

WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION / AGENDA WEDNESDAY, SEPTEMBER 2, 2015
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) [Youth Think Marketing Contract](#), [Youth Think MCCFL Prevention Agreement](#), [Wildfire Prevention Proclamation](#), [Wasco County Forest Collaborative Appointments](#), [Chamber Applications](#)
- [Consent Agenda](#) (Items of a routine nature: minutes, documents, items previously discussed.) [Minutes: 8.19.2015 Regular Session](#), [8.27.2015 Public Hearing](#)

9:30 a.m. [Zoning Map Amendment Hearing](#) – Dawn Baird

10:00 a.m. [License Agreement Amendment](#) – John Zalaznick

10:10 a.m. [Finance Department Update](#) – Debbie Smith-Wagar

10:30 a.m. [Wholly Uncollectible Taxes](#)
 [IGA for Document Publishing & Distribution](#) } Jill Amery

10:40 a.m. [Surveyor Agreement](#)
 [Fund Exchange Agreement](#) } Arthur Smith

10:50 a.m. [Settlement Agreement](#) – Angie Brewer

11:00 a.m. [MCCFL/Wasco County IGA](#) – Barbara Seatter

NEW / OLD BUSINESS
ADJOURN

If necessary, an Executive Session may be held in accordance with: ORS 192.660(2)(a) – Employment of Public Officers, Employees & Agents, ORS 192.660(2)(b) – Discipline of Public Officers & Employees, ORS 192.660(2)(d) – Labor Negotiator Consultations, ORS 192.660(2)(e) – Real Property Transactions, ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection, ORS 192.660(2)(g) – Trade Negotiations, ORS 192.660(2)(h) - Conferring with Legal Counsel regarding litigation, ORS 192.660(2)(i) – Performance Evaluations of Public Officers & Employees, ORS 192.660(2)(j) – Public Investments, ORS 192.660(2)(m) – Security Programs, ORS 192.660(2)(n) – Labor Negotiations



WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
SEPTEMBER 2, 2015

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.

Ms. White asked to add a Wasco County Forest Collaborative appointment and upcoming Town Halls to the Discussion List.

Ms. White introduced Kary Holloway to the Board. Ms. Holloway is the new Office Manager for Administrative Services.

Discussion List – Youth Think Marketing Contract

Youth Think Coordinator Debby Jones stated that Linda Griswold has been working with Youth Think for seven years; this is an annual contract with her for marketing services. She went on to say that the only change in the contract is to the amount which is tied to available grant funding.

{{{Commissioner Kramer moved to approve the Marketing Consultant grant contract between Wasco County and Linda Griswold. Commissioner Runyon seconded the motion which passed unanimously.}}}

Chair Hege asked if the scope of the contract has changed over the years. Ms. Jones responded that the scope remains the same but the strategy has become more refined and targeted.

Chair Hege asked if Youth Think is still conducting Challenge Day. Ms. Jones replied that they do not want to violate copyright but are doing something similar with changes that have made it more acceptable to the schools participating in the program.

Discussion List – Youth Think Prevention Agreement with MCCFL
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Ms. Jones explained that every two years Mid-Columbia Center for Living receives funding through the State AD70 grant which is tied to a federal block grant. She stated that Wasco is a minimum-grant county receiving \$61,000. The funding comes into MCCFL, which passes it through to Youth Think to do the work. She said that the contract usually comes with attachments outlining the biennial plan; however, three have been changes to the state format and system for data entry and they have been given until the end of September to submit their plan. Ms. Jones observed that the changes are good – more outcome-based and informational. She said that the contract will be submitted without the plan which will follow by the end of the month. Ms. Jones stated that she would come back to the Board with the plan when it is ready.

{{{Commissioner Runyon moved to approve the 2015-2017 Prevention Agreement with Mid-Columbia Center for Living. Commissioner Kramer seconded the motion which passed unanimously.}}}

Ms. Jones stated that the Youth Think Board is meeting to talk about the marijuana legislation and may be able to offer some support for that discussion. She invited the Commissioners to join their board meeting at 5:00 p.m. tomorrow. She added that she has listened to the Oregon Liquor License meetings regarding this issue and believes she has the most current information.

Departments - Planning

Planning Director Angie Brewer introduced the Board to recently-hired Senior Planner Dustin Nilson who moved here from Chicago to take the position. Mr.

Nilson has 15 years of experience in his field. Mr. Nilson said that there is a big mission ahead and he appreciates the Board's support.

Haystack Broadcasting Reporter Rodger Nichols said that he attended the Museum Commission meeting and learned that they had received a water shut-off notice.

Interim Finance Director Debbie Smith-Wagar said that there have been a lot of staffing changes over the last couple of months with corresponding shifts in duties and training time. She reported that the water bills had gotten caught in the transition and not made it to the proper desk in time to meet the billing due date. She went on to say that when Finance learned of the issue, she made sure that a check was issued and hand-delivered to the City that day. She reported that the water bills have now been calendared so that the due date will not be missed.

Public Comment – Marijuana/Public Health

Widge Johnson of The Dalles said that she had missed the last meeting but had heard that there was some discussion about marijuana growing and water usage. She said that she had tried to get some information on how much water Google uses at their server site but was unable to do so; the information is guarded as a trade secret. She said that if water usage is not an issue for Google but is an issue for marijuana, she observed that the real issue is probably not water but the marijuana. She said that she hopes the Board will invite Dr. McLennan to join the conversation.

Ms. Johnson went on to say that in January the Board began a process to deal with the Public Health issue. She said she had expected to see some public hearings by now to update the citizens on the progress of the work.

Chair Hege replied that there are two Town Halls scheduled to hear from the public regarding the marijuana legislations – 6:00 p.m., September 17th in Dufur and 5:30 p.m., September 21st in Mosier. He stated that because Wasco County's vote was less than 55% against Measure 91, we can only temporarily opt out; the Board is seeking public input on the issue. He continued by saying he had expressed concern for the water rights issues in the unincorporated areas of the County that would be raised with the level of water usage necessary for marijuana grows. Wayne Lease noted that Klickitat County, Washington has placed a moratorium on grows due to concerns about water usage. He stated that Jake Anderson is doing a study on the water issue; marijuana grows use a lot of power and

water.

Mr. Stone stated that the County is still working toward Public Health; however, it is going more slowly than hoped. He said that we are still waiting for data from the Health Department and we are looking at bringing in a facilitator to help with the process. He reported that there are other counties doing work toward addressing the changes in health care as it relates to Public Health; Wasco County wants to look at the issue more broadly. He stated that there is a facilitator coming in next week to interview.

Ms. Johnson asked when there will be public input. Chair Hege responded that we are months behind where we hoped to be but the County is still committed to a process that will include public participation.

Public Comment - MCCOG

Master Electrician Wayne Lease stated that he has studied the MCCOG bylaws. He said that MCCOG was formed in 1979 but there were no articles of agreement until 2009 – one year after they assumed Building Codes. He noted that Article 16 stated that indebtedness incurred remains the responsibility of members voting for the debt. He said that the Secretary/Treasurer is responsible for finances and should not have to go to the Chair to get that information. He pointed out that if any member misses three consecutive meetings, they can be dismissed from the Board. He stated that the bylaws do not supersede the law.

Mr. Lease added that the local school district has not had anyone in an apprenticeship program; there are over 100 available and they should look into that.

Public Hearing – Zoning Map Amendment

At 9:30 a.m. Chair Hege opened a public hearing to consider a zoning map amendment (see attached script).

Chair Hege asked if any Board member wished to disqualify themselves for any personal or financial interest in this matter. There were none.

Chair Hege asked if any Board member wished to report any significant ex parte or pre-hearing contacts. There were none.

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Chair Hege asked if any member of the audience wished to challenge the right of any Board member to hear this matter. There were none.

Chair Hege asked if any member of the audience wished to question the jurisdiction of the Board to act on behalf of Wasco County in this matter. There were none.

Chair Hege asked Associate Planner Dawn Baird to present her report.

Ms. Baird reviewed her report (attached). She stated that the church is residential and the request is to zone it for commercial use; across the street is a residence that is zoned for commercial – the request is to zone it for residential. She reported that the Davis's submitted in 2014; all notifications were done properly.

Ms. Baird stated that Planning met with the applicant and the Public Works Director regarding the traffic impact of the rezoning request; they also received comment from ODOT who expressed no concerns regarding the requested change. It was determined that there would not be much impact for traffic and Public Works waived the requirement for a traffic study.

Ms. Baird stated that the request meets with statewide planning goals; requirements have been met or met with conditions. She said that the Board can approve the application as recommended, can approve it with amended findings/conditions, can find it does not meet with requirements and deny or can delay their decision to a date and time certain. She explained that if the Board were to deny the application, they would have to have justification to support that decision.

Commissioner Runyon asked if the house being in a commercial zone was an oversight. Ms. Baird replied that the house has been there since the 1950s and the zones were set in the 1980s, including this area. She said that she does not know why they did not correct that although it is adjacent to some commercial properties.

Applicant Mike Davis said that 18 months ago it was brought to the community's attention that the Methodist Church was shutting down their Tygh Valley church which is a 6,000 square foot building. He said that the community did not want it to stand empty and deteriorate and so came to an arrangement to purchase it. He said

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that the intended use is community outreach to strengthen the community. He stated that it will require an investment but has historic value and can support the creation of sustainable jobs. He reported that the South Wasco Alliance wants to involve the community in the process. The sanctuary will be for community activities, the downstairs will be an incubator for small businesses and the wing could house a clinic or business. He said that community support is phenomenal; there are already three families active on the grounds with a community garden and three businesses interested in coming in – each would bring three to eight employees. He stated that they will talk with the community about what kind of businesses they would like to see in the area.

Chair Hege asked if anyone wished to speak in favor of the application.

County Clerk Lisa Gambie, Tygh Valley resident and SWA Board member, said that it is an interesting swap of usage that will allow for a more productive use of the space. She said that it is an appropriate swap that the South Wasco Alliance supports.

Chair Hege asked if anyone wished to speak in opposition of the application. There were none.

Chair Hege closed the public testimony portion of the hearing and opened deliberations.

Commissioner Runyon said that he thinks this is great and exactly what the SWA has been working toward for their community – this is a first-step. He said it should be noted that Mr. Davis is a member of the Planning Commission and had recused himself from this discussion at the Planning Commission. He stated that with the new road going in, in that area, it will be good.

{{{{Commissioner Kramer moved to approve the application to rezone two properties in Tygh Valley: 4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial and 4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential with recommended conditions: septic approval shall be obtained from the North Central Public Health District for all proposed uses in the old church building (4S 13E 3CC 3400) prior to the commencement of the use and the subject

parcels are located in the EPD-2, Geologic Hazard Overlay Zone (landslide Area); future development may be required to obtain a geologic hazard report prepared by an engineering geologist or engineer that is certified to evaluate soils. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare. Commissioner Runyon seconded the motion which passed unanimously.}}}

North Central Public Health District Environmental Health Specialist Supervisor John Zalaznik said that bringing business into the area is great; if it becomes a food production facility, grease will become an issue for the septic system.

Public Hearing – Solid Waste Landfill License Amendment

Mr. Zalaznick explained that the Solid Waste Advisory Committee (SWAC) would like to change the timing for the CPI adjustment to rates. He said that it was set for an average calculated from September 30th to September 30th with notice to go out to customers by November 1st. He stated that once the calculations are complete they have to go before both the SWAC and the Board of Commissioners for approval; there is just not enough time from the end of September to the beginning of November to accomplish all that needs to be done. He said that changing the date to run from July to July would give them an extra couple of months to complete the process and notify customers.

Commissioner Kramer pointed out that this process involves multiple municipalities and it takes time to get it through every entity.

{{{Commissioner Kramer moved to approve the Amended 2015 Solid Waste Disposal License Agreement. Commissioner Runyon seconded the motion which passed unanimously.}}}

Agenda Item – Finance Update

Interim Finance Director Debbie Smith-Wagar said that she wanted the Board to be aware that there will be some upcoming budget adjustments. She explained that she is trying to get everything caught up, but some things need immediate attention which slows down the ongoing work.

Ms. Smith-Wagar went on to say that the Finance Director and Human Resources positions are being advertised at higher rates than budgeted; further analysis of the positions show that need. She reported that the Finance position has been advertised for a month and the County has broadened the search to the state. She said that there has been some interest in the Human Resources position and she is hopeful that it will be filled. She added that the recently-hired Accounting Clerk is getting up to speed and that has been helping a lot.

Ms. Smith-Wagar went on to say that beyond increased wages for open positions, there may be a supplemental budget calendar to give the Board a bigger overview rather than doing it piecemeal. She said that she would expect the first to come in October followed by a second one in the early spring.

Ms. Smith-Wager stated that the software interface between the Assessor's system and the Finance system is running well – no further adjustments have been necessary for the last two transfers. She pointed out that this eliminated the opportunity for human error in the transfer of information. She reported that Thompson Reuters and Assessor Jill Amery have been very helpful.

Ms. Smith Wager continued by saying that the new lockbox system will deposit property taxes directly into the County account at US Bank. She said she had pushed for that system as it will take a huge load off of staff and also provides an additional internal control.

Ms. Smith-Wagar explained that she is working to streamline reporting; it is not ready yet but she plans to provide a first quarter update with reporting options to give the Board an idea of where the County was and where it is. She said that the day to day work is being done even with the limited staffing. She noted that there are some positions that remain unposted while we wait for HR Answers evaluation.

Mr. Stone interjected that we are also changing some processes; for instance, bills that were being paid out of Administrative Services are now going to Finance. Ms. Smith-Wagar stated that she has been doing the Treasurer work but that is being transitioned to Accounting Clerk John Hay. She reported that there was no problem with the July turnover and she anticipates it will continue to be smooth; she stays in communication with the taxing districts.

