3:00pm on Thursday June 18, programming ends and attendees begin to leave at 6:00pm on Sunday June 21. Attendee exodus continues until 2:00pm on Monday June 22. The time from 3:00pm on June 18 to 2:00pm on June 22 constitutes 95 hours. Per the site plan and narrative submitted by Applicant, the event will be held primarily in open spaces and not in any permanent structure.

Applicant proposes several temporary structures spread throughout the festival site including a box office, craft vendors, food vendors, several stages, lounges, and a splash pool. The main festival stages begin running on Friday. Sound amplification is proposed at four stages and one lounge between the hours of 11:00am and 2:00am, beginning on Thursday and ending at midnight on Sunday June 21.

Staff finds that this event – based on event characteristics, estimated number of attendees and schedule – constitutes an Outdoor Mass Gathering as defined in LUDO Section 3.120.C.13 and ORS 433.735. Staff recommends a **condition** that attendance is capped at 5,000, including staff and volunteers necessary to operate the event safely and effectively, as described throughout this report.

Applicable rules from ORS 433.750-755 are addressed in **B**, below.

### B. ORS 433.735 to 433.770 Regulation of Outdoor Mass Gatherings

#### ***433.750 Permit application; procedure for issuance of permit; fee.***

*(1) The governing body of a county in which an outdoor mass gathering is to take place shall*

*issue a permit upon application when the organizer demonstrates compliance with or the ability to comply with the health and safety rules governing outdoor mass gatherings to be regulated according to the anticipated crowd and adopted by the Oregon Health Authority (\*\*\*)*.

**FINDING:** The Board of County Commissioners is the only body authorized to issue an outdoor mass gathering permit in Wasco County. Furthermore, the use of “shall” in ORS 433.750(1) seems to require issuance of the permit *if* the application demonstrates the ability to comply with the applicable health and safety rules. This interpretation is well-established in case law going back to 1982. Coincidentally, it was 1000 Friends v. Wasco County (LUBA 82-039), which found:

*The legislature’s decision to limit jurisdiction in this manner reflects the narrow range of review criteria and limited discretion available to the county governing body under ORS Chapter 433. (\*\*\*) Land use considerations have no bearing on the decision to grant or deny an outdoor mass gathering permit given the limited criteria to be applied to the permit request.*

Staff is not aware of any case law which explicitly prevents a county governing body from imposing reasonable conditions in conjunction with a permit approval. Therefore, Staff recommends several conditions throughout this report to enhance public health and safety.

The referenced Oregon Health Authority rules (OAR 330 Division 39) are addressed beginning in C, below.

*(2) Notice of the application shall be sent by the county governing body to the county sheriff or county chief law enforcement officer, the county health officer and the chief of the fire district in which the gathering is to be held.*

**FINDING:** As noted in Section II.E above staff did not coordinate a pre-application meeting with the applicants. Nevertheless, upon deeming the application for an outdoor mass gathering complete, Staff notified partner agencies on November 17, 2014 and invited additional written comments.

*(3) Each officer receiving notice of the application under subsection (2) of this section who wishes to comment on the application shall submit such comment in writing to the county governing body not later than the hearing date. The comment may include recommendations related to the official functions of the officer as to granting the permit and any recommended conditions that should be imposed.*

**FINDING:** Good faith coordination between both Applicant and partner agencies has been ongoing in order to address applicable regulations. All partner agencies were invited to submit additional comments once the current application was deemed complete. Comments received have been made part of the record and are addressed throughout this report.

*(4) The county governing body shall hold a public hearing on the issue of compliance with this section. Notice of the time and place of such hearing including a general explanation of the matter to be considered shall be published at least 10 calendar days before the hearing in a newspaper of general circulation in the county or, if there is none, it shall be posted in at least three public places in the county.*

**FINDING:** A public hearing with the Wasco County Board of Commissioners has been scheduled for December 3, 2014. Notice appeared in *The Dalles Chronicle* on November 16 and 26, 2014, and was posted on the Wasco County Planning Department website, at the Wasco County Courthouse, and the public libraries and post offices in Antelope, Dufur, Maupin, Mosier, Shaniko, and The Dalles.

**433.755 Additional information required before permit issued; liability of permit holder; casualty insurance; county as additional insured.**

(1) (\*\*\*) *If the county governing body determines upon examination of the permit application that the outdoor mass gathering creates a potential for injury to persons or property, the county governing body may require organizers to obtain an insurance policy in an amount commensurate with the risk, but not exceeding \$1 million. The policy of casualty insurance shall provide coverage against liability for death, injury or disability of any human or for damage to property arising out of the outdoor mass gathering. The county shall be named as an additional insured under the policy.*

**FINDING:** Review of the application leads Staff to conclude that the proposed gathering creates a potential for injury to persons or property. Therefore Staff recommends a **condition** that Applicant shall provide a Commercial General Liability Insurance policy of not less than \$1,000,000 specific to What the Festival, and naming Wasco County, its officers, agents, volunteers, and employees as an additional insured. Applicant shall furnish Wasco County Planning with a Certificate of Insurance including a copy of the Additional Insured Endorsement that is attached to, and part of, the insurance policy by June 1, 2015.

**C. Oregon Administrative Rules 330 Division 39**

**333-039-0015 Water Supply**

(1) *Required Amounts:*

- (a) *A minimum of 12 gallons per person per day shall be available for the anticipated assembly;*
- (b) *Storage facilities equal to one day's total water usage shall be provided, unless a greater or lesser amount, with a minimum of five gallons per person per day, is determined by the Division as sufficient or necessary, based on the availability and quantity of the reserve water supply and the required water demands for toilets, food vendors, camping areas and other facilities;*
- (c) *A Division approved well or water system may be used as a source of water, or in addition to Division approved outside sources, to meet all requirements;*
- (d) *An amount of water equal to one day's total usage shall be kept in reserve at all times.*

**FINDING:** Based on maximum attendance of 5,000 people (including attendees and staff/volunteers), 60,000 gallons of water per day would need to be available. Applicant submitted an email dated October 1, 2014 from Arthur Smith, Mayor of Dufur, stating that the Dufur City Council approved the sale of up to 100,000 gallons/day of municipal water to What the Festival for the event. The Oregon Health

Authority approves municipal water systems and enforces drinking water quality standards. Applicant also submitted a letter of intent dated September 26, 2014 from Bishop Services, Inc. listing equipment and services to be provided, including up to a 4,000 gallon potable water truck and additional truck if needed. Bishop states that they can supply up to 100,000 gallons per day from Dufur to the event site using two 4,000 gallon trucks.

Due to the large supply of water able to be provided by Bishop from a municipal source within close proximity to the event, Staff recommends storage facilities be provided to meet the minimum requirement of 5 gallons/person/day. Maximum attendance would require water storage facilities of 25,000 gallons. Applicant proposes temporary facilities to be provided by Bishop, with 60% of total volume located within designated camping areas and 40% in the main festival grounds.

Applicant has interpreted (d) to require that “water must be readily available for use but does not need to be onsite.” Staff agrees that (d) does not explicitly require the reserve, equal to one day’s total usage, to be kept on site. Assuming “one day’s total usage” refers to 5 gallons/person/day (25,000 gallons), it is possible that the Applicant can meet that requirement on site. Regardless, because 100,000 daily gallons are available within 10 miles from the site, Staff finds the reserve requirement of (d) is achieved.

Staff finds the proposed source and supply method can provide the required volume, storage, and reserve of approved water for 5,000 people.

*(2) Bacteriological and Chemical Requirements:*

- (a) All water provided shall give a negative result for the presence of coliform bacteria when subjected to standard laboratory test procedures for detecting the presence of coliform bacteria and shall be from sources and in containers approved by the Division;*
- (b) Water provided shall not contain the following substances in excess of amounts listed. The organizer shall provide a laboratory analysis report as evidence of this: Substance Concentration in mg/1:*
  - (A) Arsenic -- 0.1;*
  - (B) Cadmium -- 1.0;*
  - (C) Chloride -- 250.0;*
  - (D) Copper -- 1.0;*
  - (E) Cyanide -- 0.01;*
  - (F) Fluoride -- 1.7;*
  - (G) Iron -- 0.3;*
  - (H) Lead -- 0.05;*
  - (I) Selenium -- 0.01;*
  - (J) Nitrate (NO3) -- 45.0;*
  - (K) Total Dissolved Solids -- 500.0;*
  - (L) Zinc -- 5.0.*

**FINDING:** Applicant did not explicitly address the bacteriological and chemical standards for provided water listed above. However, the Oregon Health Authority adopted the applicable rules and also administers and enforces drinking water quality standards for public water systems through Oregon Drinking Water Services. Because the City of Dufur municipal supply (operating# 4100261) that will

provide the water for What the Festival is approved by the Oregon Health Authority, Staff finds it reasonable to consider the source safe and in compliance with Oregon Health Authority bacteriological and chemical requirements.

To further ensure water quality standards are met, NCPHD expressed some minor concerns regarding pool records and the potable water hauler records. As such, the following **conditions** are recommended:

- 1) Pool records need to be done at least every 4 hours. The results shall be recorded and the log sheet needs to be available for inspection.
- 2) The potable water hauler needs to fill out the form supplied to him by the State/NCPHD which tracks the chlorine levels when delivered. The chlorine that is being used to increase the chlorine level needs to be NSF certified product. There should be a copy of that on hand when the inspection takes place.

*(3) Construction, Maintenance, and Design:*

- (a) All parts of the water supply system shall be constructed of non-toxic materials;*
- (b) All water distribution lines and fittings shall be constructed of galvanized wrought iron, galvanized steel, copper, or NSF approved plastic pipe. All plastic pipe and fittings must bear the NSF seal;*
- (c) Pressure tanks and storage tanks shall be constructed of non-toxic materials. Tanks which have previously been used to contain toxic substances shall not be used;*
- (d) Prior to placing the water supply system into use, all portions of the system including storage tanks and distribution system shall be disinfected by adding a chlorine solution of not less than 50 mg/1 and retaining the mixture within all portions of the system for at least 24 hours. Following disinfection, the system is to be thoroughly flushed of the chlorine solution;*
- (e) Hydrants equipped with self-closing faucets shall be provided at a ratio of not less than one for every 250 persons or fraction thereof anticipated;*
- (f) Each faucet shall be mounted on a minimum 36 inch riser. The riser is to be securely fastened to a supporting structure equal in strength to a four inch by four inch timber which is securely anchored in the ground;*
- (g) Each faucet and riser shall be accompanied by a seepage pit located directly beneath the faucet which shall have a minimum inside diameter of 12 inches and a minimum depth of three feet and shall be backfilled with clean coarse rock;*
- (h) All water distribution lines shall be installed at a minimum depth of 12 inches in the soil and shall be covered;*
- (i) If camping and activity areas are separately designated, 60 percent of the total required faucets shall be located within the area designated for camping, and 40 percent of the total required faucets shall be located in the area designated for activities;*



- (j) A minimum of one faucet shall be located not more than 25 lineal feet from each food service facility and a minimum of one faucet shall be located not more than 25 lineal feet from any emergency medical facility;*
- (k) Garden hoses, flexible hoses, pipes, or similar devices shall not be connected to any faucet or any other portion of the water supply system for personal convenience or any other reason;*
- (l) A minimum pressure of 20 pounds per square inch shall be maintained at all times and at all points within the water distribution system.*

**FINDING:** Applicant proposes storing 25,000 gallons of potable water in two general locations: 60% (15,000 gallons) of total volume within designated camping areas and 40% (10,000 gallons) in the main festival grounds. Staff finds this proposed split conforms to the required ratio of water available to activity areas and camping areas.

Applicant states that all potable water storage materials are NSF approved and bears the NSF seal. Per the submitted site plan, Applicant proposes locating food vendors clustered around the existing dwelling, on relatively flat land, in close proximity to the well. Staff finds it reasonable that the location of the existing water supply and proposed uses will facilitate compliance with the “Construction, Maintenance and Design” standards listed above.

However, Staff recommends a **condition** that the temporary water system shall be inspected by Wasco County prior to the event for compliance standards (3)(a) through (3)(l) listed above.

### ***333-039-0020 Drainage***

- (1) The site selected for the outdoor mass gathering shall have good natural drainage. Areas which are swampy, or areas known to be susceptible to flash flooding are not acceptable.*
- (2) Roads at the outdoor mass gathering site shall be provided with culverts, tiles, and ditching wherever needed to protect such roads from erosion due to precipitation.*

**FINDING:** Staff has visited the property a number of times and has not observed any swampy areas. The elevation ranges from 2,800’ at the western boundary to 2,600’ at the eastern boundary. The most uneven slopes are from Dufur Valley Road up to the event site, which is generally flat but slopes down gently (less than 5%) from west to east.

The existing driveways from Dufur Valley Rd will provide access to the event. Primary access will be provided by the West Entrance, which was permitted by Wasco County Public Works and constructed by Crestline Construction. Wolf Run has stated they are implementing best management practices from its Forest Management Plan to maintain its onsite access system.

Staff finds the selected event site provides good natural drainage and roads will be provided with adequate protections from erosion due to precipitation.

### ***333-039-0025 Sewerage Facilities***

*(3) Number and Location of Toilets and Privies:*

- (a) Seven privies or toilets or any combination thereof shall be provided for each 800 persons or fraction thereof anticipated;*
- (b) If camping and planned activity areas are separately designated, sixty percent of the total required toilets or privies shall be located within the designated camping area and forty percent of the total required toilets or privies shall be located in the designated planned activity area. If areas are not designated, location and spacing of toilets and privies shall be in accordance with anticipated crowd clustering or grouping, or spaced uniformly throughout the entire mass gathering site;*
- (c) All chemical toilets, if provided, shall be located so as to be easily and readily serviced by servicing vehicles.*

**FINDING:** Bishop Sanitation Services will provide 100 portable toilets, in approximately 15 groups of 6-7 toilets, and 15 handwashing units (one unit for each grouping of toilets). Based on maximum attendance of 5,000 (including staff/volunteers), this breakdown represents approximately 50 attendees per toilet, which exceeds the standard (7 toilets per 800 attendees or 114 attendees per toilet) listed above.

Bishop Services will station 1 x 800 gallon sanitation truck, 1 x 3,500 septic truck and 1 x 5,000 gallon blackwater truck at the event. Applicant proposes having each portable toilet and handwashing unit pumped daily, and twice per day at peak attendance on Saturday 6/20 and Sunday 6/21.

Per the submitted site plan, Applicant proposes nine clusters of toilets located in proximity to camping areas with six clusters in activity areas. Because there is no hard delineation between activity areas and camping areas, the entirety of the event site (except for the Box Office and Forest Stage) is open and easily accessible, and Applicant proposes providing toilets at ratios exceeding the standard. Staff finds the location of the toilet facilities meets the standard. Based on comments from NCPHD, Staff recommends a **condition** the Applicant locate toilet facilities near the West Entrance during peak arrival times in order to best accommodate attendees who are waiting in line to enter the property and approach the Box Office.

*(4) Liquid Wastes not Containing Human Excreta:*

- (a) Facilities shall be provided for the disposal of all liquid wastes not containing human excreta such as, but not limited to, kitchen or cooking waste water, grease, dishwater, wash water, and bath water. These facilities shall be specifically identified by means of a sign which states "**Waste Water Disposal**";*
- (b) Such facilities shall consist of a seepage pit having a minimum depth of three feet and a lateral area of not less than 32 square feet. The pit shall be backfilled with clean, coarse rock and be protected by a one-fourth inch screen which is removable and will effectively trap food particles and prevent other wastes from entering the backfilled rock;*

- (c) All food particles and other waste material shall be removed from the facilities at least once every 24 hours or at more frequent intervals if necessary to prevent fly and insect attraction;*
- (d) Such facilities shall be located or spaced so as to uniformly serve the participants of the outdoor mass gathering;*
- (e) One facility shall be provided for each 3,000 persons or fraction thereof anticipated;*
- (f) At least one facility shall be located not more than 50 lineal feet from each food service facility.*

**FINDING:** Applicant proposes two methods of greywater disposal: 1) Food vendors will be supplied access to five 300 gallon greywater tanks to be pumped by Bishop Services, Inc. and trucked off-site to a licensed dumping facility as needed. Applicant proposes locating these tanks 75 feet from food vendors. 2) Greywater from the temporary shower facility will flow to an on-site seepage pit that will be built to specifications listed in 333-039-0025(4)(b)

Staff recommends a **condition** that greywater tanks shall be located not more than 50 feet from the food vendors and labeled with a sign stating "Waste Water Disposal". The seepage pit shall be constructed and ready for inspection by June 1, and shall be at least three feet deep covering an area not less than 32 square feet. The pit shall be backfilled with clean, coarse rock and be protected by a one-fourth inch screen which shall be removed, with any waste being appropriately disposed, and cleaned every 24 hours during the event.

### ***333-039-0030 Refuse Storage and Disposal***

- (1) All refuse and solid waste shall be stored in fly-tight containers constructed of impervious material.*
- (2) Containers for refuse and solid waste storage shall be provided at a minimum ratio of one 30 gallon container for each 16 persons or fraction thereof anticipated or one cubic yard of container capacity for each 125 persons or fraction thereof anticipated.*
- (3) All refuse and solid waste shall be removed from storage containers at least once every 24 hours and transported and disposed of in a manner which is authorized and complies with state and local laws, ordinances and regulations.*

**FINDING:** Applicant proposes collecting solid waste (trash, recycling and compost) from 11+ stations throughout the event site at least once every 24 hours. A "Waste Management Team" equipped with a golf cart will collect waste from these stations throughout the day and night on an as needed basis. On-site storage is contracted through Mel's Sanitation Services and will consist of the 2 x 30 yard dumpsters for trash, 2 totes for glass, and 1 x 20 yard dumpster for compost. Fly-tight containers constructed of impervious material will be used. Staff finds that the proposed 60 yard for trash, 2 totes for glass and 20 yards for compost exceed the required ratio of one cubic yard of container capacity for each 125 attendees.

### ***333-039-0035 Food and Sanitary Food Service***

- (1) Food service facilities, if supplied, shall be located in clean surroundings and shall be maintained in a clean and sanitary condition.*
- (2) Food service facilities, if supplied, shall be so constructed and arranged that food, drink, utensils, and equipment will not be exposed to rodents, insects, dust, dirt, or other contamination. If flies are present, screening shall be required.*
- (3) The water supply for food service facilities shall be adequate in amount to serve the requirements of the facility and shall be safe for human consumption. Storage tanks or containers, when used, shall be of smooth, easily cleanable material, and shall be cleaned and sanitized each time they are refilled. Water shall not be dipped from a receptacle for drinking or culinary purposes.*
- (4) Toilet or privy facilities which comply with these rules shall be available within the immediate area for use by the food service facility personnel.*
- (5) Hand washing facilities shall be made available for the food service facility personnel. In lieu of a handwashing sink, there shall be provided a pan with soap and water for washing of hands, and a pan of water containing a bactericidal solution of 50 mg/1 of available chlorine or its equivalent for rinsing of hands. Sanitary paper towels shall be provided. The use of a common-type towel is prohibited. Utensil washing vats shall not be used for handwashing.*
- (6) (a) All multi-use utensils and all display cases or windows, counters, shelves, tables, refrigeration equipment, sinks, and other equipment used in connection with the operation of a food service facility shall be constructed as to be easily cleaned and shall be kept in good repair;*  
*(b) Utensils containing or plated with cadmium or lead shall not be used, provided, however, that solder containing lead may be used for jointing;*  
*(c) Food containers with seams which are not sealed flush with the surface shall not be re-used. Single service containers and utensils shall not be re-used.*
- (7) (a) Single service paper plates, cups, and plastic or wood knives, forks, and spoons are recommended but not required. If multiple use dishes, utensils, or equipment are used, they must be subjected to one of the following methods of bactericidal treatment after cleaning and washing:*
  - (A) Immersion for at least two minutes in clean, hot water at a temperature of at least 170° Fahrenheit. If hot water is used, a dependable thermometer shall be available at all times and shall be used. The pouring of scalding water over washed utensils is not acceptable as a satisfactory bactericidal treatment;*
  - (B) Immersion for at least two minutes in a lukewarm chlorine bath. This bath shall be made up at a strength of at least 100 mg/1 of available chlorine. The bath shall not be used after its strength has been reduced to 50 mg/1;*

- (C) Immersion for at least two minutes in an approved quaternary ammonium bath containing at least 25 mg/1 as determined by a suitable field test.*
- (b) In machine dishwashing, the hot water rinse shall be at least 170° Fahrenheit and shall be for a minimum of ten seconds;*
- (c) In hand dishwashing, a three compartment sink shall be required. The first compartment shall be used for washing with a soap or detergent solution. The second compartment shall be used for clear water rinse, and the third compartment shall be used for the bactericidal solution and sanitizing bath.*
- (8) If ice cream or frozen desserts are dipped and served at the food service facility, all scoops and dippers shall be kept in running water dipper wells.*
- (9) (a) All refuse and solid waste shall be stored or collected in tightly covered, water impervious containers until removed from the food service facility. Such containers when emptied shall be washed to prevent them from attracting flies and rodents;*
- (b) All dishwater and liquid wastes not containing human excreta shall be disposed of in accordance with OAR 333-039-0025(4)(a) to (f) of these rules.*
- (10)(a) All readily perishable food shall be kept at or below 45° Fahrenheit except when being prepared or actually served. Readily perishable foods shall be stored in shallow containers under refrigeration until cooled below 45° Fahrenheit. When such foods have been cooled below 45° Fahrenheit, they may be stored in deep containers. Food shall not be served which has been stored, handled, or otherwise cared for in a manner not in compliance with these rules;*
- (b) A dependable indicating thermometer shall be provided in each refrigerator;*
- (c) All ice shall be stored and handled in such a way as to prevent contamination. Ice scoops or tongs shall be used to place ice in glasses or cups. Ice shall be obtained only at sources which are licensed under ORS Chapter 624 or 627.*
- (11) All food products, raw, cooked, canned, or otherwise, shall be wholesome and free of spoilage during storage, preparation, and serving. All milk and milk products shall come from a source which is licensed and approved by the Oregon State Department of Agriculture. Home canned or home processed foods shall not be stored, prepared, or served by the food service facility.*
- (12) Pre-cooked foods or meats must be kept at or below 45° Fahrenheit at all times and subjected to continuously applied heat which will sustain the internal temperature of the food item to not less than 140° until such time as it is served.*
- (13) Bottled soda or fruit drinks may be cooled in tanks with water and ice provided the tanks contain not less than 50 mg/1 available chlorine. The tops of the containers shall not be submerged. Milk and milk products shall be kept at or below 45° Fahrenheit in dry refrigeration.*

*(14)Canned soda or fruit drinks may be cooled in tanks of ice and water provided that the water contains not less than 50 mg/1 available chlorine.*

*(15)All persons within the food service facility shall wear clean outer garments and shall keep their hands clean at all times while engaged in preparing or serving food and drink, or washing and storing utensils and equipment.*

*(16)All persons while within a food service facility shall refrain from any personal action or conduct which would directly or indirectly harm the quality or wholesomeness of the food.*

*(17)No live animals or fowl shall be permitted within the confines of any food service facility.*

**FINDING:** Applicant has not provided details on specific food vendors but continues to work with NCPHD to comply with applicable food safety and service regulations. Staff recommends a **condition** that all food vendors comply with the applicable food and sanitary food service requirements listed in OAR 333-039-0035 (**Attachment E**), and make themselves available for inspection during the event. Furthermore, only vendors with valid licenses, as provided by the Oregon Health Authority, shall be contracted to prepare and provide food for the event.