Mr. Stone said that we will still see deficiencies in the audit but they will be accompanied by notes that the County has taken the appropriate corrective action. Ms. Smith-Wagar agreed saying that the deficiencies in the last report were for the year ending 2014 but not brought to the County until the middle of fiscal year 2015 so those items were still occurring; by the end of the fiscal year the County took steps to correct them. She said that they will audit the entire year – both the deficiencies and the corrective actions will be included in the audit.

Mr. Stone reported that Debbie, with the help of other County staff, managed the Fair cash office this year. He said that while there were many problems last year, this year it worked well. Ms. Smith-Wagar stated that she would have recommendations for next year; one will be that they rotate staff to help so that just one person is not there for the entire time. Mr. Stone added that it was run better than he has ever seen.

Chair Hege called a recess at 10:17 a.m.

The session reconvened at 10:25 a.m.

Agenda Item – Wholly Uncollectible Taxes

County Assessor Jill Amery said that personal property manufactured homes are difficult; people often do not understand the process for “decommissioning” a manufactured home. When they do not notify the County, taxes are still levied against the property. In this case the home had become inhabitable and had been removed.

Ms. Amery went on to say that she does not like to write them off and there are ongoing discussions about garnishments and public education.

Chair Hege commented that often it is more costly to collect than to write-off the debt. Ms. Amery agreed.

{{{Commissioner Runyon moved to approve Order 15-080 in the matter of the cancellation of certain uncollectible personal property taxes. Commissioner Kramer seconded the motion which passed unanimously.}}}

Agenda Item – IGA for Document Processing

Ms. Amery stated that the price is similar to last year's although the hand work is up from \$52 to \$65. She observed that it hasn't gone up a lot in recent years; she is going to talk to them about what we can expect in the future.

Chair Hege noted that this is for tax statements and asked if it is the most economical. Ms. Amery replied that they looked at it last year and it is the most economical method. She pointed out that Lane County uses them and that is very helpful. She added that they have also been very accommodating for Wasco County's transition to the lockbox, even though it is very last minute.

Commissioner Runyon said that the Board has seen this agreement year after year and it always comes back as the most efficient means; the private sector has a hard time meeting some of the government system requirements.

Chair Hege asked about the lockbox system relative to this agreement. Ms. Amery responded that the statement will remain the same but the address on the return envelope will change and it will have a scan line for the readers. She added that they will be including an insert with an explanation. She said that many other counties use the lockbox system and it works well.

Chair Hege asked if taxpayers can take their payment to a bank. Ms. Amery replied that they can no longer do that as there have been problems with that method of payment. She stated that if they want to make a payment in person, they can still come to the Assessor's Office to do that.

{{{Commissioner Runyon moved to approve the State of Oregon Department of Administrative Services Intergovernmental Agreement for Document Publishing, Processing and Delivery. Commissioner Kramer seconded the motion which passed unanimously.}}}

Agenda Item – Surveyor Agreement

Public Works Director Arthur Smith said that the Hood River County Surveyor had retired suddenly this spring and they were at a loss. He explained that up until now he had had a gentlemen's agreement with Hood River to provide surveying services

while they searched for a replacement. He stated that time has passed and it seems they are no closer to filling that position and the scope of the work is broadening. He said that together they decided it was time to formalize the agreement and structure reimbursement for the work. He said that this agreement sets out regular hours for Wasco County Road Surveyor Bradley Cross to be in Hood River; Wasco County will be compensated for that time.

Chair Hege asked if travel time will be included in the compensation. Mr. Smith replied that Mr. Cross lives in Hood River and will be working there on Wednesdays; there is really no travel involved.

Commissioner Runyon observed that this is a wonderful example of cooperation in the Columbia Gorge.

Chair Hege asked if this might develop into a long-term arrangement. Mr. Smith responded that Hood River County really needs a full-time surveyor – they are growing. He added that the hope is Wasco County will continue to grow and we will need our surveyor full-time.

{{{Commissioner Runyon moved to approve the Intergovernmental Agreement between Wasco County and Hood River County for surveyor services. Commissioner Kramer seconded the motion which passed unanimously.}}}

Agenda Item – Fund Exchange Agreement
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Mr. Smith reported that the anticipated amount for this agreement is \$250,000 which is to be used for road restoration work. He said he is proposing to restore about 10 miles of road that meet the requirements of the program. He stated that it is a good program and Wasco County needs every penny. He explained that because of the work being done in cooperation with the City of The Dalles, the work will be done next spring within this fiscal year.

Chair Hege asked if this is for chip sealing. Mr. Smith replied that it is.

{{{Commissioner Kramer moved to approve the 2015 Fund Exchange Agreement 30883 for Surface Pavement Restoration in Wasco County.}}

Commissioner Runyon seconded the motion which passed unanimously.}}

Chair Hege asked about the work being done on Hostetler Street. Mr. Smith replied that the County is not involved in that work, but did do the work on Washington Street. Chair Hege asked what the effect of the fog scaler is outside of aesthetics. Mr. Smith replied that in an urban area with storm drainage, it helps to seal the micro-cracks and can be useful. He said that it also shows the paint striping more vividly and so has a safety impact.

Mr. Stone said that staff has been doing a lot of due diligence around space planning. He went on to say that they have been trying to find a way to maximize the Public Works building to make the most efficient use of space and manpower. He asked Mr. Smith for a brief update of the progress.

Mr. Smith said that he and Planning Director Angie Brewer have been renegotiating with the architect as directed by the Board. He reported the architect had submitted a second proposal with a scaled back scope but after meeting with Mr. Stone it was determined that the new proposal would not provide what is needed and they asked the architect to revise the scope for a more conceptual design. He reported that after looking at the next proposal they asked the architect to revise again; they just received the latest proposal and have not yet had an opportunity to review it. He added that they have involved Facilities to help understand what is already in the building. He went on to say that the IT department has been looking at equipment leases and how they can reduce the equipment in the building; staff is trying to streamline and prepare for the coming changes. He said he hopes to be at the next Board session with a recommendation.

Mr. Stone said that although the moves are separate they are intertwined; it is great to see the directors come together for the good of the County. Ms. Amery said that staff is grateful for the support of the administration and it has been great to work with County Clerk Lisa Gambee and her staff who have seen this as an opportunity. Ms. Gambee noted that the challenge for her office is election security. She stated that they will use the Quest room year round for election equipment and the Celilo during elections. She announced that there will be an election in November for Shaniko; they have only 21 voters which will be a good test for the new arrangement. Ms. Amery stated that they will make the move during the holidays as it is a slow time

for both offices.

Commissioner Runyon said that he recently attended the Lower John Day ACT meeting with Mr. Smith. He said that when he first began attending those meetings there were only 12 in attendance and now there are over 30. Mr. Smith added that ACT has helped open eyes to available funding.

Ms. Gambee said that on a windy day a plume of dust was coming off of the Wamic Grade work site. Mr. Smith said that the cuts will be hydroseeded; some will be mulched. He observed that if there is a flash storm it will be a problem. He reported that there is a lot of new culvert going in to help with that; they will be adding gravel by the end of the week.

Chair Hege asked what they estimate to be the date of completion. Mr. Smith replied that October 6th is the final date; it should be paved by the end of September. Chair Hege asked if local residents are aware of the timeline. Ms. Gambee stated that she does not think people know. Mr. Smith noted that the school district is aware. Ms. Gambee said there is an email distribution list that can be used to get information out. Mr. Smith stated that he has a newsletter he can send for her to distribute.

Agenda Item – Settlement Agreement

Mr. Stone explained that the Evans submitted an application in February; it was deemed complete in March which began the clock for completion. He said that with the current volume of work and staffing shortages a backlog of applications has developed; although they were very close to finishing, they were not able to complete the process in the prescribed timeline. As a result, the applicants filed a writ to move it from the Planning Department to the court. He went on to say that the County has negotiated to waive their fees to give staff the extra few weeks needed to complete the process. He noted that we would have had to pay those anyway had it gone to court and this saves the extra costs associated with the court procedure.

Commissioner Runyon observed that the zoning amendment change done earlier today was a simple item that required 100 pages of documentation; short staffing is a problem. Mr. Stone agreed, adding that the volume of work coming into the department is also very challenging. Commissioner Runyon concurred, saying that in a normal year each planner has 6-8 cases at any time; they each currently have about

18.

{{{Commissioner Kramer moved to approve the Settlement Agreement between Evans and Wasco County. Commissioner Runyon seconded the motion which passed unanimously.}}}

Agenda Item – MCCFL

Mid-Columbia Center for Living Executive Director Barbara Scatter said that this IGA moves the process forward, outlining roles and responsibilities for the Community Development Block Grant for which the County is applying on behalf of MCCFL. Mr. Stone added that they have been working with MCCFL and County Counsel to get this in place as it is required for the process. He stated that we are asking for \$2 million through the CDBG process which has to go through a City or County; Wasco County has agreed to be the sponsor. He observed that this will be quite a bit of work; the County will have to administer the grant, receive and expend the funds – it is Wasco County's project, not MCCFL's. He explained that this document is an agreement as to how those tasks will be completed. He said that because of the volume of work, MCCFL will provide staffing for administration and will cover the legal fees – this outlines all of those pieces. Ms. Scatter added that MCCFL is getting a project manager on board for this process.

Chair Hege announced that we have received the letter inviting us to apply which is the first hurdle. Ms. Scatter observed that they do not issue an invitation unless there is a good chance for an award.

{{{Commissioner Runyon moved to approve the Intergovernmental Agreement between Mid-Columbia Center for Living and Wasco County regarding construction of a community mental health center using Community Development Block Grant funds. Commissioner Kramer seconded the motion which passed unanimously.}}}

Commissioner Runyon read the title of the ordinance into the record:

“In the matter of an ordinance ratifying an intergovernmental agreement creating the Mid-Columbia Center for Living (MCCFL) and revised intergovernmental agreement for the continued operation of MCCFL – Ordinance #15-002.”

Chair Hege asked if we know the actual process for the ordinance. Ms. White replied that statute requires that the ordinance be read, at least in title, at two public sessions a minimum of 13 days apart unless in case of an emergency. She added that it had been determined that this did not rise to the level of an emergency.

Ms. Scatter stated that Hood River is a home-ruled county and that Sherman County interpreted the statute differently.

{{{Commissioner Kramer moved to approve Ordinance #15-002 ordinance ratifying an intergovernmental agreement creating the Mid-Columbia Center for Living (MCCFL) and revised intergovernmental agreement for the continued operation of MCCFL. Commissioner Runyon seconded the motion which passed unanimously.}}}

{{{Commissioner Kramer moved to approve between Wasco, Hood River and Sherman counties (the Counties) pursuant to ORS 430.260(c), (d) and (e) and ORS 190.010(5) to ratify the continued existence of the intergovernmental entity known as Mid-Columbia Center for Living (MCCFL), governed by an independent board known as the Tri-County Mental Health Board (the Board) and to provide for the terms of MCCFL's governance, authority and responsibility. Commissioner Runyon seconded the motion which passed unanimously.}}}

Ms. White read a passage from ORS 203.045: Except as subsections (4) and (5) of this section provide to the contrary, every ordinance of a county governing body shall, before being put upon its final adoption, be read fully and distinctly in open meeting of that body on two days at least 13 days apart.

Ms. White went on to say that sections four and five outline the possibility of emergency passage in one session and the ability to read an ordinance by title only unless a commissioner requests a full reading.

Discussion Item – Wildfire Prevention Proclamation

Chair Hege stated that the Bureau of Land Management had called to say that the wildfire season is still nightmarish and asked for a County proclamation that would support their efforts to increase public awareness of the need for prevention

measures. He read the proclamation into the record (included in the packet).

{{{Commissioner Runyon move to approve the Wildfire Prevention Proclamation. Commissioner Kramer seconded the motion which passed unanimously.}}}

Discussion Item – Wasco County Forest Collaborative Group Steering Committee Appointments

Commissioner Kramer stated that these appointments are based on the WCFCG's charter requiring appointment by the Wasco County Board of Commissioners. He said that they have not yet filled the forest industry and environmental representative positions. He said the Group should be able to apply for grants in late September or early October.

Chair Hege asked what would happen if they are unable to fill the other two positions. Commissioner Kramer replied that the group would still be able to move forward but want those two positions on board to prevent future issues.

Commissioner Runyon observed that those being appointed are well-known in the community and bring a wealth of knowledge and experience.

Commissioner Kramer said that co-convenor, Ryan Bessette, had submitted his application yesterday; the application is not included in the packet but has been provided to the Board members hard-copy today (see attached).

{{{Commissioner Runyon moved to approve Order 15-072 appointing Clay Penhollow to the Wasco County Forest Collaborative Group Steering Committee. Commissioner Kramer seconded the motion which passed unanimously.}}}

{{{Commissioner Kramer moved to approve Order 15-073 appointing David Jacobs to the Wasco County Forest Collaborative Group Steering Committee. Commissioner Runyon seconded the motion which passed unanimously.}}}

{{{Commissioner Runyon moved to approve Order 15-074 appointing Jeremy Thompson to the Wasco County Forest Collaborative Group Steering

Committee. Commissioner Kramer seconded the motion which passed unanimously.}}

{{{Commissioner Kramer moved to approve Order 15-075 appointing John Nelson to the Wasco County Forest Collaborative Group Steering Committee. Commissioner Runyon seconded the motion which passed unanimously.}}

{{{Commissioner Runyon moved to approve Order 15-076 appointing Dan Van Vactor to the Wasco County Forest Collaborative Group Steering Committee. Commissioner Kramer seconded the motion which passed unanimously.}}

{{{Commissioner Kramer moved to approve Order 15-077 appointing Pat Davis to the Wasco County Forest Collaborative Group Steering Committee. Commissioner Runyon seconded the motion which passed unanimously.}}

{{{Commissioner Runyon moved to approve Order 15-078 appointing Rich Thurman to the Wasco County Forest Collaborative Group Steering Committee. Commissioner Kramer seconded the motion which passed unanimously.}}

{{{Commissioner Kramer moved to approve Order 15-079 appointing Harvey Long to the Wasco County Forest Collaborative Group Steering Committee. Commissioner Runyon seconded the motion which passed unanimously.}}

{{{Commissioner Runyon moved to approve Order 15-081 appointing Ryan Bessette to the Wasco County Forest Collaborative Group Steering Committee. Commissioner Kramer seconded the motion which passed unanimously.}}

Chair Hege asked about the level of confidence they have for filling the other two positions. Commissioner Kramer replied that he thinks forest products will be filled; Ron Schneider has been participating. He said that BARK was at the table early on and the Group has kept them informed along with the Nature Conservancy and Oregon Wild.