Applicant proposes serving alcohol in OMG Lounge 3:00pm-2:00am each day, and has applied to the Oregon Liquor Control Commission (OLCC) for a Temporary Sales License (TSL). A copy of the OLCC application was included with the outdoor mass gathering application. If approved by the OLCC, a **condition** is included that Applicant shall submit a copy of the TSL to Wasco County Planning Department.

### ***333-039-0040 Emergency Medical Facilities***

*(1) There shall be present at the outdoor mass gathering site for emergency medical services, physicians and nurses in the following ratios:*

*(a) Daylight Hours -- At least one Oregon physician plus sufficient other physicians (licensed to practice medicine and surgery in any of the 50 states of the United States) to provide a ratio of one for each 10,000 persons attending or fraction thereof and one nurse for each 7,500 persons attending or fraction thereof;*

*(b) Nighttime Hours - (1 a.m. to 7 a.m.) -- At least one Oregon physician plus sufficient other physicians (licensed to practice medicine and surgery in any of the 50 states of the United States) to provide a ratio of one for each 20,000 persons attending or fraction thereof and one nurse for each 15,000 persons attending or fraction thereof.*

**FINDING:** Applicant has contracted with White Bird Clinic for medical and crises coverage during the event. These services will be available through an on-site medical booth and holding tent, and also through dispatchable and roving teams throughout the property. A letter dated September 13, 2014 from White Bird Clinic states that at least 25 personnel will be utilized, including physicians, mental health professionals, crisis workers, nurses, EMTs and paramedics. Applicant states medical and crises staff will work at Advanced Life Support standards under a doctor's standing orders.

Staff recommends a **condition** that at least one licensed physician and one licensed nurse shall be present during the operating hours of the event.

- (2) Facilities shall be provided in which physicians can provide patient care and treatment. The facility shall be enclosed, protected from the elements, and shall have chairs, examining tables with stirrups, and locked cabinets for equipment and medicine. All necessary medicine and instruments for conducting minor surgery and examinations shall be available.*
- (3) Lighting within the emergency medical facilities shall be provided and shall be not less than 200 foot candles in areas where treatment and minor surgery are conducted.*
- (4) Attending physicians shall keep accurate records of patients and treatment, and shall notify the local health officer of all cases involving a communicable disease.*
- (5) Temporary holding facilities shall be provided for the sick and injured while awaiting transport to a hospital. The facility shall be enclosed, protected from the elements, and shall be furnished with one cot or bed for each 1,000 persons anticipated or fraction thereof.*
- (6) Communication, either telephone or radio-telephone, shall be provided to summon aid or notify the nearest hospital, law enforcement, or fire protection agency, as required.*
- (7) Ambulances shall be provided at the outdoor mass gathering for emergency evacuation of sick and injured persons at a ratio of one ambulance for each 10,000 persons anticipated or fraction thereof.*

**FINDING:** The submitted site plan shows centrally located medical facilities east of the existing permanent dwelling. Through White Bird, the on-site facilities will be equipped to handle a range of minor care to medical emergencies.

Applicant will employ American Medical Response for ambulant services during the event. The director of White Bird Clinic will also coordinate Life Flight accessibility and landing coordinates. Staff recommends a **condition** that the medical tent shall contain the facilities listed in 333-039-0040(2)-(7) to be inspected by Wasco County prior to the event.

### **333-039-0045 Fire Protection**

- (1) Each camping space shall be a minimum of 1,000 square feet or large enough to accommodate a parked camping vehicle, tent vehicle or tent, as the case may be, and to maintain at least 15 feet separation from any other camping vehicle, tent vehicle or tent, building, structure, or property line.*
- (2) The organizer shall secure a written statement from the local fire protection agency having jurisdiction that fire protection complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location of the outdoor mass gathering.*

**FINDING:** The narrative and site plan submitted by Applicant shows two general categories for camping:



- 1) Vehicular Camping (1,000 SF/space)
  - a. Car Camping at approximately 150,000 SF = 150 spaces
  - b. RV Parking at approximately 180,000 SF = 180 spaces
  - c. Boutique Car/RV Camping at approximately 120,000 SF = 120 spaces

**TOTAL: 450 Vehicular Camping Spaces**
- 2) Non-Vehicular Camping (1,000 SF/space)
  - a. Walk-In Camping at approximately 900,000 SF = 900 spaces
  - b. Boutique Camping at approximately 80,000 SF = 80 spaces
  - c. Crew Camping at approximately 220,000 = 220 spaces
  - d. Production/Medical Camp at approximately 180,000 SF = 180 spaces

**TOTAL: 1,380 Non-Vehicular Camping Spaces**

Based on industry and prior festival data, Applicant estimates 3.3 people per campsite to determine the number of needed campsites relative to attendance. Staff finds that this estimate proved reasonable in 2014, and is therefore reasonable for forecasting purposes. Therefore, available vehicular camping spaces can accommodate up to 1,485 people, and non-vehicular camping spaces can accommodate up to 4,554 people. Staff finds that the available camping areas can accommodate at least 6,000 people, more than the maximum allowed attendance.

Applicant has coordinated additional fire prevention and protection strategies with the Oregon Department of Forestry (ODF), the only agency that provides wildland fire protection in the area around Wolf Run Ranch. ODF submitted a September 29, 2014 letter with an attached fire prevention plan / provisions recommended for What the Festival 2015. The letter contains the following statement in one of the introductory paragraphs: "This proposed fire prevention plan for What The Festival if adhered to should comply with all ODF state fire regulations anticipated to be in effect at the time of this event, and should provide a satisfactory level of fire protection and prevention given the anticipated crowds at Wolf Run Ranch."

Applicant has agreed to follow the Fire Prevention Plan recommended by ODF. Consequently, with the **condition** that Applicant comply with the 2015 What the Festival Wildland Fire Prevention Plan (**Attachment F**), Staff finds the September 29, 2015 ODF letter satisfies the "written statement" requirement in subpart (2), above.

Applicant provided the evacuation plan and a letter of intent from GFP Enterprises Inc with the submitted application.

### **333-039-0050 Security Personnel**

- (1) *The organizer shall maintain an accurate count of persons attending the outdoor mass gathering and shall provide adequate security arrangements to limit further admissions to the outdoor mass gathering when the anticipated number of persons have been admitted.*

- (2) The organizer shall secure a written statement from the chief law enforcement officer of the county in which the outdoor mass gathering is to take place that arrangements for security and the orderly flow of traffic to and from the outdoor mass gathering complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location of the outdoor mass gathering.*

**FINDING:** Applicant has contracted with The Acropolis Group, LLC to provide as many as 50 security and crowd management personnel throughout the event site. Moonshine will work with a graduate security plan that allows it to increase or decrease the number of personnel depending on final attendance number.

The Oregon Department of Public Safety Standards and Training (DPSST) security staffed with non-DPSST certified security will be provided at a ratio of 1:5. Security personnel will be used to minimize conflicts, secure the event perimeter, and assist with some on-site traffic management. If the event reaches its capacity of 5,000 attendees, DSHS personnel will limit further admission to the event. A second tier of security staff will also be on-site to reinforce messaging for patrons throughout the property. This second tier is comprised of volunteer "Rangers," who will be in radio contact with the security company to report any security issues or incidents.

Applicant has been coordinating with Chief Deputy Sheriff Lane Magill. Applicant plans to contract with one off-duty officer to be on site during peak hours and positioned at ingress point near Dufur Valley Rd.

Applicant submitted a letter from Wasco County Chief Deputy Lane Magill confirming that "the proposed arrangements for security and the orderly flow of traffic to and from the outdoor mass gathering complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location of the outdoor mass gathering, located at 78889 Dufur Valley Rd, Dufur Oregon."

Staff finds that Applicant has demonstrated compliance, or the ability to comply, with security personnel rules.

### **333-039-0055 Traffic**

- (1) The organizer shall provide easily accessible roads of all-weather construction at the outdoor mass gathering site.*
- (2) All roads shall be graded so as to be self-draining and shall be maintained in such condition that emergency and other required vehicles can move upon them unencumbered and can carry out their functions at all times.*
- (3) An ungraveled dirt road shall not be considered as being an all-weather road.*
- (4) No road or portion of any road constructed shall exceed a maximum grade of 12 percent.*
- (5) The organizer shall acquire approval from the local agency having jurisdiction for fire safety that the minimum width of all roads complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and locations of the outdoor mass gatherings.*

**FINDING:** The existing access system on Wolf Run Ranch appears to support the existing residential and forest uses authorized on the property. Applicant proposes using the existing system for festival traffic and states surfaces are all-weather. Previous visits to the site and throughout the entire property indicated the roads to be all-weather and well-maintained. Staff finds that roads serving the event site meet the standards listed in subparts (1) through (5).

The Applicant is submitting a Traffic Control Plan (TCP) and Operations and Special Events Permit application to Wasco County Public Works, in order to operate within the public right-of-way of Dufur Valley Rd. The TCP summarizes the proposed traffic control measures as the access controls. Subpart (5) is addressed in, and satisfied by, the September 29, 2014 letter from DOF addressed in 333-039-0045 *Fire Protection*, above.

*(6) The organizer shall provide and designate a suitable area at the outdoor mass gathering for parking of motor vehicles:*

*(a) The total area provided for motor vehicle parking shall be based on the following ratio: 300 square feet for every four persons anticipated;*

*(b) Each motor vehicle parking space shall have a minimum width of ten feet and a minimum length of twenty feet and shall be clearly marked with lime;*

*(c) The motor vehicle parking spaces shall be arranged to eliminate blockage of parked vehicles and allow vehicles free access to exits at all times.*

**FINDING:** Based on maximum attendance of 5,000 people, the total area required for motor vehicle parking is 375,000 square feet. The site plan shows 17.24 acres (more than 740,000 square feet) available for parking. Staff finds the total area provided for motor vehicle parking is sufficient.

Staff recommends a **condition** that each vehicle parking space shall have a minimum width of 10' and minimum length of 20' and parking shall be clearly marked. Furthermore, parking shall be arranged to provide clear access to exits at all times.

# ATTACHMENT E – SANITARY FOOD SERVICE REQUIREMENTS

## **333-039-0035 Food and Sanitary Food Service**

- (1) Food service facilities, if supplied, shall be located in clean surroundings and shall be maintained in a clean and sanitary condition.*
- (2) Food service facilities, if supplied, shall be so constructed and arranged that food, drink, utensils, and equipment will not be exposed to rodents, insects, dust, dirt, or other contamination. If flies are present, screening shall be required.*
- (3) The water supply for food service facilities shall be adequate in amount to serve the requirements of the facility and shall be safe for human consumption. Storage tanks or containers, when used, shall be of smooth, easily cleanable material, and shall be cleaned and sanitized each time they are refilled. Water shall not be dipped from a receptacle for drinking or culinary purposes.*
- (4) Toilet or privy facilities which comply with these rules shall be available within the immediate area for use by the food service facility personnel.*
- (5) Hand washing facilities shall be made available for the food service facility personnel. In lieu of a handwashing sink, there shall be provided a pan with soap and water for washing of hands, and a pan of water containing a bactericidal solution of 50 mg/1 of available chlorine or its equivalent for rinsing of hands. Sanitary paper towels shall be provided. The use of a common-type towel is prohibited. Utensil washing vats shall not be used for handwashing.*
- (6) (a) All multi-use utensils and all display cases or windows, counters, shelves, tables, refrigeration equipment, sinks, and other equipment used in connection with the operation of a food service facility shall be constructed as to be easily cleaned and shall be kept in good repair;*  
*(b) Utensils containing or plated with cadmium or lead shall not be used, provided, however, that solder containing lead may be used for jointing;*  
*(c) Food containers with seams which are not sealed flush with the surface shall not be re-used. Single service containers and utensils shall not be re-used.*
- (7) (a) Single service paper plates, cups, and plastic or wood knives, forks, and spoons are recommended but not required. If multiple use dishes, utensils, or equipment are used, they must be subjected to one of the following methods of bactericidal treatment after cleaning and washing:*
  - (A) Immersion for at least two minutes in clean, hot water at a temperature of at least 170° Fahrenheit. If hot water is used, a dependable thermometer shall be available at all times and shall be used. The pouring of scalding water over washed utensils is not acceptable as a satisfactory bactericidal treatment;*
  - (B) Immersion for at least two minutes in a lukewarm chlorine bath. This bath shall be made up at a strength of at least 100 mg/1 of available chlorine. The bath shall not be used after its strength has been reduced to 50 mg/1;*
  - (C) Immersion for at least two minutes in an approved quaternary ammonium bath containing at least 25 mg/1 as determined by a suitable field test.*

- (b) In machine dishwashing, the hot water rinse shall be at least 170° Fahrenheit and shall be for a minimum of ten seconds;*
- (c) In hand dishwashing, a three compartment sink shall be required. The first compartment shall be used for washing with a soap or detergent solution. The second compartment shall be used for clear water rinse, and the third compartment shall be used for the bactericidal solution and sanitizing bath.*
- (8) If ice cream or frozen desserts are dipped and served at the food service facility, all scoops and dippers shall be kept in running water dipper wells.*
- (9) (a) All refuse and solid waste shall be stored or collected in tightly covered, water impervious containers until removed from the food service facility. Such containers when emptied shall be washed to prevent them from attracting flies and rodents;*
- (b) All dishwater and liquid wastes not containing human excreta shall be disposed of in accordance with OAR 333-039-0025(4)(a) to (f) of these rules.*
- (10)(a) All readily perishable food shall be kept at or below 45° Fahrenheit except when being prepared or actually served. Readily perishable foods shall be stored in shallow containers under refrigeration until cooled below 45° Fahrenheit. When such foods have been cooled below 45° Fahrenheit, they may be stored in deep containers. Food shall not be served which has been stored, handled, or otherwise cared for in a manner not in compliance with these rules;*
- (b) A dependable indicating thermometer shall be provided in each refrigerator;*
- (c) All ice shall be stored and handled in such a way as to prevent contamination. Ice scoops or tongs shall be used to place ice in glasses or cups. Ice shall be obtained only at sources which are licensed under ORS Chapter 624 or 627.*
- (11) All food products, raw, cooked, canned, or otherwise, shall be wholesome and free of spoilage during storage, preparation, and serving. All milk and milk products shall come from a source which is licensed and approved by the Oregon State Department of Agriculture. Home canned or home processed foods shall not be stored, prepared, or served by the food service facility.*
- (12) Pre-cooked foods or meats must be kept at or below 45° Fahrenheit at all times and subjected to continuously applied heat which will sustain the internal temperature of the food item to not less than 140° until such time as it is served.*
- (13) Bottled soda or fruit drinks may be cooled in tanks with water and ice provided the tanks contain not less than 50 mg/1 available chlorine. The tops of the containers shall not be submerged. Milk and milk products shall be kept at or below 45° Fahrenheit in dry refrigeration.*
- (14) Canned soda or fruit drinks may be cooled in tanks of ice and water provided that the water contains not less than 50 mg/1 available chlorine.*

*(15) All persons within the food service facility shall wear clean outer garments and shall keep their hands clean at all times while engaged in preparing or serving food and drink, or washing and storing utensils and equipment.*

*(16) All persons while within a food service facility shall refrain from any personal action or conduct which would directly or indirectly harm the quality or wholesomeness of the food.*

*(17) No live animals or fowl shall be permitted within the confines of any food service facility.*

# ATTACHMENT F – WILDLAND FIRE PREVENTION PLAN



**Oregon**

John A. Kitzhaber, MD, Governor

Department of Forestry

The Dalles Unit

1701 West 13th

The Dalles, OR 97058

541-296-4626

FAX 541-298-4993

[www.oregon.gov/ODF/centraloregon](http://www.oregon.gov/ODF/centraloregon)

September 29, 2014



"THE BURNING LEAFHORN"

## 2015 What the Festival Wildland Fire Prevention Plan-

The Oregon Department of Forestry (ODF) is the only agency that provides wildland fire protection on privately owned lands in the area of Township 2S Range 12E. ODF does not provide structural fire protection. The U.S. Forest Service provides wildland fire suppression for the adjacent federally owned forestlands to the South and West of the event site.

As per OAR 330-039-0045 (2) and OAR 333-039-0055 (5), ODF recommends the following fire prevention plan for Moonshine Events during What The Festival expected to take place June 18<sup>th</sup> to June 22<sup>nd</sup>, 2015. This proposed fire prevention plan for What The Festival if adhered to should comply with all ODF state fire regulations anticipated to be in effect at the time of this event, and should provide a satisfactory level of fire protection and prevention given the anticipated crowds at Wolf Run Ranch.

### Primary ODF point of contact will be:

Adam Barnes  
Protection Supervisor- The Dalles Unit  
(541) 296-4626  
(541) 980-7240  
[aharnes@odf.state.or.us](mailto:aharnes@odf.state.or.us)

### The following provisions will be adhered to for the duration of the event:

- In the event of a fire Adam Barnes- ODF, will be contacted regardless of incident size or status at (541) 296-4626. GPS location and incident status will be relayed at that time.
- Festival will employ a team of qualified wildland fire responders to be on site and available to respond 24 hours a day. Responders will be centrally located at a designated post or on patrol with suppression equipment.
  - o WTF will contract with a professional contract firefighting entity to provide 24 hour event staffing with a Type-6 wildland engine. This engine will be staffed from Friday, June 18<sup>th</sup> at 10:00 AM till Monday June, 22<sup>nd</sup> at 2 PM.
- Suppression UTV to be utilized during the event will have water tank and pump units installed to provide for fire suppression. All UTV's and golf carts will be equipped with a 2.5 lb. extinguisher
- Both Wolf Run irrigation ponds will have operating water pumps stationed at fill sites to provide a water source for fire suppression purposes. These pumps should have a minimum discharge of 1 1/2 inch, contain 50' of discharge hose, suction hose, 1 fill spout, and 3 gallons fuel.
- All pumps and fire equipment will be tested daily to ensure proper operation.



- Existing road on property's North, East and West sides are to be brushed and clear of down woody debris. Must be passable by UTV.
- Removal of brush and down woody material around Forest Stage and throughout all dispersed camping areas.
- Evacuation plan will be given to each attendee upon arrival by event greeters.
- Roads to be traveled by motorized vehicles will be clear of vegetation.
- Fire extinguishers will be co-located with all internal combustion engines, i.e. generators, ATV's, light plants, etc.
- No open flame policy: No campfires (except as identified below under enclosed warming fires), No charcoal BBQ, No candles, No incense, No fireworks. Propane gas stoves or electric griddles are the only permissible cooking equipment allowed and only in the main cooking area. No gas stoves inside the camping area or tents.
- Permits for enclosed warming fires may be necessary if regulated use closure is in effect during event. New sites will be inspected and held to the same standard:
  - o Loading doors will be locked to prevent adding of wood by public
  - o Sites will be clear of flammable vegetation on ground for 15 feet and overhead fuels will be cleared
  - o Each warming site will have one 5 lb. fire extinguisher
  - o Each warming site will be staffed by event personnel while in use
- All vehicle parking areas will be mowed and thatched before the event. Irrigation will be maintained on fields 3-5 days prior to prevent drying and curing of vegetation.
- Non-irrigated parking areas will be mowed and thatched to remove flammable vegetation. Dry parking will be wetted down the five previous days to using parking area. During times when vehicles are being parked, fire personnel will patrol parking areas with suppression equipment. The dry parking area will have a fire break of no less than 2' wide dug down to bare mineral soil around the perimeter as a fuel break.
- Smoking will be allowed only within designated smoking areas.
  - o Smoking areas should be of adequate numbers to accommodate the crowds and dispersed throughout event grounds.
  - o Designated smoking areas will consist of 15 by 20 or larger areas clear of flammable vegetation. Each area will have a fire extinguisher and cigarette receptacles at the entrances.
- ODF will conduct a pre-event inspection with WTF coordinators to ensure readiness and will have access to festival grounds for periodical inspections during the event.
- If chain saws or heavy machinery is used for preparing the site for use a permit to operate power driven machinery (PDM) will be obtained through the local ODF office to meet requirements regarding internal combustion engines.

The Oregon Department of Forestry thanks the Board of Commissioners in helping to ensure this event occurs in a safe and fire free manner.

Adam Barnes  
 Fire Manager  
 Oregon Department of Forestry  
 The Dalles Unit

**WTF 2015**  
**APPLICATION**

**Submitted**  
**October 3, 2014**

**By: Moonshine Events, LLC**

**WTF 2015 - OMG**

**Completed  
Application Forms  
& Narrative**



**Wasco County Planning Department**  
"Service, Sustainability & Solutions"  
2705 East Second St. • The Dalles, OR 97058  
(541) 506-2560 • [wcplanning@co.wasco.or.us](mailto:wcplanning@co.wasco.or.us)  
[www.co.wasco.or.us/planning](http://www.co.wasco.or.us/planning)

## **OUTDOOR MASS GATHERING APPLICATION COVER SHEET and INSTRUCTIONS**

**APPLICATION FORM:** A blank application form is attached. The application form must be submitted in person to Wasco County Planning. The event organizer and all property owners must sign the application. Incomplete applications will not be accepted. If an application is accepted and later determined to be incomplete, the applicant will be notified. If the applicant does not respond or fails to provide the required information, the application will be denied and the application fee (less County costs) will be returned to the applicant.

***A complete application for an Outdoor Mass Gathering must be submitted at least 60 days prior to the event.***

**FEE:** Make check payable to Wasco County Planning:

\$4500 Large Gathering – Attendance of more than 3,000 for 24 to 120 hours

\$2500 Small Gathering – Attendance of 3,000 or less

**DEED:** Include a copy of the most recent recorded deed or title transfer document that shows all property owners and the legal description for the subject property. Deeds are available from a title company or the Wasco County Clerk at 511 Washington Street, Room 201, The Dalles, Oregon 97058.

**SITE PLAN:** Include a site plan, drawn to scale, showing the types, numbers and locations of the following:

- |                                  |                                     |                           |
|----------------------------------|-------------------------------------|---------------------------|
| ▪ Existing Structures            | ▪ Proposed Temporary Structures     | ▪ Streams/Bodies of Water |
| ▪ Water Supply                   | ▪ Toilets & Washing Facilities      | ▪ Solid Waste Collection  |
| ▪ Food Prep & Service Facilities | ▪ Parking, Ingress & Egress Surface | ▪ Surrounding Vegetation  |
| ▪ Camping Areas                  | ▪ First Aid/Medical Standby         | ▪ Other: _____            |

**FIRE PROTECTION:** Include a copy of the proposed fire protection plan coordinated with the applicable fire district. If outside a fire district, provide approval from the Office of the State Fire Marshall or fire prevention district that would respond in event of an emergency.

**ENVIRONMENTAL HEALTH:** Include a copy of the environmental health plan coordinated with the North Central Public Health District, relating to water supply and usage, sewage, waste storage and disposal, and sanitary food service. Contact North Central Public Health at 419 East Seventh Street, The Dalles, OR 97058 or 541.506.2600.

**PUBLIC SAFETY:** Include a copy of the public safety plan coordinated with the Wasco County Sheriff's Office addressing parking and crowd control provided by the Organizer. Contact the Wasco County Sheriff's Office at 511 Washington Street, Room 102, The Dalles, OR 97058 or 541.506.2580.

**ACCESS & TRAFFIC CONTROL:** Include a copy of the access and traffic control plan coordinated with the Wasco County Public Works Director. An Operations Permit will be required. Contact Wasco County Public Works at 2705 East Second Street, The Dalles, OR 97058 or 541.506.2640.

## **POLICIES AND PROCEDURES**

1. Once a complete application is received, the Planning Department will schedule the mandatory public hearing before the Wasco County Board of Commissioners.
2. Planning staff will request comments from other County departments and affected agencies. The event organizer may be required to meet in person with County staff and/or affected agencies to discuss, clarify and possibly amend the application.
3. Planning staff will then prepare a report that:
  - a. Describes the application and requested Outdoor Mass Gathering;
  - b. Summarizes relevant comments from County department, affected agencies and the public ;
  - c. Describes pertinent facts and whether the request complies with the LUDO and other applicable ordinances and regulations;
  - d. Makes a recommendation decision to approve (with any conditions) or deny the event.
4. A copy of the report will be sent to the applicant and any representative listed on the application and forwarded to the Board of Commissioners for the public hearing and final action.
5. Notice of the public hearing will be mailed to the applicant and property owners within the 750 foot notification area. Notice will be mailed not less than 10 days prior to the scheduled hearing.
6. After the public hearing, the Board of Commissioners will consider all documents and evidence and issue an order approving or denying the application based on whether or not the applicable standards and criteria are met.

## **OUTDOOR MASS GATHERING APPLICATION CHECK LIST**

- ☒ Application and Fee (must be submitted at least 45 days prior to the requested event) \$4,500
- ☒ Site Plan
- ☒ Copy of Recorded Deed or Title Transfer Instrument
- ☒ Proof of Insurance
- ☒ Fire Protection Plan (Contact the applicable local fire district or Office of the State Fire Marshall)
- ☒ Environmental Health Plan (Contact North Central Public Health at 419 East Seventh Street, The Dalles, OR 97058 or 541.506.2600)
- ☒ Public Safety Plan (Contact the Wasco County Sheriff's Office at 511 Washington Street, Room 102, The Dalles, OR 97058 or 541.506.2580)
- ☒ Parking and Traffic Control Plan (Contact Wasco County Public Works at 2705 East Second Street, The Dalles, OR 97058 or 541.506.2640)
- ☒ OREGON LIQUOR CONTROL COMMISSION (OLCC) Permit – If alcohol will be available during the event, include a copy of the OLCC permit.





# Wasco County Planning Department

"Service, Sustainability & Solutions"

2705 East Second St. • The Dalles, OR 97058  
(541) 506-2560 • wcplanning@co.wasco.or.us  
www.co.wasco.or.us/planning

# OUTDOOR MASS GATHERING

PLAOMG - 14-10-0002

FEE: \$4,500.00

Date Received: 10-3-14 Planner Initials: JDR Date Complete: 10-21-14 Planner Initials: JDR

## APPLICANT/ORGANIZER CONTACT:

Name: Moonshine Events, LLC Name of Organization: 11

Mailing Address: 25 NW 23rd place, suite 6, PMB 505

City: Portland State: Oregon Zip: 97210

Email: keely@whatthefestival.com Phone: 503-804-5876

## PROPERTY INFORMATION:

Township   Range   Section   Tax Lot(s)	Tax ID	Acres	Owner
2S-12E-1300, 1400	90-0904622	245	Wolf Run Ranch, LLC
	Ac # 9603 + 9609		

Property Address/Location: 78889 Dufur Valley Road, Dufur, Oregon 97021

## DESCRIPTION OF THE EVENT: (Indicate what will happen and when; attach additional sheets if necessary)

"What the Festival" - Music and Art Festival  
Thursday June 18th - Monday, June 22nd 2015

☐ Additional pages/maps/pictures attached

## EVENT DETAILS:

Estimated Attendance: 3,000 - 5,000 Dates and Times of Event: 6/18/15 (3pm) - 6/22/15 (3pm)

First Day of Set-Up: 6/13/2015 Last Day of Tear-Down: 6/27/2015

On-Site Contact: Peter Clark 24 HR Phone #: 503-438-8723

Will sound amplification be used? ☒ YES ☐ NO If YES, explain: 5 stages

Will alcohol be available during the event? ☒ YES ☐ NO If YES, explain (attach OLCC Permit): one designated TSL area.

## SITE PLAN Site Layout

A general site plan is required and MUST show the types, numbers and locations of the following:

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Existing Structures ?                     | <input type="checkbox"/> Proposed Temporary Structures ?              | <input type="checkbox"/> Streams/Bodies of Water ?         |
| <input checked="" type="checkbox"/> Water Supply                   | <input checked="" type="checkbox"/> Toilets & Washing Facilities      | <input checked="" type="checkbox"/> Solid Waste Collection |
| <input checked="" type="checkbox"/> Food Prep & Service Facilities | <input checked="" type="checkbox"/> Parking, Ingress & Egress Surface | <input checked="" type="checkbox"/> Surrounding Vegetation |
| <input checked="" type="checkbox"/> Camping Areas                  | <input checked="" type="checkbox"/> First Aid/Medical Standby         | <input type="checkbox"/> Other: _____                      |

"Alternate layout for  
designated Forest"

**THE APPLICANT/PROPERTY OWNER SHALL CERTIFY THAT:**

1. If the application is granted, Applicant will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
2. Applicant will comply with all health and safety rules governing outdoor mass gatherings as adopted by the Oregon Department of Human Services and implemented through Wasco County's Land Use and Development Ordinance (LUDO) and other applicable regulations.
3. Applicant declares under penalties of false swearing (ORS 162.075 and 162.085) that all the above information and statements, site plan, attachments and exhibits transmitted herewith are true; and the applicants so acknowledge that any permit issued on the basis of this application may be revoked if it is found that any such statements are false.
4. Applicant and Property Owner hereby grant permission for and consent to Wasco County, its officers, agents and employees, as well as public health and fire control officers to come upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application and/or monitoring the terms and conditions of the permit issued and any other applicable laws or ordinances.
5. Applicant and Property Owner have read the entire contents of the application, including the procedures and criteria, and understand the requirements for approving or denying the application.

**SIGNATURE OF APPLICANT AND EACH OWNER OF THE SUBJECT PROPERTY**

Applicant/Organizer Signature: Moonslive Events LLC Date: 10-3-2014

Printed Name: W. Glen Boyd Organization: \_\_\_\_\_

Owner Signature: Wolf Run Ranch, LLC Date: 10-3-2014

Printed Name: W. Glen Boyd

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_





## What the Festival 2015 Mass Gathering Permit Narrative

EVENT: What The Festival (WTF)  
DATES: June 18<sup>th</sup> – June 22<sup>nd</sup> 2015  
LOCATION: Wolf Run Ranch, 78889 Dufur Valley Road

Moonshine Events LLC (Moonshine) provides the following information to demonstrate that What the Festival (WTF) will satisfy the applicable health and safety regulations governing outdoor mass gatherings.

### **WATER SUPPLY (333-039-0015):**

#### **Subpart (1) Required Amounts**

**(a) A minimum of 12 gallons per person per day shall be available.**

The maximum persons onsite per day is 5,000, including attendees and staff/volunteers. Under the rule, WTF is required to have available 60,000 gallons of water per day for attendees/staff/volunteers.<sup>1</sup> Moonshine is contracted with Bishop Service, Inc. (Bishop) to provide, if needed, up to 100,000 gallons of potable water per day, which more than satisfies this requirement. Moonshine will purchase the water from the City of Dufur. [A letter indicating that the City has the necessary water available and is willing to sell the water to Moonshine is included as ATTACHMENT A.](#)

**(b) Storage facilities equal to one day's total water usage shall be provided, unless a greater or lesser amount, with a minimum of five gallons per person per day, is determined by [Wasco County].**

Moonshine requests that the County approve storage of 25,000 gallons onsite (five gallons per person per day) based on the availability and quantity of the reserve water supply and the required water demands for toilets, food vendors, camping areas and other facilities. The water storage onsite is only needed for drinking and food vendors. Sanitary facilities, including hand-washing stations, are provided by Bishop. Of the 25,000 gallons stored onsite, 60 percent will be located within the area designated for camping and 40 percent will be located in the main festival grounds. Temporary above ground potable water storage tanks and appropriately regulated fixtures (supplied by Bishop) will be used to provide food vendor and drinking water onsite. [\(ATTACHMENT B: Bishop Services, Inc. Letter of Intent\).](#)

**(c) A [Wasco County] approved well or water system may be used as a source of water, or in addition to [Wasco County] approved outside sources, to meet all requirements.**

---

<sup>1</sup> It is assumed for purposes of this rule that the 12 gallons/person/day is for drinking water and includes water for food vendors.



## **What the Festival 2015 Mass Gathering Permit Narrative**

The City of Dufur will provide up to 100,000 gallons of water per day for WTF. The City's system is a county-approved source.

**(d) An amount of water equal to one day's total usage shall be kept in reserve at all time.**

Subpart (1)(b) and subpart (1)(d) both require an OMG applicant meet certain water supply requirements. Subpart (1)(b) requires storage onsite (which may be less than one day's total usage), whereas subpart (1)(d) requires that one day's total usage be "in reserve at all time." The two requirements are similar but Moonshine interprets "in reserve at all time" to mean water must be readily available for use but does not need to be onsite. As stated above, Bishop can provide up to 100,000 gallons per day on an on-call basis and 25,000 gallons will be stored onsite at all times.

### **Subpart (3) Construction, Maintenance and Design**

All potable water storage materials are NSF approved (and bear the NSF seal) and have been inspected by Wasco County in 2013, and 2014. To comply with subpart (3), Moonshine will schedule inspections prior to the event to review all onsite water storage and distribution lines.

#### **DRAINAGE (333-039-0020):**

Wasco County previously inspected the property and determined that it proved to have good natural drainage. The access system to the property is also adequate with respect to drainage to protect roads against erosion during precipitation. Wolf Run is implementing the best management practices from its Forest Management Plan to maintain its onsite access system.

#### **SEWERAGE FACILITIES (333-039-0025):**

Moonshine is contracted with Bishop for onsite sanitary facilities (portable toilets and hand washing stations); therefore, 333-039-0025(1) and (2) do not apply.

Bishop will provide 100 portable toilets, in approximately 15 groups of 6-7 toilets, and 15 hand-washing units (one unit for each grouping of toilets). Based on a maximum attendance of 5,000 (including staff/volunteers), this breakdown represents approximately 50 attendees per toilet, which exceeds the standard (7 toilets per 800 attendees or 114 attendees per toilet). Eight clusters of toilets will be located in proximity to camping areas with seven clusters in activity areas.

Bishop will station the following at the event:

- (1) 800 gallon sanitation trucks
- (1) 3,500 septic truck
- (1) 5,000 gallon black water truck

Additionally, each portable toilet and hand-washing unit will be pumped daily, and twice per day at peak attendance on Saturday 6/20 and Sunday 6/21.

Two greywater disposal methods will be used:



## **What the Festival 2015 Mass Gathering Permit Narrative**

1. Food vendors will be supplied access to five 300-gallon greywater tanks to be pumped by Bishop and trucked off-site for disposal at a licensed facility. The tanks will be located 75 feet from food vendors.
2. Greywater from the temporary shower facility will flow to an on-site seepage pit that will be built to specifications listed in 333-039-0025(4)(b).

### **REFUGE STORAGE & DISPOSAL (333-039-0030):**

Municipal solid waste will be collected from the 11+ trash collection stations throughout the event site on a continual basis (at least once every 24-hours). Our "Waste Management Team" will be equipped with a golf cart and are capable of collecting trash throughout the day and night on an as needed basis. On-site storage is contracted through Mel's Sanitation and will consist of the following; 2 x 30 yard dumpsters for Trash, 2 totes for Glass, and 1 x 20 yard dumpster for Compost. These are fly-tight containers constructed of impervious material. The contracted waste containers exceed the required ratio of one cubic yard of container capacity for each 125 attendees. In addition, we will be working with Home at Last (a 501-c3, animal humane society in The Dalles) for donations of all cans to their recycling program. ([ATTACHMENT C: Mel's Sanitation Letter of Intent](#)).

### **FOOD & SANITARY FOOD SERVICE (333-039-0035):**

All food vendors will be licensed by Oregon Health Authority and will comply fully with the applicable food safety and service regulations listed in 333-039-0035. Food vendors will be located as shown on the site plan [SEE SITE PLAN INCLUDED]. As a requirement of their contracts with Moonshine, all food vendors must make themselves available for inspection during the event.

Moonshine applied for a Temporary Sales License through the Oregon Liquor Control Commission (OLCC). Alcohol will be served in the OMG Lounge daily between the hours of 3:00PM – 2:00AM. ([ATTACHMENT D: OLCC Application](#))

### **EMERGENCY MEDICAL FACILITIES (333-039-0040):**

Moonshine has contracted with White Bird Clinic for medical/crisis coverage during the event. These services will be available through an on-site medical booth and holding tent, and also through dispatched roving teams throughout the property. A staff of up to 25 personnel will be utilized, including physicians, mental health professionals, crisis workers, EMT's and paramedics working at Advanced Life Support standards under a doctor's standing orders. Moonshine's contract with White Bird Clinic will satisfy all requirements within Subpart (1-6). ([ATTACHMENT E: White Bird Letter of Intent](#)).

In order to satisfy the requirement of Subpart (7), Moonshine will also employ American Medical Response (AMR) for ambulant services during the event. The director of White Bird Clinic will also coordinate accessibility and landing coordinates with Life Flight ahead of the





## What the Festival 2015 Mass Gathering Permit Narrative

festival, in the rare event that it would be needed. ([ATTACHMENT F: American Medical Response purchase order](#)).

### FIRE PROTECTION (333-039-0045):

Subpart (1) of this rule requires that camping spaces meet one of two requirements: (1) each camping space is a minimum of 1,000 square feet, or (2) each camping space is large enough to accommodate a parked camping vehicle, tent vehicle or tent, as the case may be, and to maintain at least 15 feet separation from any other camping vehicle, tent vehicle or tent, building structure, or property line.

WTF has two overall categories for camping:

#### 1) Vehicular Camping

- a. Car Camping @ 150,000 sf = 150 spaces (1,000 sf/space)
- b. RV Parking @ 180,000 sf = 180 spaces (1,000 sf/space)
- c. Boutique Car/RV Camping @ 120,000 sf = 120 spaces (1,000 sf/space)

TOTAL: 450 spaces

#### 2) Non-Vehicular Camping

- a. Walk-in Camping @ 900,000 sf = 900 spaces (1,000 sf/space)
- b. Boutique Camping @ 80,000 sf = 80 spaces (1,000 sf/space)
- c. Crew Camping @ 220,000 sf = 220 spaces (1,000 sf/space)
- d. Production & Medical Camp = 180,000 sf = 180 spaces (1,000 sf/space)

TOTAL: 1,380 spaces

Based on industry and prior festival data, Moonshine estimates 3.3 people per campsite when determining maximum capacity for camping. Therefore, Vehicle Camping can accommodate up to 1,485 people and Non-Vehicle Camping can accommodate up to 4,554 people, which is considerably more people than anticipated will be purchasing camping passes during the festival.

A letter from ODF, which includes the Fire Prevention Plan that will be followed by Moonshine for WTF is attached. This letter also satisfies the requirements of subpart (2) of the rule is included as ATTACHMENT G. The WTF Evacuation Plan is included as ATTACHMENT H. A Letter of Intent from GFP Enterprises is included as ATTACHMENT I.

### SECURITY PERSONNEL (333-039-0050):

Moonshine has contracted with The Acropolis Group, LLC to provide as many as 50 security



## What the Festival 2015 Mass Gathering Permit Narrative

personnel throughout the event site. Moonshine will be working with a “graduated” security plan that allows it to increase or decrease the number of personnel depending on final attendance numbers. Oregon Department of Public Safety Standards and Training (DPSST) security staffed with non-DPSST certified security will be provided at a ratio of 1:5. Security personnel will be used to minimize conflicts, secure the event perimeter, and assist with some on-site traffic management. If the event reaches its capacity of 5,000 attendees, The Acropolis Group, LLC personnel will limit further admission to the event. ([ATTACHMENT J: The Acropolis Group Letter of Intent](#)).