Ms. Gambee stated that she serves on Sustainable Northwest; there are so many

collaboratives, that they are having a hard time participating in all of them – there is not enough staff to go around.

Ms. White reminded the Board that at the last session they had reviewed the new rate chart for The Dalles Chamber of Commerce and selected the basic membership which provided the County with over \$500 in savings over the previous dues of \$775. She said that the Board had discussed membership in other Chambers located in Wasco County determining that memberships in all would be equitable. Ms. White reported that since the last session she had contacted the Maupin and Dufur Chambers of Commerce and obtained applications and rate information which is provided in the packet. She pointed out that membership in all three is still less than the previously paid dues for The Dalles Chamber.

*****The Board was in consensus to apply for membership in the Maupin and Dufur Chambers of Commerce.*****

Discussion Item – Public Hearings

Ms. White announced that two public hearings have been scheduled to hear from the community regarding the recent marijuana legislation. She said that the first hearing is set for 6:00 p.m. on Thursday, September 17th at the Dufur School Cafeteria immediately preceding the South Wasco Alliance; the second hearing is scheduled for 5:30 p.m. on Monday, September 21st at the Mosier Senior Center. She went on to say that a flyer will be distributed for posting in County offices as well as libraries and post offices throughout the County. In addition, a press release will be sent to the newspaper and radio station. To support public education, a small website has been created with a variety of documents and links to help explain the law and County options.

Commissioner Runyon pointed out that the Board is only concerned with the unincorporated areas, not the municipalities.

Ms. Gambec stated she wants to make the Board aware that the SWA has a guest speaker scheduled to appear at their September 17th meeting; it will be important that the public hearing concludes on time.

Discussion Item – 8.19.2015 & 8.27.2015 Minutes

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

Commission Call

Ms. White stated that the Board had received information on the upcoming AOC Radio Conference scheduled in Hood River. She reported that she had spoken to Eric Schmidt from the AOC and learned that this initial meeting is for staff that participate in the programs using this system. There is not a need for Commissioners to attend; policy makers will be brought in later in the process.

Mr. Stone related that he had attended an after-action meeting regarding the recent white powder incident. He said that they will be coming back with some changes to how the County approaches incidents; for instance, an incident command was not set up quickly enough this time – that will be fixed going forward.

Chair Hege said that Emergency Manager Kristy Beachamp had sent out a report on the 2012 bomb threat; there was a recommendation for a system that the County has but is not functional. He asked if it is something that the County plans on reactivating.

Mr. Stone said he thinks it did not make it into the final budget; it is a courthouse security issue and there are dollars available there. He said that, that committee will take up that topic for discussion. He said that there are advantages and disadvantages to the system.

Chair Hege said that he believes that if we decide not to activate it, we should remove it.

Commissioner Runyon reported that he had recently met with AOC Veterans Liaison Andy Smith and Wasco County Veterans Service Officer Russ Jones. He stated that Mr. Jones had developed a good list of items to bring forward for veterans; Mr. Smith was taking good notes of items to bring up at the September 14th AOC veterans meeting.

Chair Hege adjourned the session at 11:40 a.m.

Summary of Actions

Motions Passed

- To approve the Marketing Consultant grant contract between Wasco County and Linda Griswold.
- To approve the 2015-2017 Prevention Agreement with Mid-Columbia Center for Living.
- To approve the application to rezone two properties in Tygh Valley: 4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial and 4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential with recommended conditions: septic approval shall be obtained from the North Central Public Health District for all proposed uses in the old church building (4S 13E 3CC 3400) prior to the commencement of the use and the subject parcels are located in the EPD-2, Geologic Hazard Overlay Zone (landslide Area); future development may be required to obtain a geologic hazard report prepared by an engineering geologist or engineer that is certified to evaluate soils. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare.
- To approve the Amended 2015 Solid Waste Disposal License Agreement.
- To approve Order 15-080 in the matter of the cancellation of certain uncollectible personal property taxes.
- To approve the State of Oregon Department of Administrative Services Intergovernmental Agreement for Document Publishing, Processing and Delivery.
- To approve the Intergovernmental Agreement between Wasco County and Hood River County for surveyor services.
- To approve the 2015 Fund Exchange Agreement 30883 for Surface Pavement Restoration in Wasco County.

- To approve the Settlement Agreement between Evans and Wasco County.
- To approve the Intergovernmental Agreement between Mid-Columbia Center for Living and Wasco County regarding construction of a community mental health center using Community Development Block Grant funds.
- To approve Ordinance #15-002 ordinance ratifying an intergovernmental agreement creating the Mid-Columbia Center for Living (MCCFL) and revised intergovernmental agreement for the continued operation of MCCFL.
- To approve between Wasco, Hood River and Sherman counties (the Counties) pursuant to ORS 430.260(c), (d) and (e) and ORS 190.010(5) to ratify the continued existence of the intergovernmental entity known as Mid-Columbia Center for Living (MCCFL), governed by an independent board known as the Tri-County Mental Health Board (the Board) and to provide for the terms of MCCFL's governance, authority and responsibility
- To approve the Wildfire Prevention Proclamation
- To approve Order 15-072 appointing Clay Penhollow to the Wasco County Forest Collaborative Group Steering Committee
- To approve Order 15-073 appointing David Jacobs to the Wasco County Forest Collaborative Group Steering Committee.
- To approve Order 15-074 appointing Jeremy Thompson to the Wasco County Forest Collaborative Group Steering Committee.
- To approve Order 15-075 appointing John Nelson to the Wasco County Forest Collaborative Group Steering Committee.
- To approve Order 15-076 appointing Dan Van Vactor to the Wasco County Forest Collaborative Group Steering Committee.
- To approve Order 15-077 appointing Pat Davis to the Wasco County


Forest Collaborative Group Steering Committee.

- To approve Order 15-078 appointing Rich Thurman to the Wasco County Forest Collaborative Group Steering Committee.
- To approve Order 15-079 appointing Harvey Long to the Wasco County Forest Collaborative Group Steering Committee.
- To approve Order 15-081 appointing Ryan Bessette to the Wasco County Forest Collaborative Group Steering Committee.
- To approve the Consent Agenda: 8.19.2015 Regular Session Minutes & 8.27.2015 Public Hearing Minutes.

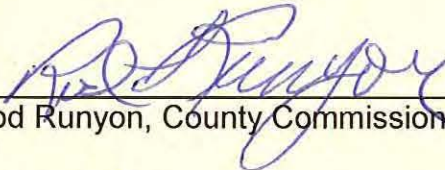
Consensus

- To apply for membership in the Maupin and Dufur Chambers of Commerce.

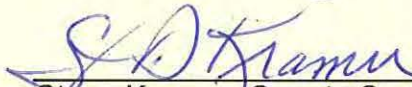
WASCO COUNTY BOARD
OF COMMISSIONERS



Scott Hege, Commission Chair



Rod Runyon, County Commissioner



Steve Kramer, County Commissioner

**WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
SEPTEMBER 2, 2015**

DISCUSSION LIST

ACTION AND DISCUSSION ITEMS:

1. [Youth Think Marketing Contract](#) – Debby Jones
2. [Youth Think MCCFL Prevention Agreement](#) – Debby Jones
3. [Wildfire Prevention Proclamation](#) – Scott Hege
4. [Wasco County Forest Collaborative Group Steering Committee Appointments](#) –
Steve Kramer
5. [Chamber Applications](#) – Kathy White

Discussion Item
Youth Think Marketing Contract

- [2015-2016 Marketing Contract w/Linda Griswold](#)

A. Grant Description Amended

This grant is entered into on behalf of Wasco County, designated in this document as "grantor" and the entity designated below as "grantee". Wasco County is represented in the negotiation of this grant through the Wasco County Commission on Children & Families. The person to contact regarding this grant is the YOUTHTHINK Prevention Coordinator, Debby Jones

Grantee: Linda Griswold
2617 E. 10th St.
The Dalles, Or. 97058

Grant Title: Marketing Consultant

Total Grant Amount: \$13,100.00

Grant Period: July 1, 2015 thru June 30, 2016

Grant Amount	Funding Stream Overview	OAR	ORS	Approved Program Description
	AD70 / Carry Over Funds			<p><u>Desired Outcome:</u> Assist YOUTHTHINK in its sustainability planning and strategy implementation as well as expansion of the YOUTHTHINK name and brand.</p> <p><u>Strategies to implement:</u></p> <ol style="list-style-type: none"> 1. Provide consultation services to YOUTHTHINK and county youth in implementing Do Something event and expanding the Do Something initiative as well as other media campaigns such as Parents Who Host Lose the Most, Social-Emotional Learning and marijuana education 2. Provide consultation services to youth and web designer in establishing YOUTHTHINK video shorts in conjunction with website as well as a corporate web blog. 3. Responsible for promotion of the following community events: <ol style="list-style-type: none"> a. Saturday Family Movie Program b. Do Something event c. Pff Parent Boot-Camps d. Parents Who Host Lose the Most e. Additional events as presented 4. Assist in Youth/Community Emotional Literacy initiative <ol style="list-style-type: none"> a. Provide consultation services to YOUTHTHINK Coordinator and designated community sponsors for the sustainability of YOUTHTHINK. <p>Total work load not to exceed an average of 30 hours a month</p>

B. GRANT REQUIREMENTS

- a. This grant is made subject to the condition that the amount of up to \$15,230 will be expended for the purposes of providing services as identified under the approved program description, designated funding stream, and/or in accordance with state statute and administrative code.
- b. The Grantor must be promptly notified about any of the following during the grant period:
 - 1. Change in program contact personnel of the organization
 - 2. Change in address or phone number
 - 3. Change in name of the organization
 - 4. Change in 501c3 non-profit status
 - 5. Any development that significantly affects the operation of the program or organization.
- c. The Grantee shall provide the Grantor with the program and financial reporting documents outlined in Section E of this agreement.
- d. The Grantee shall abide by all provisions of this grant agreement and shall keep adequate supporting records to document expenditure of funds and the activities supported by these funds.
- e. If the Grantee fails or becomes unable to perform the specific functions of program implementation, or if conditions arise that make the program untenable, or if Grantee materially breaches this grant agreement, all grant funds that may be deemed unearned, unjustified, or inappropriately expended must be returned to the Grantor.
- f. Grantee is solely responsible for the ethical, moral, and legal nature of its programs, including those segments purchased through this grant. All persons employed by the Grantee shall be employees of the Grantee. Except for claims arising solely from the negligence of the Grantor, its officers, employees or agents, the Grantee agrees to indemnify and hold the County harmless from and against all actions, suits, claims and demands for loss of damage, including property damage, personal injury, and wrongful death, arising out of or in connection with Grantees performance of this grant agreement.
- g. Perform services as an equal opportunity employer. Grantee shall not deny services or discriminate on the basis of race, color, creed, national origin or duration of residence, and there shall be no discrimination in selection, compensation, or other employment practices with respect to personnel coming under the auspices of the Grantee, and the Grantee will otherwise comply with the provision and requirements of Title IV of the Civil Rights Act of 1974, and all requirements issued by the Department of Justice.
- h. Grantee acknowledges and agrees to comply with applicable provisions of the Americans with Disability Act 42 USC 12101 et seq.
- i. Grantee acknowledges and agrees for the purposes of this Agreement that they shall comply with all provisions of ORS 419B.005 through ORS 419B.045.
- j. Grantee acknowledges and agrees to comply with the provision of the Oregon Equal Access Law, ORS 417.270.
- k. Grantee acknowledges and agrees to be culturally competent. Culturally competency means the development of behaviors, attitudes and policies that enable providers to deliver services in ways that meet the needs of a variety of diverse cultures.
- l. Grantee acknowledges that any and all products provided by the grantor for use or implementation of this grant are the sole property of the grantor and must be returned upon completion of the grant.

C. Grant Payment

1. Upon receipt of the signed grant agreement, the Grantor will be paid \$982 a month for 15 months. Grant payments are contingent upon the Grantee satisfactorily conducting the previous program substantially as reflected in timely reports required herein.
2. Grant payments are subject to the availability of funds. In the event that sufficient funds shall not be appropriated for the payment of consideration required under this grant agreement, and if Grantor has no funds legally available for such consideration from other sources, then Grantor may terminate the grant agreement with written thirty (30) day notice.
3. A total of \$500 of this grant has been identified for administrative costs. Administrative expenses are not to exceed \$500. Grantee must bill for administrative costs with normal monthly billing.

D. Unexpended Funds

If the funds have not been completely expended at the end of the grant period, June 30, 2015 then Grantee agrees to immediately notify the Grantor. All funds determined to be under-expended, unexpended, or unencumbered for authorized expenditures shall be returned to the Grantor or deducted by the Grantor from payment; and as needed refunded to the State or original funding source.

E. Reports and Evaluations

1. Prepare and furnish such plans, data, descriptive information and reports as may be requested by the County as needed to comply with Grant requirements. The Grantee agrees to, and does hereby grant the Grantor the right to reproduce, use, and disclose all or any part of the reports, data, and technical information furnished under this agreement.
2. At any time, the Grantor may request a representative of the program to appear at a regularly scheduled YOUTHTHINK and or Commission meeting to provide updates.
3. A final report will be requested by staff of the Grantor to be presented at a regular meeting. This report would include program challenges and successes, a detailed summary of progress on the approved programs, as well as any plans regarding future program goals and targets.

E. IRS Status

It is the understanding of the Grantor that the Grantee organization has obtained a determination from the Internal Revenue Service that it qualifies as a section 501(c)(3) organization or are an independent contractor as defined by the IRS.