A second tier of security staff, consisting of volunteer “Rangers” will also be on-site to reinforce messaging for patrons throughout the property. These rangers will be in radio contact with the contracted security company to report any security issues or incidents.

Moonshine and the lead security personnel will also be working with Wasco County Chief Deputy Sheriff in similar partnership as in years past. [A letter satisfying the requirements of subpart \(2\) of this rule is included as ATTACHMENT K.](#)

### TRAFFIC (333-039-0055):

The existing access system on Wolf Run Ranch supports property’s forest and agricultural operations. Moonshine will use the existing system for festival traffic, which provides adequate access on all-weather surfaces and satisfies each requirement in subpart (1)-(4).

Based on a maximum of 5,000 people, the total area required for motor vehicle parking is 375,000 square feet. The site plan shows that there is a total of 17.24 acres or 750,000 square feet available for parking across the property. This requirement is met.

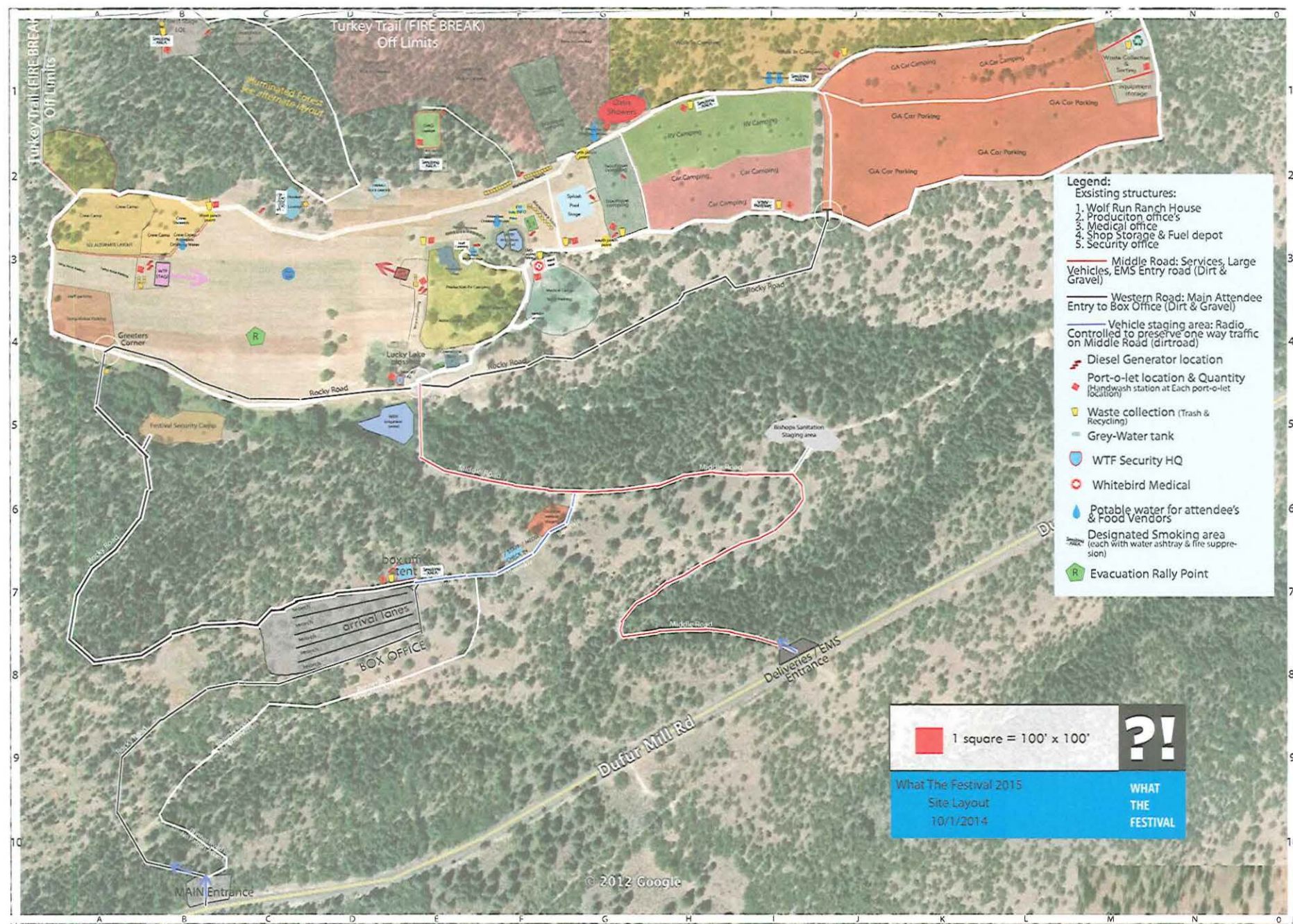
WTF is submitting a Traffic Control Plan (TCP) and Operations and Special Events Permit application to Wasco County Public Works for operating within the public right-of-way of Dufur Valley Rd. The TCP summarizes the proposed traffic control measures as well as the access controls.

[Please refer to ATTACHMENT G for the letter satisfying the requirements of subpart \(5\) of this rule. The WTF Traffic Control Plan can be viewed as ATTACHMENT L.](#)

# WTF 2015 - OMG

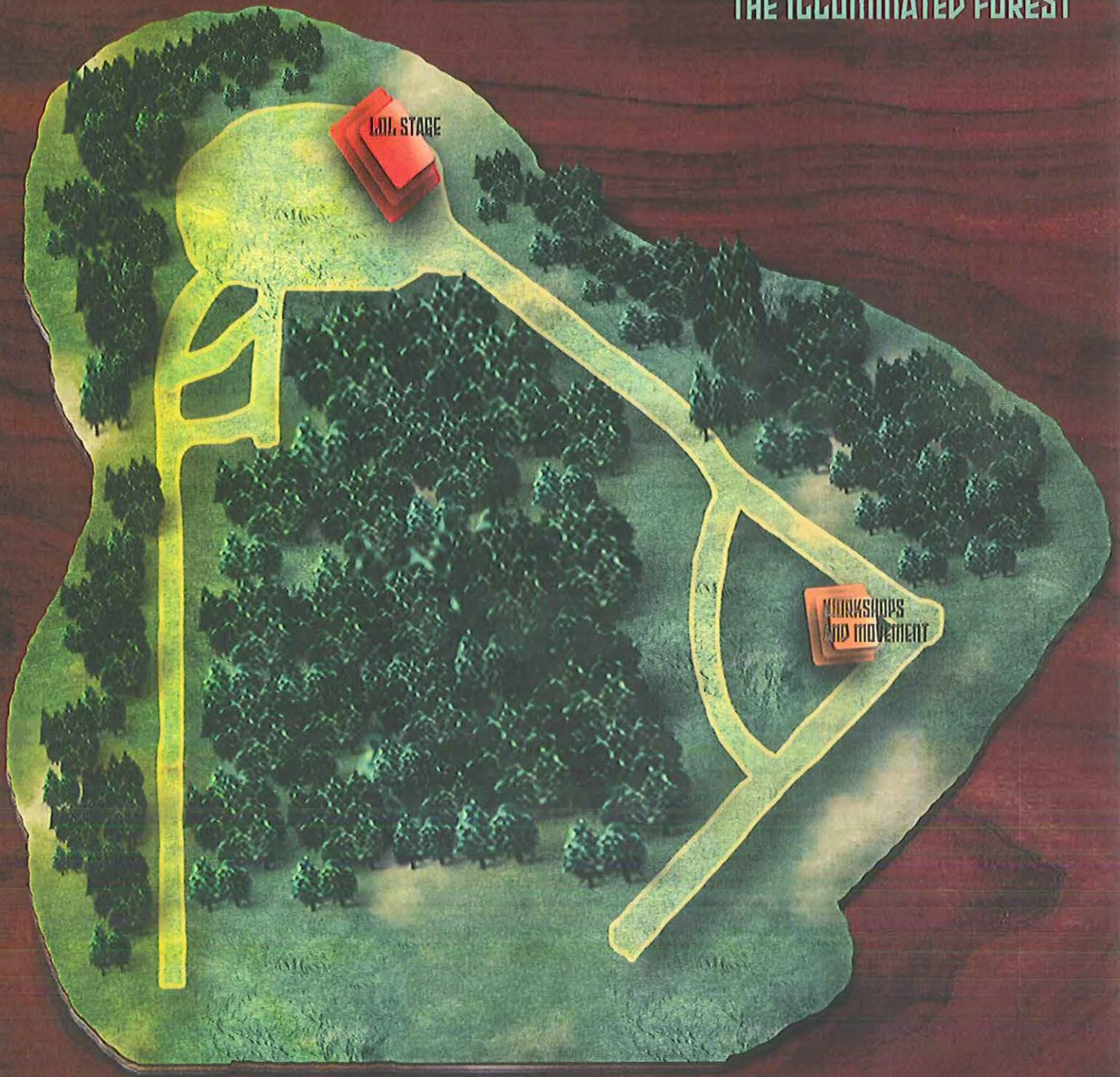
## Site Plan







## THE ILLUMINATED FOREST



# **WTF 2015 - OMG**

## **Attachment A: Water Purchase Agreement with City of Dufur**



From: Arthur Smith <arthurs@co.wasco.or.us>  
Subject: WTF water  
Date: October 1, 2014 6:14:13 AM PDT  
To: Keely Montgomery <keely@whatthefestival.com>  
Cc: Merle Keys <merlek@co.wasco.or.us>

Keely,

The City of Dufur will sell municipal water to What The Festival for the 2015 event.

Per this agreement, The City of Dufur will provide a fire hydrant and allow WTF to draw water from that site, up to **100,000 gallons a day**. The City of Dufur will bill WTF at the regular rate for selling municipal water. That cost is: \$100 per day and \$1.00 per 1,000 gallons.

WTF is responsible for pulling and transporting the water and must supply an appropriate back-flow device. The city does not have a meter on the hydrant, so WTF shall also be responsible for recording the number and size of the loads drawn and submit that tally to the city on a daily basis.

Any questions or concerns, please feel free to contact me. Thank you.

Arthur Smith  
Mayor, City of Dufur

--

**Arthur Smith, Project Manager**  
**Wasco County Public Works**  
**541-506-2645**

**WTF 2015 - OMG**

**Attachment B:**

**Bishop Services, Inc.**

**Letter of Intent**



# Bishop Services, Inc.

## Contract & Compliance Office

221 W. Main (P.O. Box 11)  
Goldendale, WA 98620

24hr. 800.443.3473  
Office: 509.773.4707  
Fax: 509.773.5752  
Website: [bishopservices.com](http://bishopservices.com)

September 26, 2014

Keely Montgomery  
What the Festival  
Cell: 503-804-5876  
[keely@whatthefestival.com](mailto:keely@whatthefestival.com)

Re: Summer Solstice 2015

Keely,

It is Bishop Services' intent to provide the equipment and services listed below for Thursday, June 18th - Monday, June 22<sup>nd</sup>, 2015 upon entering a contractual agreement with What the Festival.

### Sink Trailer (2)

- 10 basin sink trailer \$1750.00 for the weekend  
(*\$500 per day / \$250 Mobilization/Demobilization*)
  - Grey Water Pumping Fee \$ 500.00 one time Flat Fee
- 10 basin sink trailer \$1750.00 for the weekend  
(*\$500 per day / \$250 Mobilization/Demobilization*)
  - Grey Water Pumping Fee \$ 500.00 one time Flat Fee

### Potable Water Truck

- 4000 gal Potable water truck \$ 2,850.00 for the weekend
- Potable Water Mileage
  - Included in price if water source is in Dufur or closer.
- Plus cost of water
- **If additional Truck is needed, it will be at the same rate as the first truck.**
  - 4000 gal Potable water truck \$ 2500.00 event
  - Potable Water Mileage
    - Included in price if water source is in Dufur or closer.
  - Plus cost of water

### Non-Potable Water Truck "Dust Abatement"

- 3000 gal Non-Potable water truck \$ 950.00 per 12 hour day
- Non-Potable Water Mileage
  - Included in price if water source is in Dufur or closer.
- Plus cost of water

**Portable Toilets**

- |  |                                   |
|--|-----------------------------------|
| ▪ (100) Regular Portable Toilets (\$ 55.00 each) | \$ 5500.00 for event              |
| ▪ (5) ADA Portable Toilets (\$115.00 each)       | \$ 575.00 for event               |
| ▪ Service Fee                                    | \$ 17.50 per service / per toilet |

**RV Services**

- |               |                               |
|---------------|-------------------------------|
| ▪ Service Fee | \$ 25.00 per RV / per service |
|---------------|-------------------------------|

**Wash Stations**

- |                                      |   |
|--------------------------------------|---|
| ▪ (15) Wash Stations (\$ 75.00 each) | \$ 1125.00 for event                    |
| ▪ Service Fee                        | \$ 17.50 per service / per wash station |

**Holding Tanks**

- |  |   |
|--|---|
| ▪ (7) 300 gallon Holding Tanks (\$ 75.00 each) | \$ 525.00 for event                     |
| ▪ Service Fee                                  | \$ 75.00 per service / per holding tank |

**What The Festival is to provide:**

- Power Requirements the sink trailers are a 20 amp 110 volt single phase power source per trailer
- A Potable Water Source for sink trailer. Water connection requirements are 5/8" hose
- Gray Water disposal.
- Any applicable permits, licenses and sales tax.
- Payment: 50% upfront and remaining upon completion of incident.

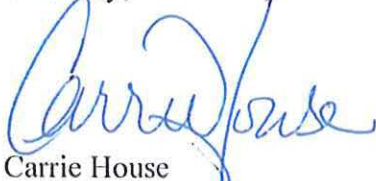
**Bishop Services is to provide:**

- Equipment: (2) 10 basin sink trailers
- Equipment: (1) Potable water truck
- Equipment: (1) Non-Potable water truck
- Equipment: (7) Holding Tanks
- Equipment: (15) Wash Stations
- Equipment: (115) Portable Toilets
- Labor, Transportation, Set up and Tear down

Bishop Services has the ability to and CAN supply up to 100,000 gal per day of potable water trucked into site from the local potable water supply in Dufur with the use of (2) 4000-gallon trucks

If you have any questions or comments, please contact Jarrett Parra (509) 261-0737.

Sincerely,



Carrie House  
Director of Contracts & Compliance

On Behalf of: Jarrett Parra - VP Operations  
[jarrett@bishopholdings.biz](mailto:jarrett@bishopholdings.biz)



# **WTF 2015 - OMG**

## **Attachment C:**

### **Mel's Sanitation**

### **Letter of Intent**

September 24, 2014

## WHAT THE FEST 2015

Hi Tatianna, The following boxes are reserved for you on June 19-22, 2015  
They will be delivered on June 17.

2 – 30yd for waste

1 – 20yd for compost

2 – Totes for glass

Thanks Mel.

**WTF 2015 - OMG**

**Attachment D:**

**OLCC Temporary  
Sales License  
Application**



## OREGON LIQUOR CONTROL COMMISSION

## TEMPORARY SALES LICENSE APPLICATION

The Temporary Sales License (TSL) allows you to sell distilled spirits, malt beverages, wine, and cider for drinking within the special event licensed area, manufacturer-sealed containers of malt beverage, wine, and cider for drinking out of the special event licensed area, and malt beverages, wine, or cider in a securely covered container for taking out of the special event licensed area.

- **Process Time:** OLCC needs your completed application in sufficient time to approve it. Sufficient time is typically 1 to 4 weeks before the first event date listed in #10 below. Some events may need extra processing time.
- **License Fee:** \$50 per license day or any part of a license day. Make payment by check or money order, payable to OLCC. A license day is from 7:00 am to 2:30 am on the succeeding calendar day.

## PLEASE PRINT

1. Licensee Name (please print): Moonshine Events, LLC 2. E-Mail: keely@whatthefestival.com
3. Mailing address: 25 NW 23rd Place, Suite 6, PMB 505
4. City: Portland 5. State: Oregon 6. Zip Code: 97210 7. Fax: 877-902-1494
8. Contact Person: Keely Montgomery 9. Contact Phone: 503-804-5876
10. Date(s) of event (no more than seven days): Thursday, June 18th - Monday, June 22nd 2015
11. Start/End hours of alcohol service: 3:00 ☐ AM ☒ PM to 2:00 ☒ AM ☐ PM

**LICENSED AREA BOUNDARIES:** ORS 471.159 prohibits the OLCC from licensing an area that does not have defined boundaries. OLCC may require the licensed area to be enclosed and may require you to submit a drawing showing the licensed area and how the boundaries of the licensed area will be identified.

12. Address of Special Event Licensed Area: 78889 Dufur Valley Road Dufur  
(Street) (City)

13. Identify the licensed area (for example: entire premises; a room within the premises; an area in a park; etc.):  
The licensed area is a defined, enclosed, designated outdoor location on the festival ground for 21+ attendees only.

14. List the primary activities within the licensed area (like: dinner; auction; beer festival; wine festival; food fair; art show; music; patron dancing; sports event; etc.). If entertainment will be offered in the areas where alcohol will be sold or consumed, please describe the entertainment, the times it will be offered, and list the targeted age of attendees:  
The designated 21+ area will offer lounging, music, and liquor and food sales. The target age for the event is 25-35.

15. Will minors be allowed at the event? ☒ Yes ☐ No

16. If yes, will minors and alcohol be allowed in the same area? ☐ Yes ☒ No

17. What is the expected attendance per day in the licensed area (where alcohol will be sold or consumed)? 1,600

**PLAN TO MANAGE THE SPECIAL EVENT LICENSED AREA:** If your answer to #17 is 501 or more, in addition to your answers to questions 18, 19, and 20, you will need to complete the OLCC's [Plan to Manage Special Events](#) form, unless the OLCC exempts you from this requirement.

18. Describe your plan to prevent problems and violations.

DPSST Certified Security Guards; OLCC permitted bartenders; fencing around designated areas; mote fencing + tall fencing; roaming security; alcohol monitors.

19. Describe your plan to prevent minors from gaining access to alcoholic beverages and from gaining access to any portion of the licensed premises prohibited to minors.

The designated area will be properly secured with the required fencing; ID checks; wristband checks; sufficient lighting for monitoring activity in and around the lounge.

20. Describe your plan to manage alcohol consumption by adults. Note: you may not sell, offer, or serve to any person an unlimited number of alcoholic beverage(s) during any set period of time for a fixed price.  
We will be limiting the # of drinks a person can order at one time; limited pours; no pitchers.

**MANAGER AND SERVICE PERMITS:** You must name a manager or managers who will be at the special event. Employees and volunteers who serve alcohol, and the people who manage those servers, must have an issued service permit unless specifically exempted.

A nonprofit or charitable organization with a Registry Number issued by the Oregon Secretary of State's office (see TSL Application Guide) may use servers who don't hold a service permit. These servers must attend training provided by the applicant and read, sign, and date the OLCC provided brochure What Every Volunteer Alcohol Server Needs to Know.

21. Nonprofit or Charitable Organization Oregon Registry Number (or "N/A" if not applicable): N/A  
22. List person(s) on duty and in the licensed area managing alcohol service: Keely Montgomery; Adam Massey  
23. List the service permit # of each person managing alcohol service: 441995; 443646

**LIQUOR LIABILITY INSURANCE:** If the licensed area is open to the public and expected attendance is 301 or more per day in the licensed area, you must have at least \$300,000 of liquor liability insurance coverage as required by ORS 471.168.

24. Insurance Company: Pending 25. Policy #: Pending 26. Expiration Date: pending

27. If you will NOT provide distilled spirits, name at least two different substantial food items that you will provide:

- 1) \_\_\_\_\_ 2) \_\_\_\_\_

28. If you will provide distilled spirits, name at least three different substantial food items that you will provide:


- 1) sandwiches 2) pizza slices 3) fried rice bowls

**GOVERNMENT RECOMMENDATION:** Once you've completed this form to this point, you must obtain a recommendation from the local city or county named in #29 below before submitting this application to the OLCC.

29. Name the city if the event address is within a city's limits or name the county if the event address is outside the city's limits:  
Wasco County

I affirm that I am authorized to sign this application on behalf of the applicant.

30. Applicant Name (please print): Keely Montgomery

31. APPLICANT SIGNATURE:  32. Date: 9/4/2014

**CITY OR COUNTY USE ONLY**

The city/county named in #29 above recommends:

☐ Grant ☒ Acknowledge ☐ Deny (attach written explanation of deny recommendation)

City/County Signature:  Date: 9/5/14

**FORM TO OLCC:** This license is valid only when signed by an OLCC representative. Submit this form to the OLCC office regulating the county in which your special event will happen.