If there is any change in the Grantee's status or classification, the Grantee must promptly notify the office of the Grantor.

Project Budget 2014 - 2015

REVENUE SOURCES		TOTAL
2015-2016 AD70 Funds		\$ 6,300.00
2015 -2016 Carry Over Funds		\$ 6,330.00
TOTAL REVENUE		\$12,600.00
EXPENCES		
Monthly Contract Fee		\$1,050.00
Payment will be split into 12 equal payments of \$1,050. Grantee shall invoice YOUTHTHINK by the 10 th of each month.		
Administrative Cost (to be billed by contractor)		\$ 500.00
TOTAL Expenses		\$ 13,100.00

F. Signatures

Grantee:



Linda Griswold

8-11-2015

Date

Grantor:

Scott Hege, Commission Chair

September 2, 2015

Date

Steve Kramer, Wasco County Commissioner

September 2, 2015

Date

Rod Runyon, Wasco County Commissioner

September 2, 2015

Date

Molly Rogers, Director
Wasco County Youth Services

Date

APPROVED AS TO FORM:

Kristen Campbell, Wasco County Counsel

Date

Discussion Item

Youth Think MCCFL Prevention Agreement

- [2015-2017 Prevention Agreement with Mid-Columbia Center for Living](#)

A G R E E M E N T

This Agreement, made and entered into by and between Wasco County, hereinafter referred to as “Subcontractor” and Mid-Columbia Center for Living, hereinafter referred to as “Contractor.”

WHEREAS, Contractor is authorized to obtain, by contract, the services necessary to conduct its operation, pursuant to ORS 430.670; and

WHEREAS, Contractor has available, or can cause to be provided, the facilities and staff required for the performance of said services; and

IT IS HEREBY AGREED by and between the parties above mentioned, for and in consideration of the mutual promises hereinafter stated as follows:

1. EFFECTIVE DATE: This Agreement is effective when signed and services hereunder shall commence on July 1, 2015 and shall terminate on June 30, 2017. It is understood by both parties that no commitments have been or are made by either party beyond the termination of the Agreement.

2. CONTRACTORS’ SERVICES. Subcontractor shall perform the necessary services to conduct the program(s) as described in the Prevention Administration Rules and Sherman County’s Prevention Plan.

(See Attachment #1 and Attachment #2-AD70 Service Description)

3. REGULATIONS AND DUTIES: Subcontractor and Contractor agree to comply with the rules and regulations of Contractor, applicable provisions in the Contract between Contractor and the State of Oregon Addictions and Mental Health Division, hereinafter referred to as “Division,” applicable Federal Regulations and all provisions of Federal and State law relating to Contractor's performance of services under this

Agreement. Subcontractor shall perform any act or duty of Contractor, imposed upon Contractor by the Division, which by the nature of this Agreement; Contractor determines to be within the scope of this Agreement.

4. REPORTING: Reports and data as required by Contractor, the Division, shall be completed by the Subcontractor in accordance with the Division requirements and submitted to the Division annually through Contractor. Subcontractor agrees to, and does hereby grant, Contractor and the Division the right to reproduce, use, and disclose all or any part of the reports, data, and technical information furnished to Contractor under the Agreement. At yearend, Subcontractor will provide reports of expenditures and balances of available funds.

5. CONFIDENTIALITY: Subcontractor agrees to not use or disclose any information concerning a Contractor client for a purpose not directly connected with the administration of its responsibilities under this contract, except on written consent of the Contractor=s client, his or her legally responsible parent or guardian, or if appropriate, his or her attorney. ***Use and Disclosure of Protected Health Information.*** Subcontractor may use and disclose Protected Health Information only as required to satisfy its obligations under the Agreement, as permitted herein, but shall not otherwise use or disclose any Protected Health Information. Protected Health Information includes information contained in patients' medical records and billing records. Subcontractor shall ensure that it will not use or disclose Protected Health Information received from Contractor in any manner that would constitute a violation of the Health Insurance Privacy and Accountability Act Standards. Subcontractor acknowledges that, as between Subcontractor and Contractor, all Protected Health Information shall be and remains the sole property of Contractor. Subcontractor further represents that, to the extent Subcontractor requests, Contractor will disclose Protected Health Information to Subcontractor, such a request is only for the minimum necessary Protected Health Information for the accomplishment of Subcontractor=s contracted purpose. ***Safeguards Against Misuse of Information.*** Subcontractor shall use all appropriate safeguards to prevent the use or disclosure of Protected Health Information. ***Reporting of Disclosures of Protected Health Information.*** Subcontractor shall, as soon as practicable, but in no event later than within two (02) days of becoming aware of any use or disclosure of Protected Health Information in violation of the Agreement by Subcontractor, report any such disclosure to Contractor. In such event, Subcontractor shall, in consultation with Contractor, mitigate, to the extent practicable, any harmful effect that is known to Subcontractor of such im-

proper use or disclosure. **Accounting of Disclosures.** Within ten (10) days of notice by the Contractor to the Subcontractor that it has received a request for an accounting of disclosures of Protected Health Information (other than disclosures to which an exception to the accounting requirement applies, including, but not limited to, the exceptions for a disclosure that is related to the treatment of the patient, the processing of payments related to such treatment, or the health care operations of a covered entity or its business associate) the Subcontractor shall make available to Contractor such information as is in the Subcontractor's possession and is required for Contractor to make the accounting required by 45 C.F.R. ' 164.528. At a minimum, the Subcontractor shall provide the Contractor with the following information: **(i)** the date of the disclosure, **(ii)** the name of the entity or person who received the Protected Health Information, and if known, the address of such entity or person, **(iii)** a brief description of the Protected Health Information disclosed, and **(iv)** a brief statement of the purpose of such disclosure which includes an explanation of the basis for such disclosure. In the event the request for an accounting is delivered directly to the Subcontractor, the Subcontractor shall within two (02) days forward such request to the Contractor. Subcontractor shall implement an appropriate recordkeeping process to enable it to comply with the requirements of this Section.

6. ACCESS TO RECORDS: During the term of this Agreement and for the period of five (05) years after the termination of this Agreement, Subcontractor shall make available to the Center for Medicaid and Medicare Services (CMS), the Comptroller General of the United States and their duly authorized representatives, all documents and records necessary to certify the nature and extent of the costs of those services and records and disclosure of Protected Health Information received from, or created and received by Contractor on behalf of Contractor. **Notice of Request for Data.** Subcontractor agrees to notify Contractor within five (05) business days of the Subcontractor's receipt of any request or subpoena for Protected Health Information. To the extent that the Contractor decides to assume responsibility for challenging the validity of such request, the Subcontractor shall cooperate fully with the Contractor in such challenge.

7. SUBCONTRACTOR MONITORING: Subcontractor agrees that services provided under this Agreement by Subcontractor; facilities used in conjunction with such services; consumer records; policies, procedures, performance data, financial records, and other similar documents and records of Subcontractor; that pertain or may pertain, to services under this Agreement shall be open for inspection by Contractor or its

agents, at any reasonable time during business hours. Subcontractor agrees to retain such records and documents for a period of seven (07) years, or such longer period as may be prescribed for such records and documents by the State of Oregon Archivist.

8. PAYMENT OF AGREEMENT: Subject to availability of funds, Contractor shall provide monthly payments to Subcontractor upon receipt of payment from the Division, for rendering the services listed in this Agreement. The amount of these monthly payments will be based primarily on the amount received by Contractor from the Division. However, Contractor may increase or decrease the amount of the monthly payment. The maximum total amount of funds to be paid to Contractor for the period of the Agreement is as follows:

SERVICE ELEMENT	NO.	AGREEMENT AMOUNT	OBLIGATED SERVICE UNITS
PREVENTION	SERVICE ELEMENT 70	\$122,500.00	BIENNIUM

9. RECOVERY OF FUNDS: Expenditures of Subcontractor may be charged to this Agreement only if they:

[a]-Are in payment for services performed under this Agreement;

[b]-Conform to applicable State and Federal regulations and statutes,

[c]-Are in payment of an obligation incurred during the Agreement period; and

[d]-Are not in excess of 100% of program costs.

Subcontractor funds spent for purposes not authorized by this Agreement shall be deducted from payments or refunded to Contractor. Payments by Contractor in excess of authorized actual expenditures shall be deducted from payment or refunded to Contractor. In the event that the Division determines that Contractor is responsible for the repayment of any funds owed to the Division by Subcontractor, Subcontract agrees to make such payment within ten (10) days of said determination by the Division.

10. BUDGET TRANSFERS: Subcontractor may not transfer funds from one Service Element to another or within program areas without prior written approval of Contractor.

11. RETENTION OF REVENUE AND EARNED INTEREST: Beginning fees and third-party reimbursements, including all amounts paid pursuant to Title XIX of the Social Security Act by the Department of Health and Human Services, for services rendered by Subcontractor, and interest earned on such funds in the possession of Subcontractor shall be retained by Subcontractor, provided that it is expended for a mental health service which meets the standards of the Division.

12. WITHHOLDING OF AGREEMENT PAYMENTS: Notwithstanding any other payment provision of this Agreement, should Subcontractor fail to submit required reports when due, or fail to perform or document the performance of contracted services, Contractor shall immediately withhold payments under this Agreement.

13. TERMINATION: All or part of this Agreement may be terminated by mutual consent of both parties; or by either party at any time for convenience upon sixty (60) days notice in writing. If Contractor initiates the termination, payment of the usual and customary expenses of termination shall be made to the Subcontractor. If the initial provider investment is substantial, the Agreement may not be terminated by Contractor for convenience. If the Subcontractor initiates the termination and Contractor has an alternative way to provide the service, the Agreement may be terminated for convenience. Contractor may also terminate all or part of this Agreement as specified below:

[a]-With ten (10) days notice, if funding to Contractor from Federal, State, or other sources is not obtained or is not continued at levels sufficient to allow for purchase of the indicated quantity of services. Contractor will give more notice whenever possible.

[b]-With thirty (30) days notice, if Federal or State regulations are modified or changed in such a way that services are no longer allowable for purchase under this Agreement.

[c]-Upon notice of denial, revocation, or non-renewal of any letter of approval, license, or certificate required by law or regulation to be held by the Subcontractor to provide a Service Element under this Agreement.

[d]-With thirty (30) days notice, if Subcontractor fails to provide services, or fails to meet any performance standard as specified by Contractor in this Agreement (or subsequent modifications of this Agree-

ment) within the time specified herein, or any extensions thereof.

[e]-Upon notice if the Subcontractor fails to start up service on the date specified by the Division in this Agreement (or subsequent modifications of this Agreement).

[f]-Upon notice, if Contractor has evidence that the Subcontractor has endangered or is endangering the health and safety of consumers, residents, staff or the public.

[g]-Failure of the Subcontractor to comply with the provisions of this Agreement and all applicable Federal, State and local laws and rules may be cause for termination of this Agreement. The circumstances under which this Agreement may be terminated by either party may involve major or minor violations. Major violations include, but are not limited to:

#1)-Acts or omissions that jeopardize the health, safety, or security of consumers.

#2)-Misuse of funds.

#3)-Intentional falsification of records.

In the case of failure to perform jeopardizes the safety and security of the consumer, the Subcontractor and Contractor shall jointly conduct an investigation to determine whether an emergency exists and what corrective action will be necessary. Such an investigation shall be completed within five (05) working days.

In those circumstances where a major violation is substantiated, the Contract may be suspended by Contractor immediately. In all cases involving a major violation, a written notice of intent to terminate this Agreement shall be sent to the Division and Subcontractor shall be given a reasonable opportunity to refute the findings. If the problem is substantiated and is not corrected within a reasonable time, Subcontractor may be terminated or other remedial actions may be initiated.

Minor violations usually involve less substantial compliance with the general or special conditions of the Agreement. In the event of alleged minor violations, a reasonable notice period shall be given and a corrective action plan developed. This plan shall include stated activities that respond to specific violations

and means by which a permanent change will occur relating to the procedures or practices that caused the violation. If these activities do not occur within the notice period, the Agreement may be terminated. Continued substantial minor violations that threaten adequacy of services may be treated like a major violation.

Such termination shall be without prejudice to any obligation or liabilities either party accrued prior to such termination. **Termination Upon Breach of Provisions Applicable to Protected Health Information:** Any other provision of the Agreement notwithstanding, the Agreement may be terminated by Contractor upon five (05) days written notice to Subcontractor in the event that Subcontractor breaches any provision contained in this Contract and such breach is not cured within such five (05) day period; provided, however, that in the event that termination of the Contract is not feasible, in Contractor's sole discretion, Subcontractor acknowledges and agrees that Contractor has the duty to report the breach to the Secretary, notwithstanding any other provision of this Agreement to the contrary. **Return or Destruction of Protected Health Information upon Termination:** Upon termination of the Contract, Subcontractor shall return all Protected Health Information received from Contractor or created or received by Subcontractor on behalf of Contractor and which Subcontractor still maintains in any form. Subcontractor shall not retain any copies of such Protected Health Information. **Contractor Right of Cure:** At the expense of Subcontractor, Contractor shall have the right to cure any breach of Subcontractor's obligations under this Agreement. Contractor shall give Subcontractor notice of its election to cure any such breach and Subcontractor shall cooperate fully in the efforts by the Contractor to cure Subcontractor's breach. All requests for payment for such services of Contractor shall be paid within thirty (30) days.

14. ENCUMBRANCE OR EXPENDITURE AFTER NOTICE OF TERMINATION: Subcontractor shall not make expenditures, enter into agreements, or encumber funds in their possession, or to be transferred by Contractor, after notice of termination or termination as set out above, without prior written approval from Contractor.

15. INDEPENDENT CONTRACTOR: Subcontractor is engaged hereby as an independent contractor, and will be so deemed for purposes of the following:

[a]-Subcontractor will be solely responsible for payment of any Federal or State taxes required as a result

of this Agreement.