**OLCC USE ONLY**

Fee Paid: \_\_\_\_\_ Date: \_\_\_\_\_ Receipt #: \_\_\_\_\_

License is: ☐ Approved ☐ Denied

Restrictions: \_\_\_\_\_

OLCC Signature: \_\_\_\_\_ Date: \_\_\_\_\_





## OREGON LIQUOR CONTROL COMMISSION

# PLAN TO MANAGE SPECIAL EVENTS

When the expected attendance per day in the area where alcohol will be sold or consumed is 501 or more, any applicant for a Temporary Sales License (TSL), Special Event Winery (SEW), Special Event Grower (SEG), Special Event Brewery-Public House (SEPBH), Special Event Distillery (SED), or a Temporary Use event must complete this form (unless exempted from this requirement by the OLCC) and submit it with the application to the OLCC.

Other applicants (those expecting 500 or fewer attendees per day in the licensed area) may choose to use this form. In some cases, even if the expected daily attendance is 500 or fewer, the OLCC may require this form.

Examples of times when the OLCC may require more detailed information, even if the expected daily attendance in the area where alcohol will be sold or consumed is 500 or fewer, include a licensed area: projecting an emphasis on alcohol consumption; projecting an emphasis on entertainment; or proposing to allow minors and alcohol together in the same area.

Please note that for some licensed areas, in order to convince the OLCC that you will adequately manage the licensed area, the OLCC may require more details in addition to your completed PLAN TO MANAGE SPECIAL EVENTS form or any other information you submitted regarding how you will control the licensed area.

If there will be more than one of the above licensees making alcohol available in the same area(s) of the same event, all licensees may agree to submit and follow one plan.

What the Festival

1. Event Name: \_\_\_\_\_  
keely@whatthefestival.com
2. Applicant Name: \_\_\_\_\_ E-mail \_\_\_\_\_  
Moonshine Events, LLC
3. Date(s) of event: \_\_\_\_\_ 4. Start/End hours of alcohol service: \_\_\_\_\_ to \_\_\_\_\_  
Thursday, June 18th - Monday 3PM 2AM  
June 22nd 2015  
78889 Dufur Valley Road Dufur / Wasco County
5. Event Address: \_\_\_\_\_ 6. City/County: \_\_\_\_\_  
1,600
7. Estimated total attendance per day in area(s) where alcohol will be sold or consumed: \_\_\_\_\_
8. On-Site Contact Person(s) and Contact Phone(s):  
Keely Montgomery  
(503) 804-5876



9. Do you estimate that 30 percent or more of the people attending the event will be between 15 and 20 years of age? ☐ Yes ☒ No
10. Do you estimate the number of patrons in the licensed area will be about the same during the entire time that alcohol is sold or consumed? ☐ Yes ☒ No If no, what are the estimated times that a greater number of patrons will attend? 11:00PM - 2:00AM
11. If any of the following people will work in the licensed area, list the minimum number you estimate will work during the estimated times when a greater number of patrons will attend and the estimated times when a regular number of patrons will attend:
- |  |  |
|--|--|
| 6<br>____ Servers (greater attendance times)                     | 3<br>____ Servers (regular attendance times)                     |
| 4<br>____ DPSST Certified Security<br>(greater attendance times) | 2<br>____ DPSST Certified Security<br>(regular attendance times) |
| 2<br>____ ID Checkers (greater attendance times)                 | 2<br>____ ID Checkers (regular attendance times)                 |

#### **APPLICANT'S PLAN TO MANAGE THE EVENT**

If the estimated attendance per day in the area(s) where alcohol will be sold or consumed is 2,000 or more, you must meet minimum standards for certain items. These items are marked below in **bold**. Please read the TSL Application Guide for an explanation of the minimum standards.

For #12 and #13, please see the TSL Application Guide

12. Will minor patrons and alcohol be allowed together in the same area? ☐ Yes ☒ No If yes, describe your plan to prevent minor patrons from obtaining alcohol:
13. Will any portion of the licensed premises be prohibited to minor patrons? ☒ Yes ☐ No If yes, describe your plan to prevent minor patrons from gaining access to the prohibited area:  
The entire licensed area is 21+ only. We will be utilizing wristbands (with material recommended by OLCC); DPSST certified security monitoring entry and exit points + roaming the fenced and moted areas.
14. Will **Alcohol Monitors** work in the licensed area? ☒ Yes ☐ No  
(An Alcohol Monitor is a person in addition to alcohol servers and security staff who monitors the sale, service, and consumption of alcoholic beverages to help ensure that unlawful sales, service, and consumption of alcoholic beverages do not occur.)
15. If yes to #14, list the minimum number of **Alcohol Monitors** you estimate will work during the estimated times when a greater number of patrons will attend and the estimated times when a regular number of patrons will attend:
- |  |
|--|
| 3<br>____ Minimum number during estimated times of greater patron attendance |
| 2<br>____ Minimum number during estimated times of regular patron attendance |

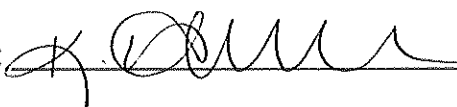
16. If yes to #14, describe how **Alcohol Monitors** will be readily identifiable as such to patrons:  
Sticker badges on shirts.
17. Will all **Alcohol Monitors** be required to have a service permit? ☒ Yes ☐ No
18. If no to #17, those **Alcohol Monitors** without a service permit must be uncompensated volunteers who are directly supervised in the licensed area by an individual who has successfully completed an Alcohol Server Education course within the last five years. Please list the name(s) of the supervisor(s) and their Server Education completion date(s):
19. Is the applicant a nonprofit or charitable organization with a Registry Number issued by the Oregon Secretary of State's office? ☐ Yes ☒ No
- 20a. If yes to #19, will the applicant use servers who don't hold a service permit? ☐ Yes ☒ No
- 20b. If yes to #20a, describe the plan to train these people in at least the following: recognizing minors; properly checking identification; and how to recognize and respond appropriately to visibly intoxicated persons:
21. Will security or ID checkers be required to have a service permit? ☒ Yes ☐ No If no, describe the plan to train these people in at least the following: recognizing minors; properly checking identification; and how to recognize and respond appropriately to visibly intoxicated persons:
22. Will servers, security, or ID checkers wear clothing or other designation which readily identifies them as such to patrons? ☒ Yes ☐ No If yes, please describe:  
Security will wear "security" shirts; ID Checkers and Servers will have "Staff" shirts.

**For 23 - 25, please see the TSL Application Guide**

23. List the **container sizes** for alcoholic beverages meant for consumption in the licensed area:  
       12-16 Malt Beverages    12-14 Wine    12-14 Cider    12-14 Distilled Spirits
24. List the **maximum amount of alcohol** in a container meant for consumption in the licensed area:  
       8 Malt Beverages    5 Wine    8 Cider    1 Distilled Spirits

25. Describe how **containers** used to serve alcoholic beverages for consumption in the licensed area will be of a different color and type when compared to containers used to serve nonalcoholic beverages:  
Non-Alcoholic beverages will be served in cans and bottles (such as a can of soda, etc.) Any alcoholic drinks will be in compostable festival cups.
26. Will you **limit the number of containers** of alcoholic beverages meant for consumption in the licensed area each purchaser may buy at any one time? ☒ Yes ☐ No If yes, describe the limit:  
One drink served per guest at a time
27. Describe the level of lighting the licensed area will have to ensure the proper monitoring of patrons:  
☒ A level of lighting sufficient to read common newspaper print; or  
☐ A level of lighting that will be (please describe):
28. Describe your plan for making sure that no open containers of alcohol leave the licensed area:  
Designated entry/exit with DPSST Security monitoring that no bar containers leave the area.
29. Describe your plan for dealing with issues that arise (such as a minor found with alcohol, minor in an area prohibited to minors, minor found with fake identification, patron found to be visibly intoxicated; etc.):  
DPSST guards working in and around the designated area will report any unlawful activity. Minor's identity will be verified, noted, and minor and anyone providing alcohol to the minor or accompanying the minor in the designated area will be ejected from the event. Fake or misrepresented ID will be seized and given to OLCC. If authorities are available, criminal citation will be given. Patron found to be visibly intoxicated at the entry will not be allowed into the designated alcohol area. If found inside the area, they will be offered water, food, and
30. If other methods for adequately managing the licensed area will be used, describe them here (or submit a separate written, dated, and signed plan):

31. Applicant Name: Keely Montgomery

32. Applicant Signature:  33. Date: 9/4/2014



What The Festival  
OMG Lounge Layout  
2015 Draft v\_1 (9\_28\_2014)

Bar Area  
Outside dimensions: 150 ft x 100 ft



**WTF 2015 - OMG**

**Attachment E:**

**White Bird Clinic**

**Letter of Intent**



**White Bird Clinic**  
341 E. 12<sup>th</sup> Avenue  
Eugene, Oregon 97401

541-342-8255

9/13/14

To whom it may concern,

This is to confirm White Bird Clinic's intention to provide Medical and Crisis Services to the What the Festival in Dufur, Oregon Thursday, June 18<sup>th</sup> through Monday, June 22<sup>nd</sup>, 2015.

We will have an on-site Medical booth and "down-tent", as well as roving and response teams. Our staff of at least 25 will include Doctors, Nurses, Paramedics, EMT's, and Mental Health and Crisis Workers, providing care to the guests, crew and staff of the event as needed.

Thank you,

*Chuck Gerard*

Chuck Gerard



# **WTF 2015 – OMG**

## **Attachment F:**

### **American Medical**

### **Response**

### **Purchase Order**



## STANDBY SERVICES PURCHASE ORDER

Customer: Moonshine Events LLC
AMR Company: American Medical Response Northwest Inc.
Event or Events: What The Festival (music festival)
Location: 78889 Dufur Valley Rd. Dufur, OR
Date of Event or Events (or see attached Schedule A): Thursday June 18 <sup>th</sup> through Monday June 22, 2015
Start Time (or see attached Schedule A): June 18 <sup>th</sup> @ 11am
End Time (or see attached Schedule A): June 22 <sup>nd</sup> @ 3pm
<p>Customer and AMR agree as follows:</p> <ol style="list-style-type: none"> <li>1. AMR will provide the medical standby services ("Services") set forth below to Customer on these terms and conditions for the Event. The Services shall be provided in accordance with prevailing industry standards of quality and care applicable to the medical transportation services industry.</li> <li>2. Customer shall allow AMR to tour the Event area prior to the Event in order to determine the appropriate location for AMR personnel and vehicles to be positioned during the Event.</li> <li>3. The Customer will pay AMR the amounts set forth below for the Services. Payment shall be due within thirty (30) days of receipt of invoice by Customer. Any payments not timely made shall accrue interest at the rate of twelve percent (12%) per annum. Additional Services will be charged at the rates set forth below. Either party may terminate this agreement with forty-eight (48) hours written notice to the other party. Termination of this agreement shall not relieve Customer of any charges for Services already incurred or any applicable event cancellation fee (as set forth below) already incurred.</li> <li>4. AMR shall be solely entitled to bill any ill or injured patrons, employees, event performers or other patients requiring medical transportation, and any responsible third party payor, including workers' compensation carriers, for medical transport that may result from the Services. AMR shall be solely entitled to all collections resulting from such billing.</li> <li>5. AMR reserves the right to utilize its Event personnel and vehicles to respond to a disaster or catastrophe. The Customer will not be charged for any time that AMR resources are diverted to a disaster or catastrophe.</li> <li>6. AMR represents that it has comprehensive automobile insurance, comprehensive general liability insurance, and professional liability insurance all in minimum amounts that are customary and usual within the emergency medical services industry and workers' compensation insurance in the statutory required amounts.</li> <li>7. Each party will indemnify and hold the other party harmless from and against any liability, claims or damages, including attorneys' fees, resulting from or alleged to result from any negligence or willful or intentional misconduct of the indemnifying party.</li> <li>8. Each party shall be in material compliance with all applicable laws, rules, and regulations, including the federal Anti-kickback Statute. AMR has made available to the Customer a copy of its Code of Conduct, Anti-kickback policies and other compliance policies, as may be changed from time-to-time, at AMR's web site, located at: <a href="http://www.amr.net">www.amr.net</a>, and the Customer acknowledges receipt of such documents. AMR warrants that its personnel shall comply with AMR's compliance policies. Each party represents and certifies that it is not ineligible to participate in Federal health care programs or in any other state or federal government payment program and shall not permit ineligible persons to order or provide services hereunder. This Agreement: (a) shall be interpreted and enforced in accordance with the laws of the state where the Event takes place; (b) constitutes the entire agreement between the parties with respect to the subject matter hereof, superseding all prior oral or written agreements with respect thereto; and (c) may be amended only by written instrument executed by both parties.</li> </ol>



## STANDBY SERVICES PURCHASE ORDER

### MINIMUM CHARGES

STANDBY SERVICES	QUANTITY	CHARGE
1 Paramedic & 1 EMT	99 Hours approx..	\$ 100.00 per hour
Drive Time (to exchange 3 units through-out event)	12 Hours	\$ 50.00
Moon Shine Events to provide: Sleeping quarters, showers and meals for AMR paramedic and EMT.		\$
TOTAL		\$ 10,140.00

Check the appropriate Event Cancellation Fee:

- ☒ If Customer cancels an Event after AMR dispatches its employees or ambulances to the Event, the Customer shall pay AMR a cancellation fee calculated by multiplying 4 hours by the applicable hourly rate for the Standby Services.
- ☐ If Customer cancels an Event less than five (5) days prior to the Date of Event, AMR shall be entitled to bill Customer a cancellation fee in the amount of 50% of the Minimum Charges above.

AMR:

CUSTOMER:

By: \_\_\_\_\_

By: \_\_\_\_\_

Print Name & Title: Randy Lauer, General Manager

Print Name & Title: W. Glen Boyd

Tel: 503-736-3440

Tel: 503-804-5876

Date: September 26, 2014

Date: October 3, 2014

# **WTF 2015 - OMG**

## **Attachment G:**

# **ODF Fire Prevention Plan & Letter**





# Oregon

John A. Kitzhaber, MD, Governor

## Department of Forestry

The Dalles Unit

3701 West 13th

The Dalles, OR 97058

541-296-4626

FAX 541-298-4993

[www.oregon.gov/ODF/centraloregon](http://www.oregon.gov/ODF/centraloregon)

September 29, 2014



"STEWARDSHIP IN FORESTRY"

### 2015 What the Festival Wildland Fire Prevention Plan-

The Oregon Department of Forestry (ODF) is the only agency that provides wildland fire protection on privately owned lands in the area of Township 2S Range 12E. ODF does not provide structural fire protection. The U.S. Forest Service provides wildland fire suppression for the adjacent federally owned forestlands to the South and West of the event site.

As per OAR 330-039-0045 (2) and OAR 333-039-0055 (5), ODF recommends the following fire prevention plan for Moonshine Events during What The Festival expected to take place June 18<sup>th</sup> to June 22<sup>nd</sup>, 2015. This proposed fire prevention plan for What The Festival if adhered to should comply with all ODF state fire regulations anticipated to be in effect at the time of this event, and should provide a satisfactory level of fire protection and prevention given the anticipated crowds at Wolf Run Ranch.

### Primary ODF point of contact will be:

Adam Barnes  
Protection Supervisor- The Dalles Unit  
(541) 296-4626  
(541) 980-7240  
[abarnes@odf.state.or.us](mailto:abarnes@odf.state.or.us)

### The following provisions will be adhered to for the duration of the event:

- In the event of a fire Adam Barnes- ODF, will be contacted regardless of incident size or status at (541) 296-4626. GPS location and incident status will be relayed at that time.
- Festival will employ a team of qualified wildland fire responders to be on site and available to respond 24 hours a day. Responders will be centrally located at a designated post or on patrol with suppression equipment.
  - o WTF will contract with a professional contract firefighting entity to provide 24 hour event staffing with a Type-6 wildland engine. This engine will be staffed from Friday, June 18<sup>th</sup> at 10:00 AM till Monday June, 22<sup>nd</sup> at 2 PM.
- Suppression UTV to be utilized during the event will have water tank and pump units installed to provide for fire suppression. All UTV's and golf carts will be equipped with a 2.5 lb. extinguisher
- Both Wolf Run irrigation ponds will have operating water pumps stationed at fill sites to provide a water source for fire suppression purposes. These pumps should have a minimum discharge of 1 ½ inch, contain 50' of discharge hose, suction hose, 1 fill spout, and 3 gallons fuel.
- All pumps and fire equipment will be tested daily to ensure proper operation.

- Existing road on property's North, East and West sides are to be brushed and clear of down woody debris. Must be passable by UTV.
- Removal of brush and down woody material around Forest Stage and throughout all dispersed camping areas.
- Evacuation plan will be given to each attendee upon arrival by event greeters.
- Roads to be traveled by motorized vehicles will be clear of vegetation.
- Fire extinguishers will be co-located with all internal combustion engines, i.e. generators, ATV's, light plants, etc.
- No open flame policy: No campfires (except as identified below under enclosed warming fires), No charcoal BBQ, No candles, No incense, No fireworks. Propane gas stoves or electric griddles are the only permissible cooking equipment allowed and only in the main cooking area. No gas stoves inside the camping area or tents.
- Permits for enclosed warming fires may be necessary if regulated use closure is in effect during event. New sites will be inspected and held to the same standard:
  - o Loading doors will be locked to prevent adding of wood by public
  - o Sites will be clear of flammable vegetation on ground for 15 feet and overhead fuels will be cleared
  - o Each warming site will have one 5 lb. fire extinguisher
  - o Each warming site will be staffed by event personnel while in use
- All vehicle parking areas will be mowed and thatched before the event. Irrigation will be maintained on fields 3-5 days prior to prevent drying and curing of vegetation.
- Non-irrigated parking areas will be mowed and thatched to remove flammable vegetation. Dry parking will be wetted down the five previous days to using parking area. During times when vehicles are being parked, fire personnel will patrol parking areas with suppression equipment. The dry parking area will have a fire break of no less than 2' wide dug down to bare mineral soil around the perimeter as a fuel break.
- Smoking will be allowed only within designated smoking areas.
  - o Smoking areas should be of adequate numbers to accommodate the crowds and dispersed throughout event grounds.
  - o Designated smoking areas will consist of 15 by 20 or larger areas clear of flammable vegetation. Each area will have a fire extinguisher and cigarette receptacles at the entrances.
- ODF will conduct a pre-event inspection with WTF coordinators to ensure readiness and will have access to festival grounds for periodical inspections during the event.
- If chain saws or heavy machinery is used for preparing the site for use a permit to operate power driven machinery (PDM) will be obtained through the local ODF office to meet requirements regarding internal combustion engines.

The Oregon Department of Forestry thanks the Board of Commissioners in helping to ensure this event occurs in a safe and fire free manner.

Adam Barnes  
 Fire Manager  
 Oregon Department of Forestry  
 The Dalles Unit



# **WTF 2015 - OMG**

## **Attachment H:**

## **Evacuation Plan**

## WHAT THE FESTIVAL EVACUATION PLAN

In case of an emergency, always follow the evacuation procedures but remember that personal safety is paramount and takes precedence.

- Check work area for anything needing to be secured, and store it quickly.
- Secure locks on all secured containers and cabinets.
- Leave your work area and report to your designated assembly area.

We ask that you become familiar with the **Rally Point** shown on the map and plan detailed below so you can help direct attendees in an emergency. In order to alert and educate patrons of the emergency, each stage will be ready to deliver a prepared emergency message loud and clear throughout the event site. At this point all staff will assist getting patrons safely to the rally point to await further instructions. Once at the "rally point" patrons will wait in safety for fire suppression support and directives from EMS agencies. Since it will be difficult to know that all patrons and staff are present, we will continue to keep the messaging going from the main stage to keep patrons and staff educated as to the status of the emergency.

We will perform an "evacuation drill" for our staff prior to the event opening to the public. During this training we will go over the evacuation plan and make sure everyone is aware of the rally point location and protocol to assist participants in getting there.

*\* (The map below is for pre-event reference only and is subject to change prior to production dates in 2015).*



# **WTF 2015 - OMG**

## **Attachment I:**

### **GFP Enterprises**

### **Letter of Intent**

### **(Fire Fighting Services)**

## LETTER OF INTENT

October 1, 2014

This letter confirms your and our mutual intentions with respect to the potential services offered described herein between Moonshine Events LLC and GFP Enterprises Inc. This document, in and of itself, does not represent an enforceable legal contract.

1. **Terms.** The principal terms of the proposed transaction would be substantially as follows:

GFP Enterprises Inc. will sign into agreement with Moonshine Events LLC and provide said services as put forth in the ODF 2015 What the Festival Fire Prevention Plan (See bullet points below) for the event "What the Festival" to be held at Wolf Run Ranch, Dufur, Oregon. GFP Enterprises agrees to be on site beginning 10:00 AM Thursday June 18, 2015 and ending 2:00 PM Monday June 22, 2015. During this time GFP will provide 24 hr. services according to the plan requirements.