[b]-This Agreement is not intended to entitle Subcontractor to any benefits generally granted to Contractor employees. Without limitation, but by way of illustration, the benefits which are not intended to be extended by this Agreement to Subcontractor are vacation, holiday and sick leave, other leaves with pay, tenure, medical and dental coverage, life and disability insurance, overtime, Social Security, Workers' Compensation, unemployment compensation, or retirement benefits (*except insofar as benefits are otherwise required by law if the Contractor is presently a member of the Public Employees Retirement System*).

[c]-The Subcontractor is an independent contractor for purposes of the Oregon Workers' Compensation law (ORS Chapter 656) and is solely liable for any Workers' Compensation coverage under this Agreement. If the Subcontractor has the assistance of other persons in the performance of this Agreement, the Subcontractor shall qualify and remain qualified for the term of this Agreement as a direct responsibility employer under ORS 656.407 or as a contributing employer under ORS 656.411. If the Subcontractor performs this Agreement without the assistance of any other person, Subcontractor shall execute a Joint Declaration with Contractor's Workers' Compensation carrier absolving Contractor of any and all liability from Workers' Compensation provided in ORS 656.029(2). The Subcontractor, its subcontractors, if any and all employers working under this Agreement/Contract are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers.

16. DELEGATION AND REPORTS: Subcontractor may delegate the responsibility for providing services hereunder to another individual or agency only with the written agreement of Contractor, and shall provide Contractor with periodic reports at the frequency and with the information prescribed to be reported by Contractor.

17. CONSTRAINTS: Pursuant to the requirements of ORS 279.310 through 279.320 and Article XI, Section 10, of the Oregon Constitution, the following terms and conditions are made a part of the Agreement:

[a]-Subcontractor shall:

- 1)-Make payments promptly, as due, to all persons supplying to Subcontractor labor or materials

for the prosecution of the work provided for in this Agreement.

2)-Pay all contributions or amounts due the Industrial Accident Fund from such contractor or subcontractor incurred in the performance of this Agreement.

3)-Not permit any lien or claim to be filed or prosecuted against Subcontractor on account of any labor or material furnished.

4)-Pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.

[b]-If Subcontractor fails, neglects or refuses to make prompt payment of any claim for labor or services furnished to Subcontractor or a subcontractor by any person in connection with this Agreement as such claim becomes due, the proper offices representing Contractor may pay such claim to the person furnishing the labor or services and charge the amount of the payment against funds due or to become due Subcontractor by reason of this Agreement.

[c]-Personnel policies shall be in compliance with Federal and State Wage and Hours regulations and State requirements for legal holidays.

[d]-Subcontractor shall promptly, as due, make payment to any person or partnership, association or corporation furnishing medical surgical and hospital care or other needed care and attention incident to sickness and injury to the employees of Subcontractor, or all sums which Subcontractor agrees to pay for such services and all monies and sums which Subcontractor collected or deducted from the wages of Subcontractor's employees pursuant to any law, contract or agreement for the purpose of providing or paying for such services.

[e]-This Agreement is expressly subject to the debt limitation of Oregon Counties set forth in Article XI, Section 10, of the Oregon Constitution, and is contingent upon funds being appropriated therefore. Any provisions herein which would conflict with law are deemed inoperative to that extent.

18. HOLD HARMLESS: Subcontractor agrees it is an independent contractor and not an agent of the State of Oregon, Division, or Contractor. Subcontractor shall indemnify, defend, and save harmless the State of

Oregon, Division, Contractor, its officers, employees, and agents, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person, persons or property on account of the operations of Contractor, its own subcontractors or the employees of either; or on account of or in consequence of carrying out the terms of the subcontract; or because of any act or omission, neglect or misconduct of Contractor, including but not limited to injury to life of person or damage to property, arising from the operation, maintenance, use or supervision of the motor vehicles acquired by Subcontractor with Division funds.

19. INSURANCE AND BONDING: Subcontractor shall obtain and at all times keep in effect, comprehensive, liability insurance and property damage insurance covering activities and operations of Subcontractor. Subcontractor shall name the State of Oregon, Division, Contractor, its officers, employees, and agents as Additional Insured's on any insurance policies required herein only with respect to subcontractor's activities being performed under the subcontract. Such insurance shall be evidenced by a Certificate of Insurance, issued by an insurance company licensed to do business in the State of Oregon, containing a 30-day Notice of Cancellation endorsement and shall be forwarded to Contractor prior to commencement of the services. In addition, in the event of unilateral cancellation or restriction by Subcontractors insurance company of any insurance coverage required herein, Contractor shall immediately notify Contractor orally and in writing within three (03) days of notification by the insurance company to Subcontractor. Subcontractor may satisfy this requirement for general liability insurance in any manner allowed by ORS 30.282. Such liability insurance whatever the form, shall not be less than the limits of public body tort liability insurance specified in ORS 30.270. In the event of unilateral cancellation or restriction by the insurance company of any insurance policy referred to in this paragraph, Subcontractor shall immediately notify Contractor verbally and in writing.

Subcontractor (*except City, Subcontractor and State government and public school districts*) shall obtain and maintain at all times during the terms of this Agreement a fidelity bond covering the activities of any person responsible for collection and expenditures of funds in accordance with OAR 309-13-020 (7) EXPENSE, subsection (b) Audit Guidelines.

Subcontractor shall obtain and maintain at all times during the term of this Agreement, workers compensation insurance covering injuries to employees while carrying out employee duties under this Agree-

ment.

20. SETTLEMENT OF DISPUTES: Differences between Subcontractor and Contractor or between contractors will be resolved when possible at appropriate management levels, followed by consultation between boards, if necessary. Contractor=s Executive Director will have ultimate responsibility for resolution of disagreements among subcontract agencies.

21. FINANCIAL AUDIT: Subcontractor shall provide Contractor with a copy of Financial Review or Financial Audit conducted by a Certified Public Accountant by December 31st following the fiscal year.

22. ASSIGNMENT: This Agreement shall not be assigned by Contractor without the prior written consent of Contractor.

23. RENEWAL: This Agreement shall not be assigned by Subcontractor without the prior written consent of Contractor. This Agreement may be renewed, subject to the following conditions: (1)-renewal will be based on Subcontractor=s Annual Implementation Plan approved by the Division; and (2)-renewal is subject to the availability of funding.

24. NON-DISCRIMINATION: Contractor agrees that Subcontractor shall not discriminate against any applicant for service or employment and/or any consumer, patient, resident, consumer or employee because of race, color, religion, sex, age, national origin, political affiliation, handicap, or disability.

25. ATTORNEY FEES: In the event an action, suit or proceeding, including appeal there from, is brought for failure to observe any of the terms of this Agreement, each party shall be responsible for their own attorney fees, expenses, costs and disbursements for said action, suit proceeding or appeal.

26. VEHICLES:

[a]-Subcontractor shall be exclusively responsible for maintaining the vehicles acquired with Division funds under this Agreement for use in a good, safe, and operable condition, including maintenance of brakes, tires, steering, signal lights, and all other safety related systems and parts to ensure the safety of the vehicle. Further, Subcontractor shall be, with respect to Contractor, exclusively responsible for supervising the operation of the vehicles and ensuring that the vehicles are entrusted solely to responsible,

reliable operators.

[b]-Subcontractor shall insure all vehicles acquired with Division funds under Agreement, throughout the term of this Agreement, to the full extent required by Oregon Financial Responsibility Law. In addition, the State of Origin, Division, Contractor, its officers, employees, and agents, shall be named as Additional Insured's on any automobile liability insurance policy covering vehicles acquired under this Agreement.

[c]-To the full extent authorized by Article XI, Section 10 of the Oregon Constitution and the Oregon Tort Claims Act, Contractor shall indemnify, defend and hold harmless, within the limits of the Tort Claims Act, the State of Oregon, Division, Subcontractor, its officers, employees, and agents, against any claim or liability for injury to life or person, or damage to property arising from Contractor operation, maintenance, use or supervision of the vehicles acquired with Division funds under this Agreement.

27. SPECIAL FEDERAL REQUIREMENTS: Subcontractor shall comply with the following special federal requirements:

[a]-Unless exempted under the rules, regulations, and relevant orders of the Secretary of Labor, 41 CFR, Ch. 60, Contractor agrees to comply with all provisions of Executive Order No. 11246 as amended by Executive Order No. 11375 of the President of the United States dated September 24, 1965, Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 as implemented by 45 CFR 84.4, which states, "No qualified person shall, on the basis of handicap, be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance." Contractor will also comply with all applicable rules, regulations and orders of the Secretary of Labor concerning equal opportunity in employment and the provisions of ORS Chapter 659.

[b]-Subcontractor shall abide by all mandatory standards and policies which relate to energy conservation plan which was issued in compliance with the Energy Policy and Conservation Act (PL94-165). All subcontractor subcontracts shall require compliance with the foregoing provisions.

[c]-Subcontractor shall comply with federal rules and statutes pertaining to the Alcohol, Drug and Mental Health (ADMH) and Social Services (formerly Title XX) Block Grant(s), including the Public Health Services

Act especially sections 1914 (b) (1-5), 1915 (c) (12), 1916 (b)(2) and Public Law 97-35.

[d]-Subcontractor under this Agreement is a sub-recipient and must have an independent audit performed in accordance with OMB Circular A-128.

As mentioned above, the criteria relating to the amount of federal financial assistance provided to each contractor and which determines if an audit must be performed, applies also to non-profit and state or local subcontractor, i.e., the \$25,000 and \$100,000 designations. OMB Circular A-128 and A-133 require the independent audit reports to be monitored. Subcontractor will monitor the independent audits of its qualified subcontractors or reach agreement with Division to ensure the audit process is monitored. A non-profit organization may opt to conduct a two (02) year audit.

[e]-Subcontractor certifies, to the best of its knowledge and belief, that:

1)-No Federal appropriated funds have been paid or will be paid, by or on behalf of Subcontractor to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2)-If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, or a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, Contractor shall complete and submit Standard Form-MEND, "Disclosure Form to Report Lobbying", in accordance with its instructions.

3)-Subcontractor shall require that the language of this certification will be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under

grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CONTRACTOR:

Mid-Columbia Center for Living

By _____
BARBARA J. SEATTER, M.S.
MID-COLUMBIA CENTER FOR LIVING

Dated this _____ day of _____, 2015.

PHONE: 1 (541) 296-5452

FAX: 1 (541) 296-4792

EMAIL: Barbara.Seatter@mccfl.org

SUBCONTRACTOR:

Wasco County

By _____
Scott C. Hege, Chair Wasco County Board of Commissioners

Dated this 2nd day of August, 2015.

PHONE: 541.506.2520

FAX: 541.506.2551

EMAIL: scotth@co.wasco.or.us

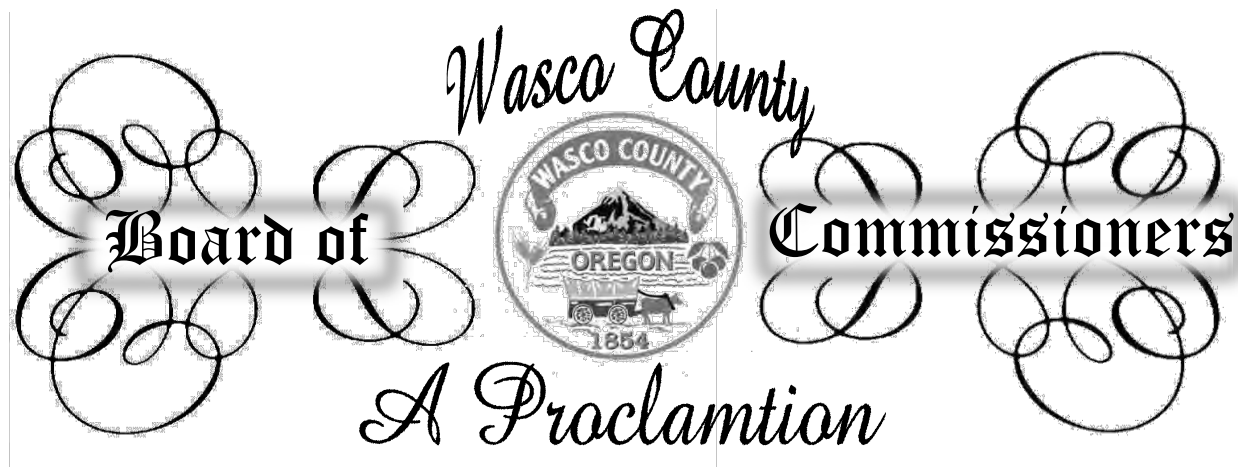
APPROVED AS TO FORM:

Kristen Campbell
Wasco County Counsel

See Attachments #1 and #2

Discussion Item
Wildfire Prevention Proclamation

- [Proclamation](#)



WHEREAS, Wasco County includes unique ecosystems and landscapes that must be preserved as our gift to future generations; and

WHEREAS, in Oregon one-third to one-half of all wildfires are ignited by human actions; and

WHEREAS, campfires are the number one cause of human fires on public land; and

WHEREAS mowing, disking, driving through or parking on dried vegetation can easily ignite a wildfire; and

WHEREAS, wildfires place a heavy demand on firefighting resources and puts our wildlands and communities at risk, threatening life and livelihood; and

WHEREAS, conditions remain extreme throughout the State of Oregon and fire suppression resources are extremely limited due to numerous wildfires in Oregon and Washington.

THEREFORE, the Wasco County Board of Commissioners does proclaim support for fire prevention and awareness and encourages all county officials, employees, businesses and residents to practice fire safety such as clearing fuels, parking in areas clear of vegetation, carrying water or fire extinguishers in their vehicles, refraining from campfires, mowing or disking on cool, windless mornings and smoking in enclosed vehicles or buildings or while in an area that for at least three feet in diameter is clear of all flammable materials.