- *In the event of a fire Adam Barnes- ODF, will be contacted regardless of incident size or status at (541) 296-4626. GPS location and incident status will be relayed at that time.*
- *Festival will employ a team of qualified wildland fire responders to be on site and available to respond 24 hours a day. Responders will be centrally located at a designated post or on patrol with suppression equipment.*
  - o *WTF will contract with a professional contract firefighting entity to provide 24 hour event staffing with a Type-6 wildland engine. This engine will be staffed from Friday, June 18<sup>th</sup> at 10:00 AM till Monday June, 22<sup>nd</sup> at 2 PM.*
- *Suppression UTV to be utilized during the event will have water tank and pump units installed to provide for fire suppression. All UTV's and golf carts will be equipped with a 2.5 lb. extinguisher*
- *Both Wolf Run irrigation ponds will have operating water pumps stationed at fill sites to provide a water source for fire suppression purposes. These pumps should have a minimum discharge of 1 ½ inch, contain 50' of discharge hose, suction hose, 1 fill spout, and 3 gallons fuel.*
- *All pumps and fire equipment will be tested daily to ensure proper operation.*



2. **Definitive Service Agreement.** All of the terms and conditions of the proposed would be stated in the Service Agreement, to be negotiated, agreed and executed by both parties. Neither party intends to be bound by any oral or written statements or correspondence concerning the Service Agreement arising during the course of negotiations, notwithstanding that the same may be expressed in terms signifying a partial, preliminary or interim agreement between the parties.
3. **Expediency.** All parties would use all reasonable efforts to complete and sign the Service Agreement on or before April 1, 2015.
4. **No Binding Obligation.** **THIS LETTER OF INTENT DOES NOT CONSTITUTE OR CREATE, AND SHALL NOT BE DEEMED TO CONSTITUTE OR CREATE, ANY LEGALLY BINDING OR ENFORCEABLE OBLIGATION ON THE PART OF EITHER PARTY TO THIS LETTER OF INTENT. NO SUCH OBLIGATION SHALL BE CREATED, EXCEPT BY THE EXECUTION AND DELIVERY OF THE SERVICE AGREEMENT CONTAINING SUCH TERMS AND CONDITIONS OF THE PROPOSED AS SHALL BE AGREED UPON BY THE PARTIES, AND THEN ONLY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF SUCH SERVICE AGREEMENT.**
5. If the foregoing terms and conditions are acceptable to you, please so indicate by signing the enclosed copy of this letter and returning it to the attention of the undersigned.

Sincerely,

GFP Enterprises Inc.

By:   
Title: President

ACCEPTED AND AGREED

Moonshine Events LLC

By:  
Title:

# **WTF 2015 - OMG**

## **Attachment J:**

# **The Acropolis Group Letter of Intent (Security Services)**



The Acropolis Group, LLC  
2800 Applewood Lane # 84  
Eugene, OR 97408  
541-729-5650  
theacropolisgroup@gmail.com

## **Letter of Intent**

The Acropolis Group, LLC, represented by Joseph Gabriel Hernandez and April Ann Bouse, has agreed to provide security services for WTF 2015 and Moonshine Events. We will be providing as many as 50 security and crowd management personnel throughout the event site in Dufur, Oregon, June 18th 2015-June 22nd 2015.

The security plan we have had in place for the last two years has allowed us to increase or decrease the number of personnel depending on attendance numbers as the event approaches. Our security officers are DPSST certified by the State of Oregon and where positioning is deemed appropriate crowd management staff will be provided at a ratio of 1:5, which generously exceeds state requirements. All guest screening and search processes have been put in place, as well as strategic checkpoints and extensive patrols throughout the event location and its perimeters to ensure that both property and attendees are maintained in a safe environment.

We are looking forward to another successful year at What the Festival 2015.

Respectfully,

Joseph Hernandez

# **WTF 2015 - OMG**

## **Attachment K:**

### **Letter From**

### **Wasco County**

### **Sheriff**

### **(Security Protocols)**



# WASCO COUNTY

## SHERIFF

511 Washington St., Suite #102

The Dalles, Oregon 97058

Phone 541-506-2580

Fax 541-506-2581

To: Moonshine Events, LLC

October 1<sup>st</sup> 2014

Re: Approval Letter for OAR 333-039-0050

To whom it may concern:

The Wasco County Sheriff's Office has reviewed the security protocols presented by Moonshine Events, LLC for What The Festival (WTF), taking place June 12<sup>th</sup> – 24<sup>th</sup>, 2015. As per OAR 333-039-0050, this letter confirms that the proposed arrangements for the security and orderly flow of traffic to and from the outdoor mass gathering complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to the anticipated crowds and location of the outdoor mass gathering, located at 78889 Dufur Valley Rd, Dufur Oregon.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lane Magill", is written over a faint, stylized outline of the Wasco County Sheriff's Office seal.

Lane Magill-Chief Deputy  
Wasco County Sheriff's Office  
541-506-2580

# **WTF 2015 - OMG**

## **Attachment L:**

### **Traffic Plan**



## What The Festival 2015 Traffic Plan

### **OVERVIEW:**

The event is located at 78889 Dufur Valley Rd, Dufur, OR. Traffic to the event will approach from the town of Dufur off US-197 to the East of the event site. Traffic will be routed to avoid the main part of town. Please view the Traffic Schedule, showcasing estimated attendance/traffic operations table below:

### **ESTIMATED TRAFFIC SCHEDULE:**

With discounted rates offered to those who carpool, the availability of shuttle services, and based upon vehicle counts in years past, we do not anticipate more than 2,500 vehicles to be on site at any given time. The following is an estimated traffic schedule of how many cars will likely be on site per day. The *Estimated Vehicles on Site* reflect the anticipated maximum number of vehicles per day:

Date	Est. Vehicles on Site	Operations
6/12 – 6/15	10-20	Core staff arrive and begin set-up
6/16 – 6/17	50-75	Volunteers, infrastructure and support staff arrive
6/18 (Thu)	600-700	All remaining staff arrive. Venue Box Office opens to early arrivals at 3PM and closes at 12AM. Highway signage is placed along US-197, Heimrich St, and Dufur Valley Rd.  Parking & traffic control staff in place from 2PM-12AM
6/19 (Fri)	2200-2400	Venue Box office open from 10AM-12AM. Bulk of attendees arrive. Parking & traffic control staff in place from 8AM-12AM
6/20 (Sat)	2300-2500	Venue Box Office open from 10AM-10PM. Remaining attendees arrive. Parking & traffic control staff in place from 8AM-11PM
6/21 (Sun)	1700-2200	Programming ends. Attendees begin to leave at 6PM.  Traffic control staff in place from 4PM-12AM
6/22 (Mon)	100-200	Exodus of attendees until 2PM. Load out begins. All highway signage removed. Traffic control staff in place from 8AM-4PM.
6/23	20-30	Event tear down. Infrastructure load out. Only core staff remain by E.O.D.
6/24	10	Load out completed. Event site clear.



## What The Festival 2015 Traffic Plan

### **ROUTING:**

All festival attendees will be receiving detailed driving directions to the event via an email blast the week of the event. Directions will also be made available on the event website in the days leading up to the event. The majority of vehicular traffic will be arriving from the Portland area and will receive the following instructions:

#### From Portland

- Head East on I-84E to The Dalles
- Take Exit 87 for US-197 toward Dufur Bend
- Turn Right on to US-197 S off the exit and then Left to US-197 S/The Dalles-California Highway
- Just after Mile Post 14, turn right onto Dufur Bypass Road (*formerly Heimrich Street*) (**Watch for variable message sign that will be within 1 mile of the exit**)
- In approximately 6/10 of a mile, veer left on to Dufur Valley Road
- Continue West for 4.8 miles and stay right on Dufur Valley/Dufur Mill Road at the Y. **Do NOT turn onto Wolf Run Road.** After an additional 5 miles, turn right down the driveway into the signed venue Box Office to receive your credentials and to enter the event site.

Attendees arriving from points south such as Bend will receive the following instructions:

#### From Bend

- Head North on US-97N
- Just North of the town of Madras, turn Right on to NE 6<sup>th</sup> St/The Dalles-California Highway
- Continue on US-197N The Dalles-California Highway for 71 Miles then make a slight Left onto Dufur Bypass Road (*formerly Heimrich Street*) (**Watch for variable message sign that will be within 1 mile of the exit**)
- In approximately 6/10 of a mile, veer left on to Dufur Valley Road
- Continue West for 4.8 miles and stay right on Dufur Valley/Dufur Mill Road at the Y. **Do NOT turn onto Wolf Run Road.** After an additional 5 miles, turn right down the driveway into the signed venue Box Office to receive your credentials and to enter the event site.





## What The Festival 2015 Traffic Plan

### **SIGNAGE:**

To aid arriving attendees, we will be working with ODOT and Wasco County to position signage in the following locations (see sign placement illustration below):

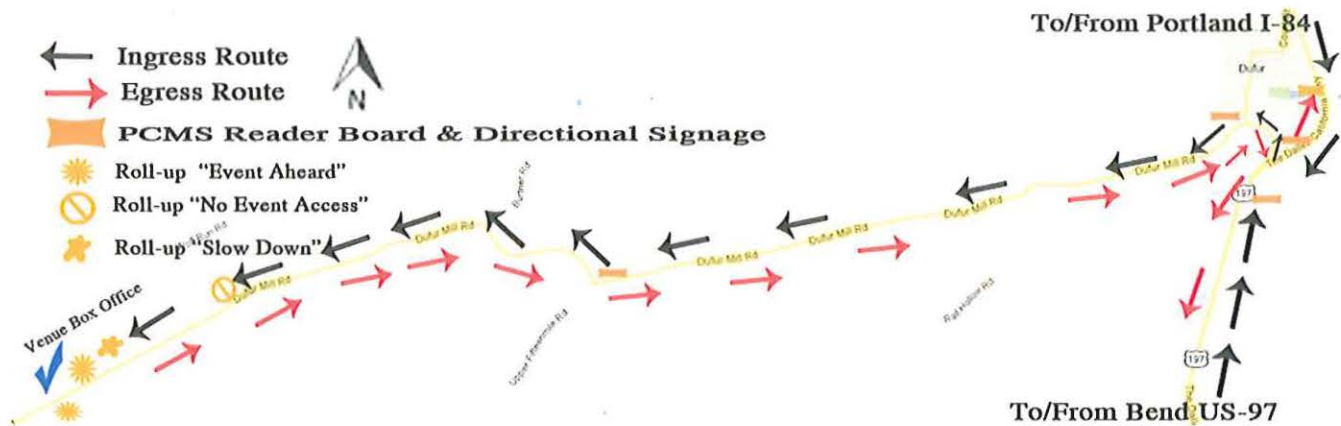
- **(1) Flashing Hwy Reader Board** approximately 1 mile to the North of Dufur Bypass Road (formerly Heimrich St.) on the West side of US-197S
- **(1) Flashing Hwy Reader Board** approximately 1 mile (or ½ mile – depending on ODOT feedback) to the South of Dufur Bypass Road (formerly Heimrich St.) on the East side of US-197N
- **(1) Flashing Highway Reader Board** located at the NW side of the intersection of Dufur Bypass Road (formerly Heimrich St.) and Dufur Valley Road.
- **(1) Flashing Highway Reader Board** located at the “Y” on Dufur Valley Rd at South Valley Rd reminding drivers to stay right and drive slow.
- **(1) “No Event Access”** sign at Wolf Run Road
- **(1) Event Ahead Sign** - Orange roll-up highway signage will be placed along the North side of Dufur Valley Rd.
- **(1) Slow Down Sign** - Roughly 200ft prior to arriving at the event site entrance, attendees will again be reminded to drive slowly as their turn approaches
- **(1) Directional Sign**, clearly visible, indicating the need to turn into the box office entrance (placed ahead of the turn into the Box Office driveway).
- **(1) Festival branded Box Office sign (2'x3')**, plus several highly visible flags will be placed around the entrance to the driveway being used to access the event Box Office.
- **(1) “Event Ahead” Sign**, placed along the South side of Dufur Valley Rd to the west of the event site in case any attendees should attempt to arrive from highway 35.

Exact signage type and placement will ultimately be determined by the Oregon Department of Transportation and will meet all safety guidelines. In addition to the signage listed above, the entrance area will be lit via a telescoping light tower and decorated with visible flags to indicate the turn-off. The lights will be oriented in such a way as to not impair the vision of drivers on Dufur Valley Rd.

All highway and county road signage will be in place and operational from 10AM on Wednesday, June 17<sup>th</sup> until Monday, June 22<sup>nd</sup> at 4PM when it can be safely removed.



## What The Festival 2015 Traffic Plan



### **BOX OFFICE:**

Attendees will enter the event using the access point located on the North side of Dufur Valley Rd at the west end of the property approximately 4/10s of a mile west of the main driveway to the property at 78889 Dufur Valley Rd ("main entrance"). Since all attendees will be routed from the East, westbound on Dufur Valley Rd, all festival traffic will be making a right-hand turn off of Dufur Valley Rd into the main entrance. This will ensure that even in the busiest times, attendees will make it safely onto the property with minimal impediment to regular Dufur Valley Rd traffic as no left turns will be necessary. A security staff member will be positioned at the main entrance (not on the County Road) to assist drivers. A maximum of 200 vehicles can be staged between the main entrance and the Box Office, where attendees wait to be processed. Due to this large vehicle staging capacity, vehicle back-up on Dufur Valley Rd is unlikely.

The area of the property being used to stage the Box Office for the event will be configured into 5 lanes of 300' to stage vehicles waiting to be processed. Processing consists of scanning tickets, banding guests and searching vehicles for contraband. At full staffing, the five lanes can handle 300 vehicles per hour.

Once processed, attendees will then head .8 miles down the existing access road into an area used for event parking. A team of volunteer flaggers will direct traffic in the event parking area. During peak times (discussed below) the parking staff and traffic control staff will include up to 30 volunteers and minimum of 1 paid staff member/manager.

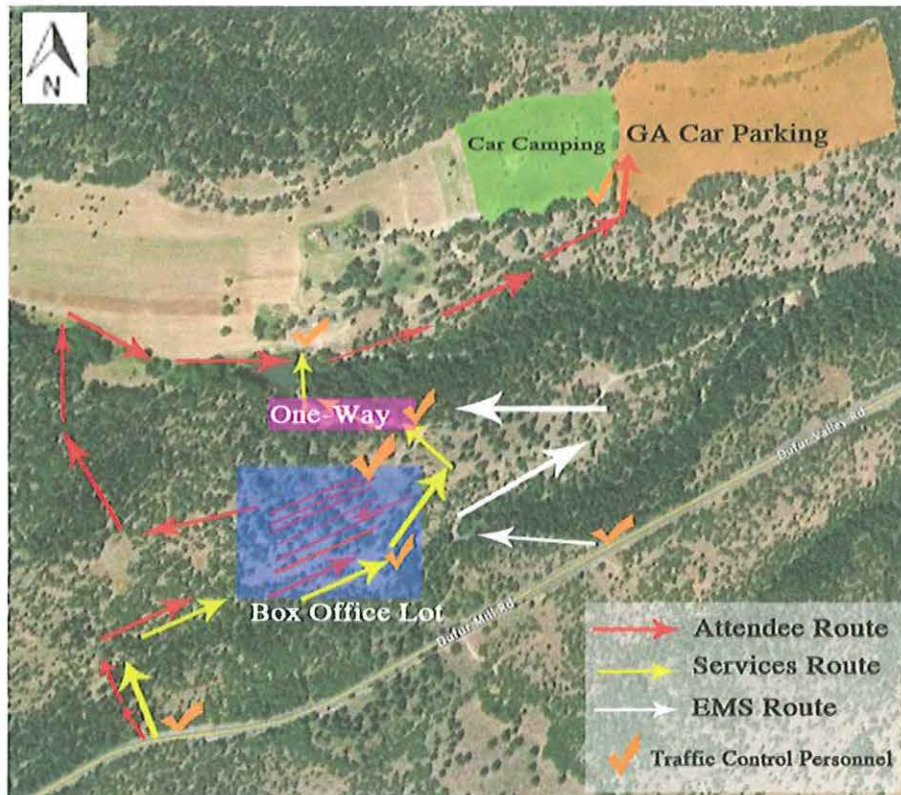
Staff and service vehicles will also enter the property through the main entrance. Once staff and service vehicles reach the area being used for the Box Office, they will then be routed toward the east through Artist/Staff/Media Check-In.

A team of traffic controllers will regulate the flow of traffic in all access areas.



## What The Festival 2015 Traffic Plan

### FLOW OF TRAFFIC INTO EVENT:



### EXODUS:

Attendees will begin leaving the site Sunday evening the 21<sup>st</sup> around 6PM. Traffic flows will be light but may increase from the hours of 8:00 – 10:00PM. The majority of attendees onsite after 10PM will remain until the next morning. All attendees must be off-site by 2PM on Monday, June 22<sup>nd</sup>.

### EMERGENCY & CONTINGENCY PLAN:

As mentioned, access to the event site via alternate entrance will be reserved for EMS vehicles throughout the duration of the event with minimal outbound traffic, which will be regulated by traffic control personnel. In the event of an emergency in which EMS vehicles will be responding and require access to the site, traffic control personnel will hold all on-site traffic until the EMS vehicle(s) have safely entered and exited the site.

In the event of any hindrance that blocks any part of the main entrance where vehicles are unable to pass, traffic can be redirected out the eastern exit of the Box Office area to the alternate entrance. If the blockage occurs between the main entrance and the Box Office area, traffic will be



## **What The Festival 2015 Traffic Plan**

diverted down the alternate entrance and back into the Box Office area via the staff/services lane. If at any point, processing causes a back-up to any point close to Dufur Valley Rd, security searches will be forgone in the Box Office area and instead occur once vehicles are parked alleviating traffic and speeding up the processing procedure.

### **C.O.I**

The Certificate of Insurance will be forthcoming pending permit approval.

**Agenda Item**  
**Outdoor Mass Gathering Permit Application**  
**Public Comment**

- [Kenneth Thomas](#)



Wasco County Board of Commissioners  
Suite 302  
511 Washington Street  
The Dalles, Oregon 97058  
C/O Planning Director, Wasco County

28 November 2014

BY E-MAIL

Re: Objections to Application for Permit in Matter of  
Outdoor Mass Gathering at Wolf Run Ranch -  
Wasco County PLAOMG-14-10-0002

Commissioners:

In the November 17, 2014 cover letter of Wasco County Planning Director John Roberts accompanying the "Notice of A Wasco County Board of Commissioner Public Hearing" regarding the referenced Application for an Outdoor Mass Gathering, Mr. Roberts again emphasizes that the Commission can only consider compliance with health and safety rules governing outdoor mass gatherings, as adopted by the Oregon Health Authority. The 2014 Staff Report before the Commission in the previous iteration of this matter went to great lengths to indicate that Wasco County has no alternative but to issue whatever permit the applicant asks for. That position is specifically contrary to governing law, as set out in the Oregon case that even the Applicant and its attorneys cited this last Spring, which provides, and even the prior Staff Report admits, can limit issuance of this permit for health and safety concerns, as well as failure to comply with the Oregon law on mass gatherings, which has a variety of prohibitions in it. In ***Southern Oregon Barter Fair v. Jackson County Oregon***, 372 F. 3d 1128 (2004), the court state, "Here, the overnight mass gatherings the state seeks to regulate raise special health and safety issues because of their size and duration. **The state has an eminently valid interest in ensuring the health and safety of its residents** and visitors at such large, lengthy events." (emphasis added) Thus, it not only the attendees of the event that must considered, but also the residents of the area where the event is held. This Commission has repeatedly refuse to consider the health and safety of residents, as specifically allowed by the applicable Oregon statutes and case law. Again, in ***Fence V. Jackson County***, 900 P. 2d 524 (1995) (135 Or. App. 574) an Oregon case held that the Oregon mass gathering statutes involved do not prevent a county from taking into account other matters of health and safety. ("We turn to the merits. Three of the county's contentions are that [the lower court] erred \* \* \* by concluding generally that the statutes "completely occupy the



field of regulation of outdoor mass gatherings of less than 120 hours duration." We agree \* \* \* that [the lower court's] view of the preemptive effects of the statute s is too broad.) Therefore, this Commission is not only allowed, but obligated, to consider the health and safety of the residents in the area surrounding the proposed event.

The Application clearly shows continuing, unpermitted improvements to the site and an expansion of activities. In addition, this is now the third event on the same site, utilizing unpermitted, permanent improvements. In particular, the fire plan of the ODF attached to the Application, specifically requires Applicant to engage in removal of trees and tree vegetation in order to further create permanent transportation and event site uses on the site. These alterations and removals are specifically NOT for any permitted forest or resource use, but specifically stated as necessary only to operate the proposed event. In connection with the fire risk to the area surrounding the event site, the site plan shows a "fire break" to the North (utterly uncleared and not meeting ODF fire break rules), but none to the West or East. In particular, all the land to the West of the site is devoted exclusively to Federal or private resource use and subject to far more comprehensive fire regulation, for example the prohibition of certain activities during declared fire season, which Applicant specifically proposes to not comply with.

The Applicant, in the past, and prior Staff Reports from the Planning Office, have made clear that Applicant plans this as a permanent, annual event, the recurrence of which creates a permanency prohibited by the applicable Oregon statutes, as well the prohibited permanent nature of the prior alterations to the land conducted by Applicant. (See, *Landsem Farms, L.P v. Marion County*, 190 Or App 120, 78 P3d 103 (2003): "\* \* \* ORS 197.015(10)(d) properly is understood as creating a narrow exemption from land use regulation." In support of this finding of law, the Court cited the legislative history of the outdoor mass gathering statute, "That representative [of the Department of Land Conservation and Development], Ron Eber, told the Senate Rules and Elections Committee that the statute would not "authorize anything \* \* \* that should normally come within the land use statutes," and that the bill would make clear that those activities, the short duration, **temporary kind of activities**, are not subject to zoning regulations." (emphasis added)). As promised by Applicant, we are now seeing the third of a permanent string of such events, creating a permanent,

massive commercial enterprise in the middle of protected resource lands. The Application, and prior applications for this exact event, show areas that have already been completely cleared of forest cover and not replanted, and again, such actions are now required by the ODF fire plan in the Application, all of which violates the Oregon Forest Practices Act, and thus is unpermitted development under State and County zoning laws. Since such permanent alterations are prohibited by the outdoor mass gathering statute, and have never otherwise been permitted under Oregon land use law and County ordinances, they are all illegal and cannot be utilized in the conduct of the proposed event. Since the existence of these permanent alterations is a condition to meeting Oregon law as to health and safety during the event, this permit application must be denied. The Application reveals alterations that are not "temporary," as required by law, and the ongoing conduct of the event on an annual basis creates a permanent commercial event that is not "temporary." In addition, to the extent that the Application is granted, any permit, as a matter of required public health and safety, should only allow an event to occur on dates that are not within any Oregon State Forestry declared fire season period.

Finally, the Oregon health and safety regulations that the Applicant, the Commission and the Planning Staff all say apply to this event, specifically require that all the water (potable and non-potable) required by Oregon law for the event, must be physically present on the site at all times. Yet, the Application specifically states that the legally required amount of water will NOT be present on site, as elaborated upon in the Application's Attachment B. The Application is defective on its face in this regard, and no alterations to the site are permitted for the storage of the legally required water.

The Application should be denied in its entirety.

Signed,



Kenneth A. Thomas

cc: The Dalles Chronicle  
Director Roberts, Wasco County Planning Office  
Stark Ackerman, Esq.



# Creating a conflict that does not exist

In its Oct. 20 editorial, *The Dalles Chronicle* stated it could not overcome a concern that electing Bridget Bailey would muddy "the waters between the judicial and legislative branch" because we are married. This is unfounded.

## Guest Comment

Eric Nisley



I work for neither the legislative nor judicial branch. *The Chronicle* knows this already: they have done extensive reporting and editorializing on my interactions with the judicial branch of government, and I do not work in the legislature. I am independent of both the legislative and judicial branches, and independent of Wasco County Commissioners. I would have been happy to remind anyone at the *Chronicle* of this, but no one called me.

*The Chronicle* also states Bridget Bailey "would have to recuse herself when budget decisions were being made that benefit the [District Attorney]." This is also unfounded. I am paid by the State of Oregon, not by Wasco County. If Bridget Bailey is

elected, I will no longer serve as legal counsel and hence, will not be compensated for legal work on behalf of the County. *The Chronicle* knows this because I stated just that in a letter to the editor earlier this year.

Thus, she would not be required to recuse herself from considering the District Attorney Office budget because there would be no decision that would directly benefit me.

*The Chronicle* knows this because it has in its possession the Government Ethics Commission opinion stating it is not a conflict of interest for a spouse of a District Attorney to serve as an elected county commissioner and vote on the District Attorney Office Budget. The Editorial Board interviewed no one prior to reaching these conclusions. *The Chronicle* also suggested a commissioner married to a district attorney would be a "consolidated power base." *The Chronicle* cites no evidence to support this conclusion.

My wife and I might well discuss county business informally -- at a local restaurant, when we ride together to meetings, or in the courthouse. The bottom line is it's not relevant: we cannot conduct county business under any circumstances, in public

or in private, we have no power to do anything. If elected, Bridget and I talking together would not constitute a quorum of government. What we might say in private about county business would have no more legal significance than Commissioner Hege talking to his wife about county business. (As an aside, anyone who thinks I can tell my wife what to do, think, or say, has obviously not met her).

There is a jury instruction that states in substance, if a witness is false in part of their testimony, a juror may choose to distrust as untruthful the balance of that witnesses' testimony.

The two main points the October 20 editorial makes are factually and legally false. I will leave it for the reader to decide how to evaluate the editorial.

Good people differ on political candidates. We are lucky to live in a nation where it is our constitutional right to vote as we wish. This right should be exercised responsibly based on facts, not conclusions reached with no evidence or investigation. Exercise your vote carefully.

— Eric Nisley is the elected Wasco County District Attorney.

MORE LETTERS

**DEPARTMENT OF CORRECTIONS**  
**Average Length of Local Control Sentence or Level 3 Sanction in Days with Revocation and Sanction Rates**  
**by Supervising County for 01/01/2013 - 06/30/2013**

County	Caseload Pool	Average Length Local Control	Number of Revocations			Revocation Rate			Number of Sanctions					Sanction Rate				
			New Conviction	No New Conviction	Total	New Conviction	No New Conviction	Total	61+ Days	31-60 Days	1-31 Days	Other	Total	61+ Days	31-60 Days	1-31 Days	Other	Total
Baker	177	84	6	7	13	3.4%	4.0%	7.3%	6	4	51	21	82	3.4%	2.3%	28.8%	11.9%	46.3%
Benton	496	37	10	41	51	2.0%	8.3%	10.3%	5	16	114	55	190	1.0%	3.2%	23.0%	11.1%	38.3%
Clackamas	2,772	55	63	180	243	2.3%	6.5%	8.8%	30	52	852	197	1,131	1.1%	1.9%	30.7%	7.1%	40.8%
Clatsop	558	48	16	43	59	2.9%	7.7%	10.6%	1	12	150	22	185	0.2%	2.2%	26.9%	3.9%	33.2%
Columbia	500	62	9	30	39	1.8%	6.0%	7.8%	4	11	87	25	127	0.8%	2.2%	17.4%	5.0%	25.4%
Coos	791	60	15	35	50	1.9%	4.4%	6.3%	4	2	261	108	375	0.5%	0.3%	33.0%	13.7%	47.4%
Crook	257	60	13	17	30	5.1%	6.6%	11.7%	7	6	45	10	68	2.7%	2.3%	17.5%	3.9%	26.5%
Curry	218	69	3	10	13	1.4%	4.6%	6.0%	0	6	55	1	62	0.0%	2.8%	25.2%	0.5%	28.4%
Deschutes	1,778	49	56	97	153	3.1%	5.5%	8.6%	50	75	379	60	564	2.8%	4.2%	21.3%	3.4%	31.7%
Douglas	1,685	42	53	138	191	3.1%	8.2%	11.3%	18	19	649	128	814	1.1%	1.1%	38.5%	7.6%	48.3%
Gilliam/Sherman/Wheeler	136	23	2	7	9	1.5%	5.1%	6.6%	2	6	25	8	41	1.5%	4.4%	18.4%	5.9%	30.1%
Grant	79	202	0	2	2	0.0%	2.5%	2.5%	2	0	18	6	26	2.5%	0.0%	22.8%	7.6%	32.9%
Harney	156	103	0	3	3	0.0%	1.9%	1.9%	1	4	29	4	38	0.6%	2.6%	18.6%	2.6%	24.4%
Hood River	166	42	1	3	4	0.6%	1.8%	2.4%	0	3	16	5	24	0.0%	1.8%	9.6%	3.0%	14.5%
Jackson	2,372	38	35	150	185	1.5%	6.3%	7.8%	72	165	937	44	1,218	3.0%	7.0%	39.5%	1.9%	51.3%
Jefferson	359	38	4	18	22	1.1%	5.0%	6.1%	5	36	112	12	165	1.4%	10.0%	31.2%	3.3%	46.0%
Josephine	1,180	44	33	59	92	2.8%	5.0%	7.8%	4	11	265	117	397	0.3%	0.9%	22.5%	9.9%	33.6%
Klamath	993	8	27	36	63	2.7%	3.6%	6.3%	4	7	225	33	269	0.4%	0.7%	22.7%	3.3%	27.1%
Lake	201	15	5	2	7	2.5%	1.0%	3.5%	3	0	29	2	34	1.5%	0.0%	14.4%	1.0%	16.9%
Lane	3,881	72	97	190	287	2.5%	4.9%	7.4%	4	20	598	63	685	0.1%	0.5%	15.4%	1.6%	17.7%
Lincoln	595	114	12	37	49	2.0%	6.2%	8.2%	15	7	149	146	317	2.5%	1.2%	25.0%	24.5%	53.3%
Linn	1,667	43	63	77	140	3.8%	4.6%	8.4%	12	20	388	56	476	0.7%	1.2%	23.3%	3.4%	28.6%
Malheur	470	63	8	23	31	1.7%	4.9%	6.6%	20	18	25	21	84	4.3%	3.8%	5.3%	4.5%	17.9%
Marion	4,219	60	145	161	306	3.4%	3.8%	7.3%	20	22	1,316	63	1,421	0.5%	0.5%	31.2%	1.5%	33.7%
Morrow	124	52	4	6	10	3.2%	4.8%	8.1%	1	3	29	10	43	0.8%	2.4%	23.4%	8.1%	34.7%
Multnomah	8,906	68	203	484	687	2.3%	5.4%	7.7%	106	115	1,885	474	2,580	1.2%	1.3%	21.2%	5.3%	29.0%
Polk	687	56	12	32	44	1.7%	4.7%	6.4%	11	23	255	20	309	1.6%	3.3%	37.1%	2.9%	45.0%
Tillamook	257	46	7	11	18	2.7%	4.3%	7.0%	1	3	95	2	101	0.4%	1.2%	37.0%	0.8%	39.3%
Umatilla	903	104	26	50	76	2.9%	5.5%	8.4%	14	22	240	49	325	1.6%	2.4%	26.6%	5.4%	36.0%
Union	335	61	12	13	25	3.6%	3.9%	7.5%	5	18	82	75	180	1.5%	5.4%	24.5%	22.4%	53.7%
Wallowa	46	37	0	1	1	0.0%	2.2%	2.2%	0	1	10	11	22	0.0%	2.2%	21.7%	23.9%	47.8%
Wasco	372	78	4	13	17	1.1%	3.5%	4.6%	0	10	164	20	194	0.0%	2.7%	44.1%	5.4%	52.2%
Washington	3,714	61	97	205	302	2.6%	5.5%	8.1%	30	33	690	118	871	0.8%	0.9%	18.6%	3.2%	23.5%
Yamhill	980	55	21	50	71	2.1%	5.1%	7.2%	15	31	331	76	453	1.5%	3.2%	33.8%	7.8%	46.2%
STATEWIDE	41,199	59	1,062	2,231	3,293	2.6%	5.4%	8.0%	472	781	10,556	2,062	13,871	1.1%	1.9%	25.6%	5.0%	33.7%

1) Caseload pool consists of felons on post prison, parole or probation anytime during time period (standard caseload definition). 2) Individuals may have multiple revocations or sanctions during time period. 3) Rates indicate number of revocations or sanctions per supervised pool, which is not same as % of individuals receiving revocation or sanction. 4) Other Sanctions includes day reporting, work crew and community service, which are served in hours rather than days. Also includes sanctions with indeterminate coding. 5) Individuals may appear in multiple counties but only counted once in Grand Total, so county by county column total may be higher than grand total. 6) Sanction data includes both sanctions and interventions.

Source Data: DOC Research and Evaluation Unit, 11/01/2013

WASCO COUNTY SUMMARY OF 2014-15 ASSESSMENT AND TAX ROLL

TAXING DISTRICT	CERTIFIED RATES OR LEVY INFORMATION										POST MEASURE 50 BILLING RATES AND TAX EXTENSIONS								ASSESSMENTS AND ADDITIONS			
	Inside M-5 Limit			Outside M-5 Limit Bonds	Amounts Raised Other Counties	Net Levy for Tax Rate (excl. perm. rate)	M-5 VALUE (RMV OR SAV After Exemptions)	*Total Taxable Assessed Value TO COMPUTE RATE	Calculated Rate for Bonds or Local Option	District Billing Rate	Amt. Tax Rate Will Raise	Truncation Loss	Total Extended for District	Gain from UR Div of Tax Trunc.	Gain/Loss from Indiv. Extension	Actual Tax Extended for District	M-5 Compression Loss	Taxes Imposed	Penalty Upon Reclassification (All Types)	Clerical Error / Omitted	Late Filing Fee	Total Amount To Be Received
	Permanent Rate	Rate or \$ Certified	Local Option Levies																			
WASCO COUNTY	\$4.2523	\$4.2523	\$0.00	\$0.00	\$0.00	\$0.00	\$2,690,749,962	\$1,976,930,140	\$0.0000	\$4.2523	\$8,406,500.03	\$0.00	\$8,406,500.03	\$90.75	\$0.02	\$8,406,590.80	(\$183,264.49)	\$8,223,326.31	\$6,159.29	\$3,505.61	\$11,244.47	\$8,244,235.68
NORCOR - BONDS	\$0.0000	\$0	\$0.00	\$1,271,100.00	\$766,699.41	\$484,400.59	\$2,690,749,962	\$1,976,930,140	\$0.2450	\$0.2450	\$484,347.88	(\$52.71)	\$484,347.88	\$60.91	\$0.01	\$484,408.80	\$0.00	\$484,408.80	\$354.87	\$201.98	\$0.00	\$484,965.65
PORT OF THE DALLES	\$0.2007	\$0.2007	\$0.00	\$0.00	\$0.00	\$0.00	\$2,035,502,112	\$1,505,807,880	\$0.0000	\$0.2007	\$302,215.64	\$0.00	\$302,215.64	\$11.51	\$0.01	\$302,227.16	(\$8,566.04)	\$293,661.12	\$113.08	\$135.85	\$0.00	\$293,910.05
NORTHERN WASCO PARKS & REC	\$0.6799	\$0.6799	\$0.00	\$0.00	\$0.00	\$0.00	\$1,435,696,029	\$1,078,069,254	\$0.0000	\$0.6799	\$732,979.29	\$0.00	\$732,979.29	\$0.68	\$0.00	\$732,979.97	(\$28,990.81)	\$703,989.16	\$295.75	\$631.08	\$0.00	\$704,915.97
NORTHERN WASCO PARKS & REC BOND	\$0.0900	\$0	\$0.00	\$372,841.26	\$0.00	\$372,841.26	\$1,435,696,029	\$1,154,924,953	\$0.3228	\$0.3228	\$372,809.77	(\$31.49)	\$372,809.77	\$0.00	\$0.00	\$372,809.77	\$0.00	\$372,809.77	\$0.00	\$0.00	\$0.00	\$372,809.77
DUFUR RECREATION DIST.	\$0.5453	\$0.5453	\$45,000.00	\$0.00	\$0.00	\$45,000.00	\$173,755,504	\$120,758,886	\$0.3728	\$0.9179	\$110,844.56	(\$5.25)	\$110,844.56	\$0.00	\$0.00	\$110,844.56	(\$0.45)	\$110,844.11	\$23.67	\$0.00	\$0.00	\$110,867.78
MID-COL FIRE AND RESCUE	\$2.1004	\$2.1004	\$0.00	\$191,000.00	\$0.00	\$191,000.00	\$1,748,192,137	\$1,321,720,926	\$0.1445	\$2.2449	\$2,967,131.31	(\$11.33)	\$2,967,131.30	\$154.60	\$0.02	\$2,967,285.92	(\$89,640.62)	\$2,877,645.30	\$1,206.96	\$1,428.74	\$0.00	\$2,880,281.00
MOSIER FIRE DIST	\$2.1000	\$1.6500	\$0.00	\$0.00	\$0.00	\$0.00	\$144,592,567	\$116,063,813	\$0.0000	\$2.1000	\$191,505.29	\$0.00	\$191,505.29	\$0.00	\$0.00	\$191,505.29	\$0.00	\$191,505.29	\$0.00	\$0.00	\$0.00	\$191,505.29
JUNIPER FLAT R.F.P.D.	\$2.3486	\$2.3486	\$0.00	\$0.00	\$0.00	\$0.00	\$50,929,967	\$31,155,199	\$0.0000	\$2.3486	\$73,171.10	\$0.00	\$73,171.10	\$0.00	\$0.00	\$73,171.10	(\$0.51)	\$73,170.59	\$0.00	\$346.34	\$0.00	\$73,516.93
WHITE RIVER HEALTH DIST	\$0.2500	\$0.2500	\$0.00	\$0.00	\$0.00	\$0.00	\$397,221,436	\$284,798,090	\$0.5000	\$0.7500	\$213,598.57	\$0.00	\$213,598.57	\$0.00	\$0.00	\$213,598.57	(\$3,929.03)	\$209,669.54	\$0.00	\$110.61	\$0.00	\$209,780.15
CITY OF THE DALLES	\$3.0155	\$3.0155	\$0.00	\$0.00	\$0.00	\$0.00	\$1,178,605,600	\$971,676,812	\$0.0000	\$3.0155	\$2,930,091.43	\$0.00	\$2,930,091.43	\$32.67	\$0.00	\$2,930,124.10	(\$128,691.39)	\$2,801,432.71	\$0.00	\$1,628.08	\$0.00	\$2,803,060.79
CITY OF DUFUR	\$2.0377	\$2.0377	\$0.00	\$14,624.00	\$0.00	\$14,624.00	\$41,644,161	\$34,159,482	\$0.4339	\$2.4716	\$84,428.58	(\$2.20)	\$84,428.58	\$0.00	\$0.00	\$84,428.58	\$0.00	\$84,428.58	\$0.00	\$0.00	\$0.00	\$84,428.58
CITY OF MAUPIN	\$5.3573	\$5.3573	\$0.00	\$0.00	\$0.00	\$0.00	\$63,384,142	\$44,552,564	\$0.0000	\$5.3573	\$238,681.45	\$0.00	\$238,681.45	\$0.00	\$0.00	\$238,681.45	(\$2,250.71)	\$236,430.74	\$0.00	\$0.00	\$0.00	\$236,430.74
CITY OF MOSIER	\$1.4128	\$1.4128	\$0.00	\$0.00	\$0.00	\$0.00	\$51,627,599	\$42,522,537	\$0.0000	\$1.4128	\$60,075.84	\$0.00	\$60,075.84	\$0.00	\$0.00	\$60,075.84	\$0.00	\$60,075.84	\$0.00	\$0.00	\$0.00	\$60,075.84
CITY OF SHANIKO	\$0.0000	\$0.0000	\$0.00	\$0.00	\$0.00	\$0.00	\$4,447,974	\$3,514,470	\$0.0000	\$0.0000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CITY OF ANTELOPE	\$1.6944	\$1.6944	\$0.00	\$0.00	\$0.00	\$0.00	\$3,376,501	\$2,618,965	\$0.0000	\$1.6944	\$4,437.57	\$0.00	\$4,437.57	\$0.00	\$0.00	\$4,437.57	\$0.00	\$4,437.57	\$0.00	\$0.00	\$0.00	\$4,437.57
WASCO CO SOIL CONSERVATION DIST	\$0.2500	\$407,963	\$0.00	\$0.00	\$0.00	\$407,963.00	\$2,690,749,962	\$1,876,930,140	\$0.0000	\$0.2500	\$407,840.69	(\$122.31)	\$407,840.69	\$22.48	\$0.01	\$407,863.18	(\$8,892.09)	\$398,971.09	\$298.62	\$170.08	\$0.00	\$399,439.99
4-H & EXTENSION SVC DIST	\$0.2500	\$0.2500	\$0.00	\$0.00	\$0.00	\$0.00	\$2,680,756,079	\$1,967,611,116	\$0.0000	\$0.2500	\$491,902.78	\$0.00	\$491,902.78	\$25.77	\$0.01	\$491,928.56	(\$10,775.60)	\$481,152.96	\$362.13	\$206.11	\$0.00	\$481,721.20
WASCO CO LIBRARY DIST	\$0.6800	\$0.6800	\$0.00	\$0.00	\$0.00	\$0.00	\$2,606,825,195	\$1,912,929,038	\$0.0000	\$0.6800	\$1,300,791.75	\$0.00	\$1,300,791.75	\$44.95	\$0.00	\$1,300,836.70	(\$29,307.76)	\$1,271,528.94	\$984.95	\$560.59	\$0.00	\$1,273,074.46
JEFFERSON CO LIBRARY DIST	\$0.4349	\$0.4349	\$0.00	\$0.00	\$0.00	\$0.00	\$32,297,168	\$21,478,565	\$0.0000	\$0.4349	\$9,341.03	\$0.00	\$9,341.03	\$0.00	\$0.00	\$9,341.03	\$0.00	\$9,341.03	\$0.00	\$0.00	\$0.00	\$9,341.03
S WASCO COUNTY SD 1	\$4.6651	\$4.6651	\$0.00	\$0.00	\$0.00	\$0.00	\$404,173,947	\$289,754,459	\$0.0000	\$4.6651	\$1,351,733.53	\$0.00	\$1,351,733.53	\$0.00	\$0.00	\$1,351,733.53	(\$30,113.02)	\$1,321,620.51	\$0.00	\$687.96	\$0.00	\$1,322,308.47
N WASCO CO SD 21 (SD 12 -BONDS)	\$0.0000	\$0	\$0.00	\$1,736,332.00	\$0.00	\$1,736,332.00	\$1,331,209,643	\$987,192,882	\$1.7588	\$1.7588	\$1,736,274.84	(\$57.16)	\$1,736,274.84	\$75.49	\$0.01	\$1,736,350.34	\$0.00	\$1,736,350.34	\$945.61	\$699.99	\$0.00	\$1,737,995.94
N WASCO CO SD 21	\$5.2399	\$5.2399	\$0.00	\$0.00	\$0.00	\$0.00	\$1,929,354,878	\$1,448,890,711	\$0.0000	\$5.2399	\$7,592,042.44	\$0.00	\$7,592,042.44	\$91.10	\$0.01	\$7,592,133.55	(\$219,748.42)	\$7,372,385.13	\$7,454.69	\$3,547.09	\$0.00	\$7,383,386.91
DUFUR SD 29	\$4.4659	\$4.4659	\$0.00	\$512,990.00	\$0.00	\$512,990.00	\$321,095,098	\$214,582,629	\$2.3906	\$6.8585	\$1,471,285.80	(\$8.77)	\$1,471,285.79	\$0.00	\$0.00	\$1,471,285.79	(\$7,639.50)	\$1,463,646.29	\$176.79	\$0.00	\$0.00	\$1,463,823.08
JEFFERSON SD 509J	\$4.5871	\$4.5871	\$0.00	\$2,400,000.00	\$2,343,836.68	\$56,163.32	\$32,297,168	\$21,478,565	\$2.6148	\$7.2019	\$154,686.48	(\$1.17)	\$154,686.48	\$0.00	\$0.00	\$154,686.48	(\$3,224.24)	\$151,462.24	\$0.00	\$0.00	\$0.00	\$151,462.24
SHERMAN CO SD	\$3.4203	\$3.4203	\$0.00	\$0.00	\$0.00	\$0.00	\$989,950	\$739,670	\$0.0000	\$3.4203	\$2,529.89	\$0.00	\$2,529.89	\$0.00	\$0.00	\$2,529.89	(\$216.87)	\$2,313.02	\$0.00	\$0.00	\$0.00	\$2,313.02
FOSSIL SD 21J	\$4.3963	\$4.3963	\$0.00	\$0.00	\$0.00	\$0.00	\$2,838,920	\$1,484,106	\$0.0000	\$4.3963	\$6,524.58	\$0.00	\$6,524.58	\$0.00	\$0.00	\$6,524.58	(\$89.79)	\$6,434.79	\$0.00	\$0.00	\$0.00	\$6,434.79
CENTRAL OREGON COMMUNITY COLLEGE	\$0.6204	\$0.6204	\$0.00	\$2,804,081.00	\$2,802,965.66	\$1,115.34	\$9,993,883	\$9,319,024	\$0.1196	\$0.7400	\$6,896.08	(\$0.78)	\$6,896.08	\$0.00	\$0.00	\$6,896.08	(\$378.75)	\$6,516.33	\$0.00	\$0.00	\$0.00	\$6,516.33
COLUMBIA GORGE COMMUNITY COLLEGE	\$0.2703	\$0.2703	\$0.00	\$0.00	\$0.00	\$0.00	\$2,680,756,079	\$1,967,611,116	\$0.0000	\$0.2703	\$531,845.28	\$0.00	\$531,845.28	\$13.15	\$0.00	\$531,858.43	(\$13,590.67)	\$518,267.76	\$867.48	\$505.12	\$0.00	\$519,650.36
COLUMBIA GORGE CC BOND (District W)	\$0.0000	\$0	\$0.00	\$1,391,526.00	\$691,381.59	\$700,144.41	\$2,680,756,079	\$2,044,468,815	\$0.3424	\$0.3424	\$700,025.44	(\$118.97)	\$700,025.44	\$0.00	\$0.00	\$700,025.44	\$0.00	\$700,025.44	\$0.00	\$0.00	\$0.00	\$700,025.44
COLUMBIA GORGE ESD	\$0.4678	\$0.4678	\$0.00	\$0.00	\$0.00	\$0.00	\$2,654,623,924	\$1,953,227,799	\$0.0000	\$0.4678	\$913,719.96	\$0.00	\$913,719.96	\$93.28	\$0.01	\$913,813.25	(\$23,441.28)	\$890,371.97	\$677.59	\$385.67	\$0.00	\$891,435.23
JEFFERSON CO ESD	\$0.2398	\$0.2398	\$0.00	\$0.00	\$0.00	\$0.00	\$32,297,168	\$21,478,565	\$0.0000	\$0.2398	\$5,150.56	\$0.00	\$5,150.56	\$0.00	\$0.00	\$5,150.56	(\$168.54)	\$4,982.02	\$0.00	\$0.00	\$0.00	\$4,982.02
NORTH CENTRAL ESD	\$2.0193	\$2.0193	\$0.00	\$0.00	\$0.00	\$0.00	\$3,828,870	\$2,223,776	\$0.0000	\$2.0193	\$4,490.47	\$0.00	\$4,490.47	\$0.00	\$0.00	\$4,490.47	(\$170.45)	\$4,320.02	\$0.00	\$0.00	\$0.00	\$4,320.02
COLUMBIA GATEWAY URBAN RENEWAL-DIVISION OF TAXES							\$1,178,605,600	\$1,048,532,511			\$1,499,562.30	(\$717.45)	\$1,499,562.30	\$0.00	\$0.00	\$1,499,844.85	(\$65,407.84)	\$1,433,437.01				\$1,433,437.01
TOTALS				\$10,694,694.26	\$8,624,893.34	\$4,522,773.92					\$35,359,462.21	(\$1,129.59)	\$35,359,462.19	\$717.34	\$0.11	\$35,359,462.19	(\$858,501.87)	\$34,500,960.32	\$19,941.68	\$14,750.88	\$11,244.47	\$34,546,897.35