APPROVED AND DATED THIS 2ND DAY OF SEPTEMBER 2015

WASCO COUNTY BOARD OF COMMISSIONERS

Scott C. Hege
Commission Chair

Rod L. Runyon
County Commissioner

Steven D. Kramer
County Commissioner

Discussion Item
Wasco County Forest Collaborative Group
Steering Committee Appointments

- [Memo](#)
- [Clay Penhollow Application](#)
- [Order 15-072 Appointing Clay Penhollow](#)
- [David Jacobs Application](#)
- [Order 15-073 Appointing David Jacobs](#)
- [Jeremy Thompson Application](#)
- [Order 15-074 Appointing Jeremy Thompson](#)
- [John Nelson Application](#)
- [Order 15-075 Appointing John Nelson](#)
- [Dan Van Vactor Application](#)
- [Order 15-076 Appointing Dan Van Vactor](#)
- [Pat Davis Application](#)
- [Order 15-077 Appointing Pat Davis](#)
- [Rich Thurman Application](#)
- [Order 15-078 Appointing Rich Thurman](#)
- [Harvey Long Application](#)
- [Order 15-079 Appointing Harvey Long](#)

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KATHY WHITE

SUBJECT: WASCO COUNTY FOREST COLLABORATIVE GROUP STEERING COMMITTEE
APPOINTMENTS

DATE: 8/28/2015

BACKGROUND INFORMATION

At the 7.8.2015 Special Session, the Board of County Commissioners was in consensus to act as the appointing authority for the Wasco County Forest Collaborative Group's steering committee. Since that time, applications have been submitted to Wasco County and reviewed by the Group. The Group's Charter includes a listing of stakeholder representation to compose the steering committee:

Forest Products Industry	State Agency
Environmental	Recreation & Tourism
Community Wildfire Protection	Private Landowner
Watershed & Water Resources	Tribal
Local Government	At Large

You will notice that some of the applications list 1-2 for most of the positions while a couple list only 1 for each. The group initially had 1-2 and later determined that 1 for each position except at-large would be sufficient. The at-large position can be none up to 2. Some applications were submitted prior to that change.

You will also notice that most of the orders have a blank where the position designation should appear. Since most of the applicants can fit into more than one category, the Group's Co-conveners along with the Facilitator will meet prior to the 9.2.2015 Board Session to make those determinations. Final orders for your signature will include the position designation for each member.

INFORMATION AND QUALIFICATION FORM

Wasco County Forest Collaborative Group Steering Committee VOLUNTEER POSITIONS

BACKGROUND

The Wasco County Forest Collaborative Group represents a broad constituency of stakeholders interested in healthy forest ecosystems, economic vitality and quality of life in the wildland urban interface with Wasco County. We provide the US Forest Service (USFS) with proposals for management of National Forest (NF) lands, and we support the utilization of forest resources and related opportunities to strengthen local communities.

The interest groups represented on the Steering Committee and the numbers of seats that will be available to each group are listed below. Please indicate to which group(s) you belong:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Forest Products Industry | 1 | <input type="checkbox"/> State Agencies | 1 |
| <input type="checkbox"/> Environmental | 1 | <input type="checkbox"/> Recreation & Tourism | 1 |
| <input type="checkbox"/> Community Wildfire Protection | 1 | <input type="checkbox"/> Private Landowners | 1 |
| <input type="checkbox"/> Watershed & Water Resources | 1 | <input checked="" type="checkbox"/> Tribal | 1 |
| <input type="checkbox"/> Local Government | 1 | <input type="checkbox"/> At Large | 2 |

APPLICATION

Provide personal qualifications for the specific volunteer position.
Supplementary information may be attached. Do not provide confidential information.

Name: Clay D. Penhollow
Branch of Natural Resources, Conf. Tribes of Warm Springs
 Address: PO Box C, Warm Springs, OR 97761-3001
 Phone (home) [REDACTED] Phone (work) 541-553-2014
 E-mail address: clay.penhollow@ctwsbnr.org
 Signature: Clay D. Penhollow
 Date: 8-10-15

Number of years as a Wasco County resident: Tribal employee

Your objectives/goals? Desired contributions and accomplishments? _____

Be a contributing member of the collaborative.
Provide a balanced natural resources perspective.
Provide the tribal perspective for natural and cultural

Approximate hours/month available for this commitment? 16-24 resource values.

Return to Agenda

Comments: _____

Education (school, college, training, apprenticeships, degrees, etc.)

M. Ag - OSU Date(s): _____
BS Animal Science - OSU Date(s): _____
AA - COCC Date(s): _____
Date(s): _____

Experience (work, volunteering, leadership roles, achievements etc.)

Tribal Natural Resources Planner Date(s): 9/1994 to present
Warm Springs/OSU Extension Agent Date(s): 2/1984 to 6/1992
Jeff. Co. SWCD technician Date(s): 6/1993 to 9/1994
Date(s): _____

Vocational/professional licenses, awards, recognition, etc.

Date(s): _____
Date(s): _____
Date(s): _____
Date(s): _____

General Comments

Excited to see Wasco County have a
forest collaborative

Send completed form to:

Wasco County Board of Commissioners
511 Washington Street
The Dalles OR 97058
(541) 506-2520
fax (541) 506-2551

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF)	
CLAY PENHOLLOW TO THE WASCO COUNTY	)	ORDER
FOREST COLLABORATIVE GROUP STEERING	)	#15-072
COMMITTEE)	

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

IT APPEARING TO THE BOARD: That in August of 2015, the Wasco County Forest Collaborative Group was formed by Charter to provide the US Forest Service with proposals for management of the National Forest lands and to support the utilization of forest resources and related opportunities to strengthen local communities; and

IT FURTHER APPEARING TO THE BOARD: That Wasco County has agreed to be the appointing body for the Wasco County Forest Collaborative Group; and

IT FURTHER APPEARING TO THE BOARD: That Clay Penhollow is willing and is qualified to be appointed to serve on the Wasco County Forest Collaborative Group Steering Committee.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Clay Penhollow be and is hereby appointed to serve on the Wasco County Forest Collaborative Group Steering Committee as the Tribal Representative; said term to expire on December 31, 2016.

DATED this 2nd day of August, 2015.

WASCO COUNTY
BOARD OF COMMISSIONERS

Scott C. Hege, Commission Chair

APPROVED AS TO FORM:

Rod L. Runyon, County Commissioner

Kristen Campbell
Wasco County Counsel

Steven D. Kramer, County Commissioner

INFORMATION AND QUALIFICATION FORM

Wasco County Forest Collaborative Group Steering Committee VOLUNTEER POSITIONS

BACKGROUND

The Wasco County Forest Collaborative Group represents a broad constituency of stakeholders interested in healthy forest ecosystems, economic vitality and quality of life in the wildland urban interface with Wasco County. We provide the US Forest Service (USFS) with proposals for management of National Forest (NF) lands, and we support the utilization of forest resources and related opportunities to strengthen local communities.

The interest groups represented on the Steering Committee and the numbers of seats that will be available to each group are listed below. Please indicate to which group(s) you belong:

- | | | | |
|--|-------|--|-------|
| <input type="checkbox"/> Forest Products Industry | 1 - 2 | <input checked="" type="checkbox"/> State Agencies | 1 - 2 |
| <input type="checkbox"/> Environmental | 1 - 2 | <input type="checkbox"/> Recreation & Tourism | 1 - 2 |
| <input type="checkbox"/> Community Wildfire Protection | 1 - 2 | <input type="checkbox"/> Private Landowners | 1 - 2 |
| <input type="checkbox"/> Watershed & Water Resources | 1 - 2 | <input type="checkbox"/> Tribal | 1 |
| <input type="checkbox"/> Local Government | 1 - 2 | <input type="checkbox"/> At Large | 0 - 2 |

APPLICATION

Provide personal qualifications for the specific volunteer position.
Supplementary information may be attached. Do not provide confidential information.

Name: DAVID JACOBS

Address: [REDACTED]

Phone (home) [REDACTED] Phone (work) 541-296-4626

E-mail address: DAVID.J.JACOBS@OREGON.GOV

Signature: [Signature]

Date: 8-5-15

Number of years as a Wasco County resident: 28

Your objectives/goals? Desired contributions and accomplishments? ASSIST COLLABORATIVE IN PRODUCTIVE PROJECT ACCOMPLISHMENTS

Approximate hours/month available for this commitment? AS NEEDED

Comments: _____

Education (school, college, training, apprenticeships, degrees, etc.)

BS - OSU [REDACTED] Date(s): _____

_____ Date(s): _____

_____ Date(s): _____

_____ Date(s): _____

Experience (work, volunteering, leadership roles, achievements etc.)

ODF MANAGER 27 YEARS Date(s): _____

ST MARYS ACADEMY BOARD MEMBER Date(s): 12 YEARS

_____ Date(s): _____

_____ Date(s): _____

Vocational/professional licenses, awards, recognition, etc.

PROFESSIONAL FORESTER Date(s): _____

_____ Date(s): _____

_____ Date(s): _____

_____ Date(s): _____

General Comments

Send completed form to:

Wasco County Board of Commissioners
511 Washington Street
The Dalles OR 97058
(541) 506-2520
fax (541) 506-2551

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF)	
DAVID JACOBS TO THE WASCO COUNTY	)	ORDER
FOREST COLLABORATIVE GROUP STEERING	)	#15-073
COMMITTEE)	

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

IT APPEARING TO THE BOARD: That in August of 2015, the Wasco County Forest Collaborative Group was formed by Charter to provide the US Forest Service with proposals for management of the National Forest lands and to support the utilization of forest resources and related opportunities to strengthen local communities; and

IT FURTHER APPEARING TO THE BOARD: That Wasco County has agreed to be the appointing body for the Wasco County Forest Collaborative Group; and

IT FURTHER APPEARING TO THE BOARD: That David Jacobs is willing and is qualified to be appointed to serve on the Wasco County Forest Collaborative Group Steering Committee.

NOW, THEREFORE, IT IS HEREBY ORDERED: That David Jacobs be and is hereby appointed to serve on the Wasco County Forest Collaborative Group Steering Committee as the _____ Representative; said term to expire on December 31, 2016.

DATED this 2nd day of August, 2015.

WASCO COUNTY
BOARD OF COMMISSIONERS

Scott C. Hege, Commission Chair

APPROVED AS TO FORM:

Rod L. Runyon, County Commissioner

Kristen Campbell
Wasco County Counsel

Steven D. Kramer, County Commissioner

INFORMATION AND QUALIFICATION FORM

Wasco County Forest Collaborative Group Steering Committee VOLUNTEER POSITIONS

BACKGROUND

The Wasco County Forest Collaborative Group represents a broad constituency of stakeholders interested in healthy forest ecosystems, economic vitality and quality of life in the wildland urban interface with Wasco County. We provide the US Forest Service (USFS) with proposals for management of National Forest (NF) lands, and we support the utilization of forest resources and related opportunities to strengthen local communities.

The interest groups represented on the Steering Committee and the numbers of seats that will be available to each group are listed below. Please indicate to which group(s) you belong:

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Forest Products Industry | 1 | <input checked="" type="checkbox"/> State Agencies | 1 |
| <input type="checkbox"/> Environmental | 1 | <input type="checkbox"/> Recreation & Tourism | 1 |
| <input type="checkbox"/> Community Wildfire Protection | 1 | <input type="checkbox"/> Private Landowners | 1 |
| <input type="checkbox"/> Watershed & Water Resources | 1 | <input type="checkbox"/> Tribal | 1 |
| <input type="checkbox"/> Local Government | 1 | <input checked="" type="checkbox"/> At Large | 2 |

APPLICATION

Provide personal qualifications for the specific volunteer position.
Supplementary information may be attached. Do not provide confidential information.

Name: Jeremy Thompson

Address: [REDACTED] The Dells, OR 97058

Phone (home) [REDACTED] Phone (work) 541-980-8524

E-mail address: Jeremy.L.Thompson@state.or.us

Signature: [Signature]

Date: 8/17/15

Number of years as a Wasco County resident: 36

Your objectives/goals? Desired contributions and accomplishments? My goal would

be to add a habitat component to the planning
outcome to benefit fish and wildlife, as well as
extend planning efforts to ODFW lands

Approximate hours/month available for this commitment? 10

Comments: _____

Education (school, college, training, apprenticeships, degrees, etc.)

Oregon State BS Wildlife Date(s): [REDACTED]

Date(s): _____

Date(s): _____

Date(s): _____

Experience (work, volunteering, leadership roles, achievements etc.)

ODFW Date(s): 3/00 - Present
USFS Date(s): 6/99 - 11/99

Date(s): _____

Date(s): _____

Vocational/professional licenses, awards, recognition, etc.

Date(s): _____

Date(s): _____

Date(s): _____

Date(s): _____

General Comments

ODFW has a high level of interest in
improving habitat conditions along the eastern front
of the Forest, especially in the oak-pine and oak
woodland habitats.

Send completed form to:

Wasco County Board of Commissioners
511 Washington Street
The Dalles OR 97058
(541) 506-2520
fax (541) 506-2551

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF)
JEREMY THOMPSON TO THE WASCO COUNTY) ORDER
FOREST COLLABORATIVE GROUP STEERING) #15-074
COMMITTEE)

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

IT APPEARING TO THE BOARD: That in August of 2015, the Wasco County Forest Collaborative Group was formed by Charter to provide the US Forest Service with proposals for management of the National Forest lands and to support the utilization of forest resources and related opportunities to strengthen local communities; and

IT FURTHER APPEARING TO THE BOARD: That Wasco County has agreed to be the appointing body for the Wasco County Forest Collaborative Group; and

IT FURTHER APPEARING TO THE BOARD: That Jeremy Thompson is willing and is qualified to be appointed to serve on the Wasco County Forest Collaborative Group Steering Committee.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Jeremy Thompson be and is hereby appointed to serve on the Wasco County Forest Collaborative Group Steering Committee as the _____ Representative; said term to expire on December 31, 2016.

DATED this 2nd day of August, 2015.