\*Total Taxable Assessed Value (to Compute Rate) equals line 17 on SAL Table 4A; Adjustment for Urban Renewal Excess, Nonprofit Housing, and Fish & Wildlife have been made if required.

	INSIDE LIMIT	OUTSIDE LIMIT	LIMIT LOSS	NET TOTAL
NET TAXES, PENALTIES & FEES				\$34,546,897.35
FIRE PATROL		\$323,392.98		\$323,392.98
CITY WATER & SEWER		\$50,548.03		\$50,548.03
PP MH FEES	\$5,484.00		(\$334.09)	\$5,149.91
TOTAL TAXES, SPECIAL ASSESSMENTS, FEES & CHARGES IMPOSED				\$34,925,987.50

URBAN RENEWAL DIVISION OF TAX CALCULATIONS

DISTRICT NAME	EXCESS VALUE	SHARED VALUE	DIST. RATE	UR RATE	DIST. ADJ. RATE	TAXES EXT.	M-5 LOSS	TAXES IMPOSED
WASCO COUNTY	\$76,855,699	\$1,048,532,511	\$4.2523	\$0.3116	\$3.9407	\$326,723	(\$14,349)	\$312,373
CITY OF THE DALLES	\$76,855,699	\$1,048,532,511	\$3.0155	\$0.2210	\$2.7945	\$231,726	(\$10,177)	\$221,548
PORT OF THE DALLES	\$76,855,699	\$1,048,532,511	\$0.2007	\$0.0147	\$0.1860	\$15,413	(\$977)	\$14,736
NORCOR BONDS	\$76,855,699	\$1,048,532,511	\$0.2450	\$0.0179	\$0.2271	\$18,769	(\$825)	\$17,944
N WASCO PARK & REC	\$76,855,699	\$1,045,070,181	\$0.6799	\$0.0500	\$0.6299	\$52,254	(\$2,302)	\$49,952
MID-COLUMBIA FIRE & RESCUE	\$76,855,699	\$1,048,532,511	\$2.1004	\$0.1539	\$1.9465	\$161,369	(\$7,087)	\$154,282
MID-COLUMBIA FIRE & RESCUE BONDS	\$76,855,699	\$1,048,532,511	\$0.1445	\$0.0105	\$0.1340	\$11,010	(\$484)	\$10,526
WASCO CO SOIL & WATER	\$76,855,699	\$1,048,532,511	\$0.2063	\$0.0151	\$0.1912	\$15,833	(\$695)	\$15,137
WASCO CO 4-H & EXTENSION	\$76,855,699	\$1,048,532,511	\$0.2500	\$0.0183	\$0.2317	\$19,188	(\$843)	\$18,345
WASCO CO LIBRARY DIST	\$76,855,699	\$1,048,532,511	\$0.6890	\$0.0498	\$0.6302	\$52,217	(\$2,294)	\$49,923
N WASCO CO SD 21	\$76,855,699	\$1,046,322,942	\$5.2399	\$0.3848	\$4.8551	\$402,625	(\$17,681)	\$384,944
N WASCO CO SD 21 (SD 12 BONDS)	\$76,855,699	\$905,484,629	\$1.7588	\$0.1492	\$1.6096	\$135,098	(\$5,507)	\$129,592
COLUMBIA GORGE COMM COLLEGE	\$76,855,699	\$1,048,532,511	\$0.2703	\$0.0198	\$0.2505	\$20,761	(\$912)	\$19,849
COLUMBIA GORGE ESD	\$76,855,699	\$1,048,532,511	\$0.4678	\$0.0342	\$0.4336	\$35,880	(\$1,575)	\$34,285
TOTALS							(\$65,408)	\$1,433,437

2014-15 WASCO COUNTY TAX RATES BY CODE AREA AND DISTRICT\*

CODE AREA →		0.1	1.1	1.2	1.3	1.4	1.7	1.8	9.1	9.11	9.2	9.3	9.5	9.6	9.7	9.8	9.9	12.1	12.11
COUNTY	Gov't	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$3.9407	\$4.2523	\$4.2523	\$3.9407	\$3.9407
	Bonds																		
NORCOR	Bonds	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2271	\$0.2450	\$0.2450	\$0.2271	\$0.2271
PORT	Gov't						\$0.2007					\$0.2007	\$0.2007		\$0.1860		\$0.2007	\$0.1860	\$0.1860
	Bonds																		
PARKS & REC	Gov't														\$0.6299		\$0.6799	\$0.6299	\$0.6299
	Bonds														\$0.3228		\$0.3228	\$0.3228	\$0.3228
LIBRARY	Gov't	\$0.4349	\$0.6800	\$0.6800	\$0.6800	\$0.6800	\$0.6800	\$0.6800			\$0.6800	\$0.6800	\$0.6800	\$0.6800	\$0.6302	\$0.6800	\$0.6800	\$0.6302	\$0.6302
HEALTH DIST	Gov't		\$0.7500		\$0.7500	\$0.7500	\$0.7500												
FIRE DISTRICTS	Gov't					\$2.3486			\$1.8500				\$2.1004	\$1.6500	\$1.9465	\$2.1004	\$2.1004	-\$1.9465	\$1.9465
	Bonds												\$0.1445		\$0.1340	\$0.1445	\$0.1445	\$0.1340	\$0.1340
SOIL DIST	Gov't	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.1912	\$0.2063	\$0.2063	\$0.1912	\$0.1912
4H & EXT SVC	Gov't		\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2317	\$0.2500	\$0.2500	\$0.2317	\$0.2317
CITY	Gov't		\$5.3573						\$1.4128	\$1.4128					\$2.7945			\$2.7945	\$2.7945
	Bonds																		
URBAN RENEWAL															\$1.3016			\$1.4508	\$1.4508
SCHOOL DIST	Educ	\$4.5671	\$4.6651	\$4.6651	\$4.6651	\$4.6651	\$4.6651	\$4.6651	\$5.2399	\$5.2399	\$5.2399	\$5.2399	\$5.2399	\$5.2399	\$4.8551	\$5.2399	\$5.2399	\$4.8551	\$4.8551
	Bonds	\$2.6148																\$1.6096	\$1.6096
COMMUNITY COL	Educ	\$0.6204	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2505	\$0.2703	\$0.2703	\$0.2505	\$0.2505
	Bonds	\$0.1186	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424
ESD	Educ	\$0.2398	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.4336	\$0.4678	\$0.4678	\$0.4336	\$0.4336
SUBTOTAL GOVT		\$4.6935	\$11.4959	\$5.3888	\$8.1386	\$8.4872	\$6.3393	\$5.3886	\$7.7714	\$8.1214	\$5.3886	\$5.5893	\$7.6897	\$7.0386	\$11.8523	\$7.4890	\$8.3696	\$12.0015	\$12.0015
SUBTOTAL EDUC		\$5.4473	\$5.4032	\$5.4032	\$5.4032	\$5.4032	\$5.4032	\$5.4032	\$5.9780	\$5.9780	\$5.9780	\$5.9780	\$5.9780	\$5.9780	\$5.5392	\$5.9780	\$5.9780	\$5.5392	\$5.5392
SUBTOTAL BONDS		\$2.9794	\$0.5874	\$0.5874	\$0.5874	\$0.5874	\$0.5874	\$0.5874	\$0.5874	\$0.5874	\$0.5874	\$0.5874	\$0.7319	\$0.5874	\$1.0263	\$0.7319	\$1.0547	\$2.6359	\$2.6359
DISTRICT RATE		\$13.3202	\$17.4865	\$11.3792	\$12.1292	\$14.4778	\$12.3299	\$11.3792	\$14.3368	\$12.6868	\$11.9540	\$12.1547	\$14.3996	\$13.6040	\$18.4178	\$14.1989	\$15.4023	\$20.1766	\$20.1766

CODE AREA →		12.2	12.3	12.6	12.8	12.9	14.1	14.2	14.4	14.8	29.1	29.2	29.3	60.1	60.2	60.3	60.7	67.1
COUNTY	Gov't	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$3.9407	\$4.2523	\$3.9407	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523	\$4.2523
	Bonds																	
NORCOR	Bonds	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2271	\$0.2450	\$0.2271	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450	\$0.2450
PORT	Gov't		\$0.2007	\$0.2007	\$0.2007	\$0.1860	\$0.2007	\$0.1860	\$0.2007	\$0.2007	\$0.2007	\$0.2007	\$0.2007					
	Bonds																	
PARKS & REC	Gov't				\$0.6799				\$0.6299		\$0.6799	\$0.9179	\$0.9179	\$0.9179				
	Bonds				\$0.3228				\$0.3228		\$0.3228							
LIBRARY	Gov't	\$0.6800	\$0.6800	\$0.6800	\$0.6800	\$0.6302	\$0.6800	\$0.6302	\$0.6800	\$0.6800	\$0.6800	\$0.6800	\$0.6800	\$0.4349	\$0.4349	\$0.6800	\$0.4349	\$0.6800
HEALTH DIST	Gov't																\$0.7500	
FIRE DISTRICTS	Gov't																	
	Bonds			\$0.1445	\$0.1445	\$0.1340			\$0.1340	\$0.1445								
SOIL DIST	Gov't	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.1912	\$0.2063	\$0.1912	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063	\$0.2063
4H & EXT SVC	Gov't	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2317	\$0.2500	\$0.2317	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500	\$0.2500
CITY	Gov't					\$2.7945		\$2.7945						\$1.6944				
	Bonds										\$0.4339							
URBAN RENEWAL						\$1.4008		\$0.9168										
SCHOOL DIST	Educ	\$5.2399	\$5.2399	\$5.2399	\$5.2399	\$4.8551	\$4.4659	\$4.4659	\$4.4659	\$4.4659	\$4.4659	\$4.4659	\$4.4659	\$4.5871	\$4.5871	\$4.3963	\$4.5871	\$3.4203
	Bonds	\$1.7588	\$1.7588	\$1.7588	\$1.7588	\$1.6096	\$2.3906	\$2.3906	\$2.3906	\$2.3906	\$2.3906	\$2.3906	\$2.3906	\$2.6148	\$2.6148		\$2.6148	\$0.0000
COMMUNITY CO	Educ	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2505	\$0.2703	\$0.2505	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703	\$0.2703
	Bonds	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424	\$0.3424
ESD	Educ	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.4336	\$0.4678	\$0.4336	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.4678	\$0.2398	\$0.2398	\$2.0193	\$0.2398	\$2.0193
SUBTOTAL GOVT		\$5.3686	\$5.5893	\$7.8697	\$8.3696	\$11.3216	\$5.5893	\$11.4675	\$7.6697	\$8.3696	\$8.5449	\$8.3065	\$8.5072	\$8.8379	\$5.1435	\$5.3886	\$5.8935	\$5.3886
SUBTOTAL EDUC		\$5.9780	\$5.9780	\$5.9780	\$5.9780	\$5.5392	\$5.2040	\$5.1500	\$5.2040	\$5.2040	\$5.2040	\$5.2040	\$5.2040	\$5.0972	\$5.0972	\$6.6859	\$5.0972	\$5.7099
SUBTOTAL BONDS		\$2.3462	\$2.3462	\$2.4907	\$2.6135	\$2.3131	\$2.9780	\$3.4169	\$3.1225	\$3.4453	\$3.4119	\$2.9780	\$2.9780	\$3.2022	\$3.2022	\$0.5874	\$3.2022	\$0.5874
DISTRICT RATE		\$13.7128	\$13.9135	\$16.1584	\$17.1611	\$19.1739	\$13.7713	\$20.0344	\$16.0162	\$17.0189	\$17.1608	\$14.4885	\$14.6892	\$15.1373	\$13.4429	\$12.6619	\$14.1929	\$11.6859

\*M-5 LIMITS ARE APPLIED TO TAXES ON AN ACCOUNT BY ACCOUNT BASIS. INDIVIDUAL TAXES ARE THE LESSER OF THIS RATE APPLIED TO TAV (TAXABLE ASSESSED VALUE) OR M-5 LIMITED RATE (\$10 GOV/\$5 EDUC) APPLIED TO RMV (REAL MARKET VALUE) OR SAV (SPECIAL ASSESSED VALUE) BY CATEGORY

ASSESSED VALUES	
<b>REAL PROPERTY ROLL</b>	
Gross Assessed Value	\$2,222,479,534
<b>PERSONAL PROPERTY ROLL</b>	
Business	\$261,957,395
Mobile Homes	\$17,699,651
Boat Houses	\$1,182,412
<b>UTILITY PROPERTY ROLL</b>	
	\$216,328,212
<b>GROSS ASSESSED COUNTY VALUE</b>	
	\$2,709,647,204
(Less) Veteran's Exemptions	\$7,968,087
(Less) Other Exemptions	\$647,893,278
<b>TOTAL TAXABLE ASSESSED VALUE</b>	
	\$2,053,786,839
(Less) Urban Renewal Excess Value	\$76,855,699
<b>NET VALUE USED TO CALCULATE TAX RATES</b>	
	\$1,976,930,140

PROPERTY TAXES	
<b>AD VALOREM TAXES</b>	
District Levies	\$33,067,523.31
Urban Renewal Division of Tax	\$1,433,437.01
<b>TOTAL AD VALOREM TAXES</b>	
	\$34,500,960.32
<b>SPECIAL ASSESSMENTS, FEES AND CHARGES</b>	
Farm Use Disqualification	\$15,040.86
Forest Land disqualification	\$4,900.82
Other Disqualification	\$0.00
Clerical Errors & Omitted Property	\$14,750.88
Late Filing Penalties	\$11,244.47
<b>SUB-TOTAL AMOUNTS DISTRIBUTED TO DISTRICTS</b>	
	\$45,937.03
<b>STATE FIRE PATROL</b>	
	\$323,392.98
<b>OREGON HOUSING MANUFACTURED HOUSING</b>	
	\$5,149.91
<b>DELINQUENT SEWER CHARGES - CITY OF THE DALLIES</b>	
Fractional Gain/Loss from Individual Extension	\$1.23
<b>TOTAL TAXES, SPECIAL ASSESSMENTS, FEES AND CHARGES</b>	
	\$34,925,987.50
<b>BY PROPERTY TYPE</b>	
Real Property	\$27,737,342.03
Personal Property	\$730,978.00
Manufactured Structures	\$3,285,863.84
Utility Property (Centrally Assessed)	\$3,171,803.63
<b>TOTAL TAXES, SPECIAL ASSESSMENTS, FEES AND CHARGES</b>	
	\$34,925,987.50