WASCO COUNTY
BOARD OF COMMISSIONERS

Scott C. Hege, Commission Chair

APPROVED AS TO FORM:

Rod L. Runyon, County Commissioner

Kristen Campbell
Wasco County Counsel

Steven D. Kramer, County Commissioner

INFORMATION AND QUALIFICATION FORM

Wasco County Forest Collaborative Group Steering Committee VOLUNTEER POSITIONS

BACKGROUND

The Wasco County Forest Collaborative Group represents a broad constituency of stakeholders interested in healthy forest ecosystems, economic vitality and quality of life in the wildland urban interface with Wasco County. We provide the US Forest Service (USFS) with proposals for management of National Forest (NF) lands, and we support the utilization of forest resources and related opportunities to strengthen local communities.

The interest groups represented on the Steering Committee and the numbers of seats that will be available to each group are listed below. Please indicate to which group(s) you belong:

- | | | | |
|---|-------|---|-------|
| <input type="checkbox"/> Forest Products Industry | 1 - 2 | <input type="checkbox"/> State Agencies | 1 - 2 |
| <input type="checkbox"/> Environmental | 1 - 2 | <input type="checkbox"/> Recreation & Tourism | 1 - 2 |
| <input type="checkbox"/> Community Wildfire Protection | 1 - 2 | <input type="checkbox"/> Private Landowners | 1 - 2 |
| <input checked="" type="checkbox"/> Watershed & Water Resources | 1 - 2 | <input type="checkbox"/> Tribal | 1 |
| <input checked="" type="checkbox"/> Local Government | 1 - 2 | <input checked="" type="checkbox"/> At Large | 0 - 2 |

APPLICATION

Provide personal qualifications for the specific volunteer position.

Supplementary information may be attached. Do not provide confidential information.

Name: John Nelson

Address: [REDACTED]

Phone (home) [REDACTED] Phone (work) retired

E-mail address: [REDACTED]

Signature: John Nelson

Date: 7-30-2015

Number of years as a Wasco County resident: 20 years

Your objectives/goals? Desired contributions and accomplishments? My objective is to represent the interest of N Wasco Co. schools D21 as a Director on the School Board. I also serve as a Board Member on the Dalles Watershed Council. (see comments next page)

Approximate hours/month available for this commitment? I would be able to commit several hours for monthly meetings, and more if occasionally needed

My goal would be to work collaboratively with others to achieve a future economic benefit for the school district, keeping in mind that the outcome of the committee's recommendations should ^{be to} sustain the health of the forest and build strength & resilience in the forest eco-system and watersheds.

Education (school, college, training, apprenticeships, degrees, etc.)

Bachelors of Landscape Architecture Date(s): [redacted]
@ Univ. of California, Berkeley

Graduate School - Univ. of California, Berkeley Date(s): [redacted]

for Basic Elementary teaching Date(s): [redacted]
Credential, Life - California, Oregon

Date(s):

Work EXP Experience (work, volunteering, leadership roles, achievements etc.) also see General comments

City Planner for Alameda County Date(s): 1964-67
Planning Dept.

Elementary School teacher, Springfield, OR Date(s): 1969-72

" " " Jefferson Co Schools SD 1987-2008

owner/operator Daycare Center Date(s): 1973-78
Eugene/Springfield

Vocational/professional licenses, awards, recognition, etc. Vista Volunteer 1980-83

Fred Barlow Award for Imaginative Design Date(s): 1963
Landscape Arch children toy manufacturer - 83-87

Elem. teaching Credential, Calif Life Date(s): 1964

Elem. teaching Credential Oregon Basic Date(s): 1969

Date(s):

General Comments

Volunteering - Since I've retired I became very involved as a citizen in The Dalles. I'm serving on The Planning Commission, Urban Advisory Committee,

on Elected School Board Member D Wasco Co D21, Board member
TD Watershed Council, Mainstreet, SMART Reading Program
former Chair of Traffic Safety Commission - TD
Board Member, Friends of the Columbia River Gorge

Send completed form to:

Wasco County Board of Commissioners
511 Washington Street
The Dalles OR 97058
(541) 506-2520
fax (541) 506-2551

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

IN THE MATTER OF THE APPOINTMENT OF)
JOHN NELSON TO THE WASCO COUNTY) ORDER
FOREST COLLABORATIVE GROUP STEERING) #15-075
COMMITTEE)

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

IT APPEARING TO THE BOARD: That in August of 2015, the Wasco
County Forest Collaborative Group was formed by Charter to provide the US Forest
Service with proposals for management of the National Forest lands and to support
the utilization of forest resources and related opportunities to strengthen local
communities; and

IT FURTHER APPEARING TO THE BOARD: That Wasco County has agreed to be the appointing body for the Wasco County Forest Collaborative Group; and

IT FURTHER APPEARING TO THE BOARD: That John Nelson is willing and is qualified to be appointed to serve on the Wasco County Forest Collaborative Group Steering Committee.

NOW, THEREFORE, IT IS HEREBY ORDERED: That John Nelson be and is hereby appointed to serve on the Wasco County Forest Collaborative Group Steering Committee as the _____ Representative; said term to expire on December 31, 2017.

DATED this 2nd day of August, 2015.

WASCO COUNTY
BOARD OF COMMISSIONERS

Scott C. Hege, Commission Chair

APPROVED AS TO FORM:

Rod L. Runyon, County Commissioner

Kristen Campbell
Wasco County Counsel

Steven D. Kramer, County Commissioner

INFORMATION AND QUALIFICATION FORM

Wasco County Forest Collaborative Group Steering Committee VOLUNTEER POSITIONS

BACKGROUND

The Wasco County Forest Collaborative Group represents a broad constituency of stakeholders interested in healthy forest ecosystems, economic vitality and quality of life in the wildland urban interface with Wasco County. We provide the US Forest Service (USFS) with proposals for management of National Forest (NF) lands, and we support the utilization of forest resources and related opportunities to strengthen local communities.

The interest groups represented on the Steering Committee and the numbers of seats that will be available to each group are listed below. Please indicate to which group(s) you belong:

- | | | | |
|---|-------|--|-------|
| <input type="checkbox"/> Forest Products Industry | 1 - 2 | <input type="checkbox"/> State Agencies | 1 - 2 |
| <input type="checkbox"/> Environmental | 1 - 2 | <input type="checkbox"/> Recreation & Tourism | 1 - 2 |
| <input type="checkbox"/> Community Wildfire Protection | 1 - 2 | <input checked="" type="checkbox"/> Private Landowners | 1 - 2 |
| <input checked="" type="checkbox"/> Watershed & Water Resources | 1 - 2 | <input type="checkbox"/> Tribal | 1 |
| <input checked="" type="checkbox"/> Local Government | 1 - 2 | <input checked="" type="checkbox"/> At Large | 0 - 2 |

APPLICATION

Provide personal qualifications for the specific volunteer position.
Supplementary information may be attached. Do not provide confidential information.

Name: Dan Van Vactor

Address: _____

Phone (home): _____

Phone (work): _____

E-mail address: _____

Signature: Dan Van Vactor

Date: 7/27/15

Number of years as a Wasco County resident: 40 years

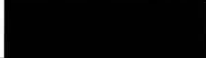
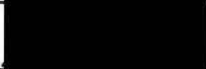

Your objectives/goals? Desired contributions and accomplishments? To encourage

The USFS to MANAGE (thin, harvest trees
vegetation removal to reduce FIRE RISK
to private land from USFS lands on the East

Approximate hours/month available for this commitment? 4-8

Comments: _____

Education (school, college, training, apprenticeships, degrees, etc.)

The Dalles H.S. Date(s): 
U of O Date(s): 
Willamette Univ. College of LAW Date(s): 
Date(s): _____

Experience (work, volunteering, leadership roles, achievements etc.)

Aq Resource Committee Date(s): 1990s -
Badger Improvement Dist Date(s): 15 years
Board Date(s): _____
Pound Prairie Imp. Dist Date(s): 10 years
Board

Vocational/professional licenses, awards, recognition, etc.

Date(s): _____

Date(s): _____

Date(s): _____

Date(s): _____

General Comments

I am concerned that the area
w/ the Wildland Urban Interface
(WUI) is not being addressed
in the vicinity of the Rocky Burn
next to WAMIC -

Send completed form to:

Wasco County Board of Commissioners
511 Washington Street
The Dalles OR 97058
(541) 506-2520
fax (541) 506-2551

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

IN THE MATTER OF THE APPOINTMENT OF)
DAN VAN VACTOR TO THE WASCO COUNTY) ORDER
FOREST COLLABORATIVE GROUP STEERING) #15-076
COMMITTEE)

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

IT APPEARING TO THE BOARD: That in August of 2015, the Wasco
County Forest Collaborative Group was formed by Charter to provide the US Forest
Service with proposals for management of the National Forest lands and to support
the utilization of forest resources and related opportunities to strengthen local
communities; and

IT FURTHER APPEARING TO THE BOARD: That Wasco County has agreed to be the appointing body for the Wasco County Forest Collaborative Group; and

IT FURTHER APPEARING TO THE BOARD: That Dan Van Vactor is willing and is qualified to be appointed to serve on the Wasco County Forest Collaborative Group Steering Committee.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Dan Van Vactor be and is hereby appointed to serve on the Wasco County Forest Collaborative Group Steering Committee as the _____ Representative; said term to expire on December 31, 2017.

DATED this 2nd day of August, 2015.

WASCO COUNTY
BOARD OF COMMISSIONERS

Scott C. Hege, Commission Chair

APPROVED AS TO FORM:

Rod L. Runyon, County Commissioner

Kristen Campbell
Wasco County Counsel

Steven D. Kramer, County Commissioner

INFORMATION AND QUALIFICATION FORM

Wasco County Forest Collaborative Group Steering Committee VOLUNTEER POSITIONS

BACKGROUND

The Wasco County Forest Collaborative Group represents a broad constituency of stakeholders interested in healthy forest ecosystems, economic vitality and quality of life in the wildland urban interface with Wasco County. We provide the US Forest Service (USFS) with proposals for management of National Forest (NF) lands, and we support the utilization of forest resources and related opportunities to strengthen local communities.

The interest groups represented on the Steering Committee and the numbers of seats that will be available to each group are listed below. Please indicate to which group(s) you belong:

- | | | | |
|---|-------|--|-------|
| <input type="checkbox"/> Forest Products Industry | 1 - 2 | <input type="checkbox"/> State Agencies | 1 - 2 |
| <input type="checkbox"/> Environmental | 1 - 2 | <input type="checkbox"/> Recreation & Tourism | 1 - 2 |
| <input type="checkbox"/> Community Wildfire Protection | 1 - 2 | <input checked="" type="checkbox"/> Private Landowners | 1 - 2 |
| <input checked="" type="checkbox"/> Watershed & Water Resources | 1 - 2 | <input type="checkbox"/> Tribal | 1 |
| <input type="checkbox"/> Local Government | 1 - 2 | <input type="checkbox"/> At Large | 0 - 2 |

APPLICATION

Provide personal qualifications for the specific volunteer position.
Supplementary information may be attached. Do not provide confidential information.

Name: PATRICK DAVIS

Address: [REDACTED]

Phone (home): [REDACTED]

Phone (work): [REDACTED]

E-mail address: [REDACTED]

Signature: Patrick Davis

Date: 7-31-2015

Number of years as a Wasco County resident: 64

Your objectives/goals? Desired contributions and accomplishments? THE RESTORATION OF THE

ROCKY BURN AREA WILL HAVE A LARGE IMPACT ON THE WATERSHED THAT I

USE FOR IRRIGATION WATER. I HOPE TO USE MY EXPERTISE IN IRRIGATION


SYSTEMS AND MY HISTORY IN THE AREA TO ACCOMPLISH THE RESULT

OF A BETTER WATERSHED AND MORE WATER.

Approximate hours/month available for this commitment? 8 TO 12 HOURS PER MONTH

Comments: _____

Education (school, college, training, apprenticeships, degrees, etc.)

WYATTONKA High School Date(s): 

PORTLAND & LANE COMMUNITY COLLEGE Date(s): 

Date(s): _____

Date(s): _____

Experience (work, volunteering, leadership roles, achievements etc.)

WASCO COUNTY PLANNING COMM. Date(s): 1983-1993 CHAIR 86-91

WASCO COUNTY BUDGET COMMITTEE Date(s): 2006 - PRESENT

ROCK CREEK DISTRICT IRRIGATION Date(s): 2005 - PRESENT

Date(s): _____

Vocational/professional licenses, awards, recognition, etc.

CARPENTER APPRENTICESHIP Date(s): 1970 - 1974

Date(s): _____

Date(s): _____

Date(s): _____

General Comments

I BELIEVE THE RESTORATION OF THE ROCKY BURN WILL HAVE A POSITIVE IMPACT
ON ALL ASPECTS OF FOREST USE. I AM EXCITED TO BE INVOLVED TO MAKE THIS
RESTORATION A REALITY. I ALSO THINK THAT THE TIME AND EFFORT WE USE TO SET
UP A FUNCTIONING FOREST COLLABORATIVE WILL BE OF GREAT BENEFIT TO
THE FOREST AND WASCO COUNTY FOR YEARS TO COME

Send completed form to:

Wasco County Board of Commissioners
511 Washington Street
The Dalles OR 97058
(541) 506-2520
fax (541) 506-2551

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF)	
PAT DAVIS TO THE WASCO COUNTY	)	ORDER
FOREST COLLABORATIVE GROUP STEERING	)	#15-077
COMMITTEE)	

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

IT APPEARING TO THE BOARD: That in August of 2015, the Wasco County Forest Collaborative Group was formed by Charter to provide the US Forest Service with proposals for management of the National Forest lands and to support the utilization of forest resources and related opportunities to strengthen local communities; and

IT FURTHER APPEARING TO THE BOARD: That Wasco County has agreed to be the appointing body for the Wasco County Forest Collaborative Group; and

IT FURTHER APPEARING TO THE BOARD: That Pat Davis is willing and is qualified to be appointed to serve on the Wasco County Forest Collaborative Group Steering Committee.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Pat Davis be and is hereby appointed to serve on the Wasco County Forest Collaborative Group Steering Committee as the _____ Representative; said term to expire on December 31, 2018.

DATED this 2nd day of August, 2015.

WASCO COUNTY
BOARD OF COMMISSIONERS

Scott C. Hege, Commission Chair

APPROVED AS TO FORM:

Rod L. Runyon, County Commissioner

Kristen Campbell
Wasco County Counsel

Steven D. Kramer, County Commissioner

INFORMATION AND QUALIFICATION FORM

Wasco County Forest Collaborative Group Steering Committee VOLUNTEER POSITIONS

BACKGROUND

The Wasco County Forest Collaborative Group represents a broad constituency of stakeholders interested in healthy forest ecosystems, economic vitality and quality of life in the wildland urban interface with Wasco County. We provide the US Forest Service (USFS) with proposals for management of National Forest (NF) lands, and we support the utilization of forest resources and related opportunities to strengthen local communities.

The interest groups represented on the Steering Committee and the numbers of seats that will be available to each group are listed below. Please indicate to which group(s) you belong:

- | | | | |
|--|-------|---|-------|
| <input type="checkbox"/> Forest Products Industry | 1 - 2 | <input type="checkbox"/> State Agencies | 1 - 2 |
| <input type="checkbox"/> Environmental | 1 - 2 | <input type="checkbox"/> Recreation & Tourism | 1 - 2 |
| <input type="checkbox"/> Community Wildfire Protection | 1 - 2 | <input type="checkbox"/> Private Landowners | 1 - 2 |
| <input type="checkbox"/> Watershed & Water Resources | 1 - 2 | <input type="checkbox"/> Tribal | 1 |
| <input type="checkbox"/> Local Government | 1 - 2 | <input checked="" type="checkbox"/> At Large | 0 - 2 |

APPLICATION

Provide personal qualifications for the specific volunteer position.
Supplementary information may be attached. Do not provide confidential information.

Name: Richard Thurman

Address: [REDACTED]

Phone (home) [REDACTED] Phone (work) [REDACTED]

E-mail address: [REDACTED]

Signature: Richard Thurman

Date: 7-27-15



Number of years as a Wasco County resident: 24 years

Your objectives/goals? Desired contributions and accomplishments? I would like to help with improving the timber ecosystems of Wasco County. My experience with the US Forest Service will help to come up with a resolution that the FS can use.

Approximate hours/month available for this commitment? 10 hrs/month

Comments: _____

Education (school, college, training, apprenticeships, degrees, etc.)

Oregon State University ^{degree in} wildlife ~~science~~ ^{management} Date(s): 
University of Washington Date(s): 
Completed Technical Fire Mgt ~~school~~ (1 year course) for FS Date(s): _____
Date(s): _____

Experience (work, volunteering, leadership roles, achievements etc.)

USDA Forest Service - Fire & Fuel Date(s): 1974-2006
Technician for 15 years Then Wildlife Date(s): _____
Biologist for 17 years Date(s): _____
Date(s): _____

Vocational/professional licenses, awards, recognition, etc.

Mule Deer Foundation ^{Federal} Wildlife Date(s): 2006
Biologist of year Date(s): _____
Date(s): _____
Date(s): _____

General Comments

Send completed form to:

Wasco County Board of Commissioners
511 Washington Street
The Dalles OR 97058
(541) 506-2520
fax (541) 506-2551

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF)	
RICH THURMAN TO THE WASCO COUNTY	)	ORDER
FOREST COLLABORATIVE GROUP STEERING	)	#15-078
COMMITTEE)	

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

IT APPEARING TO THE BOARD: That in August of 2015, the Wasco County Forest Collaborative Group was formed by Charter to provide the US Forest Service with proposals for management of the National Forest lands and to support the utilization of forest resources and related opportunities to strengthen local communities; and

IT FURTHER APPEARING TO THE BOARD: That Wasco County has agreed to be the appointing body for the Wasco County Forest Collaborative Group; and

IT FURTHER APPEARING TO THE BOARD: That Rich Thurman is willing and is qualified to be appointed to serve on the Wasco County Forest Collaborative Group Steering Committee.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Rich Thurman be and is hereby appointed to serve on the Wasco County Forest Collaborative Group Steering Committee as the _____ Representative; said term to expire on December 31, 2018.

DATED this 2nd day of August, 2015.

WASCO COUNTY
BOARD OF COMMISSIONERS

Scott C. Hege, Commission Chair

APPROVED AS TO FORM:

Rod L. Runyon, County Commissioner

Kristen Campbell
Wasco County Counsel

Steven D. Kramer, County Commissioner

INFORMATION AND QUALIFICATION FORM

Wasco County Forest Collaborative Group Steering Committee VOLUNTEER POSITIONS

BACKGROUND

The Wasco County Forest Collaborative Group represents a broad constituency of stakeholders interested in healthy forest ecosystems, economic vitality and quality of life in the wildland urban interface with Wasco County. We provide the US Forest Service (USFS) with proposals for management of National Forest (NF) lands, and we support the utilization of forest resources and related opportunities to strengthen local communities.

The interest groups represented on the Steering Committee and the numbers of seats that will be available to each group are listed below. Please indicate to which group(s) you belong:

- | | | | |
|--|-------|--|-------|
| <input type="checkbox"/> Forest Products Industry | 1 - 2 | <input type="checkbox"/> State Agencies | 1 - 2 |
| <input type="checkbox"/> Environmental | 1 - 2 | <input checked="" type="checkbox"/> Recreation & Tourism | 1 - 2 |
| <input type="checkbox"/> Community Wildfire Protection | 1 - 2 | <input type="checkbox"/> Private Landowners | 1 - 2 |
| <input type="checkbox"/> Watershed & Water Resources | 1 - 2 | <input type="checkbox"/> Tribal | 1 |
| <input type="checkbox"/> Local Government | 1 - 2 | <input type="checkbox"/> At Large | 0 - 2 |

APPLICATION

Provide personal qualifications for the specific volunteer position.
Supplementary information may be attached. Do not provide confidential information.

Name: Harvey G. Long

Address: [REDACTED]

Phone (home) [REDACTED] Phone (work) [REDACTED] ^{Cell}

E-mail address: [REDACTED]

Signature: Harvey G. Long

Date: 7-28-15

Number of years as a Wasco County resident: 30 years


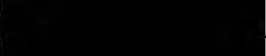

Your objectives/goals? Desired contributions and accomplishments?

To help make a difference and help fulfill need in
Wasco County

Approximate hours/month available for this commitment? as needed

Comments: _____

Education (school, college, training, apprenticeships, degrees, etc.)

WYeast High School - Hood River Date(s) 
Yakima Jr. College Date(s) 
Plumbing Apprenticeship Date(s) 
Date(s): _____

Experience (work, volunteering, leadership roles, achievements etc.)

Best Plumbing Date(s): 1965 - 1970
Columbia State Hospital, Plumbing/HVAC Date(s): 1970 - 1977
K&H Specialties - 4x4 shop - co-owner Date(s): 1976 - 1987
School District 12/21 Date(s): 1988 - 2007 retired

Vocational/professional licenses, awards, recognition, etc.

Plumbing Lic. Date(s): 1969 - 1975
Date(s): _____
Date(s): _____
Date(s): _____

General Comments

I have hunted and fished since I was 6 yrs old and
have been raised to respect the environment. My wife and I
have hiked, rode dirt bikes, jeeped, rode horses and ATV and
just plain love the outdoors. I believe that I have learned a lot
and can make informed decisions on subjects that arise.
Most jobs that I have had I was the one who decided what & how things
were done.

Send completed form to:

Wasco County Board of Commissioners
511 Washington Street
The Dalles OR 97058
(541) 506-2520
fax (541) 506-2551

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF)	
HARVEY LONG TO THE WASCO COUNTY	)	ORDER
FOREST COLLABORATIVE GROUP STEERING	)	#15-079
COMMITTEE)	

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

IT APPEARING TO THE BOARD: That in August of 2015, the Wasco County Forest Collaborative Group was formed by Charter to provide the US Forest Service with proposals for management of the National Forest lands and to support the utilization of forest resources and related opportunities to strengthen local communities; and

IT FURTHER APPEARING TO THE BOARD: That Wasco County has agreed to be the appointing body for the Wasco County Forest Collaborative Group; and

IT FURTHER APPEARING TO THE BOARD: That Harvey Long is willing and is qualified to be appointed to serve on the Wasco County Forest Collaborative Group Steering Committee.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Harvey Long be and is hereby appointed to serve on the Wasco County Forest Collaborative Group Steering Committee as the Recreation & Tourism Representative; said term to expire on December 31, 2018.

DATED this 2nd day of August, 2015.

WASCO COUNTY
BOARD OF COMMISSIONERS

Scott C. Hege, Commission Chair

APPROVED AS TO FORM:

Rod L. Runyon, County Commissioner

Kristen Campbell
Wasco County Counsel

Steven D. Kramer, County Commissioner

Discussion Item

Chamber Applications

- [Memo](#)
- [Dufur Chamber of Commerce Application](#)
- [Maupin Chamber of Commerce Application](#)

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS
FROM: KATHY WHITE
SUBJECT: CHAMBER APPLICATIONS
DATE: 8/28/2015

BACKGROUND INFORMATION

At the 8.19.2015 Regular Session, the Board was in consensus to maintain a basic membership at The Dalles Chamber of Commerce, reducing that expense by \$559. It was suggested that the savings might be applied to memberships in the other Chambers of Commerce in the County – Dufur & Maupin. Applications for those memberships are included in the Board Packet. The cost for each membership is:

Maupin Chamber of Commerce	\$150.00
----------------------------	----------

Dufur Chamber of Commerce	\$ 60.00
---------------------------	----------

The County previously paid \$775 in Chamber Dues and will still realize a nearly 50% savings even with the addition of the Maupin and Dufur Chamber memberships:

Previous Chamber Dues	\$775.00
-----------------------	----------

Less:

The Dalles Chamber Dues (new)	\$216.00
-------------------------------	----------

Maupin Chamber Dues	\$120.00
---------------------	----------

Dufur Chamber Dues	\$ 60.00
--------------------	----------

Total Savings	<u>\$379.00</u>
---------------	-----------------



Greater Dufur Area Chamber of Commerce

Membership Application Form

Please provide the following information:

Name: (How you want to be listed) Wasco County
Street Address: 511 Washington Street, Suite 101, The Dalles, OR 97058
Mailing Address: _____
Contact Person: Kathy White Title: Exec. Asst. Board of Commissioners
Alternate Contact: _____ Title: _____
Phone: 541.506.2520 Website: co.wasco.or.us
E-mail: kathyw@co.wasco.or.us Fax: 541.506.2551

Annual Rates:

<u>X</u>	\$60.00	Business
_____	\$36.00	Home/Web Business
_____	\$24.00	Non Profit or Civic Member

Dues are payable at time of membership acceptance and will be amortized from the beginning of the calendar year for first time members. Otherwise dues renewal will be each January.

Description of your Business/Organization: (30 words or less)

Wasco County is the local governing body for the County of Wasco in the State of Oregon

Signature: _____

Today's Date: _____

Your written application will be reviewed at the next Greater Dufur Area Chamber of Commerce meeting. Membership will begin upon acceptance of the application and payment of dues.

Mail Application to:

Greater Dufur Chamber of Commerce
P.O. Box 402
Dufur, OR 97021

If you have questions contact a board member.
Applications can be printed at: www.Dufur.Org

Maupin Area Chamber of Commerce Membership
OCTOBER 1, 2015-OCTOBER 1, 2016



MISSION STATEMENT:

The Maupin Area Chamber of Commerce is a rural community, non-profit membership organization operated on a limited budget, with a volunteer staff. The mission of MACC is to support and promote business growth, tourism and economic development, to be a willing community partner and to operate a local visitor's center.

MEMBERSHIP BENEFITS:

INTERNET:

Business Listing on the Chamber Web site, www.maupinoregon.com, with a complimentary link to your individual business web site.

Exposure of your business, through the relationships MACC has with other organizations, advertising campaigns and linked web sites: including but not limited to:

Splash for Pink, www.splashforpink.com

Central Oregon Visitors Association, www.COVA.com,

Travel Oregon, www.TravelCentralOregon.com,

Oregon State Chambers of Commerce, www.oregonchamber.org

Oregon Festival & Events Assn, www.oregonfestivals.org

Promote and increase your business visibility outside the community.

Cost effective advertising through the MACC web site.

EVENTS:

Sportsman's trades show access and exposure in Portland, Oregon.

Quarterly After Hours events with free food, drinks, and networking opportunities for chamber members.

VISITORS CENTER:

MACC Web Site and Walk-In Referrals

Brochure Display and Distribution

Outside Display Board for MACC and Community Events Only

Promote and Increase Your Visibility Within the Local Community

Helping Promote a Vibrant Community and a Strong Local Economy

ANNUAL DUES:

Individuals (non-business), Churches and Non-Profit Entities \$30.00

Business with 1-10 Employees \$95.00

Business with 11+ Employees \$150.00

ADDITIONAL MACC WEB SITE DIRECTORY LISTINGS:

Your paid annual membership entitles each business to a single Directory listing on the MACC web site. If you would like your business listed under multiple headings in the Directory there will be an additional \$20 Charge per heading. If you would like multiple listings, (3 headings maximum per business), please clearly indicate your preference on the following form and submit the appropriate costs with your membership dues.

MACC MEMBER INFORMATION

To help us maintain accurate and up-to-date records, please complete all information below and return this form, together with the appropriate dues payment to the address listed at this bottom of the page.

Business Name: Wasco County
Contact Person: Kathy White
Address: 511 Washington Avenue, Suite 101
The Dalles, OR 97058
Telephone: 541.506.2520
Fax: 541.506.2551
Email: kathyw@co.wasco.or.us
Website: co.wasco.or.us

Description of Products/Services for website (two lines, 230 characters max):

Local Government - Planning, Law Enforcement, Youth Services, Community
Corrections, Elections & Recording, 9-1-1 Dispatch, Board of Commissioners

Complimentary Web Site Directory Category/Tab Listing:

Additional Web Directory Tab Listings (\$20 each-Maximum 3 additional per business):

Signature _____ Date September 2, 2015
(Owner/Manager/Authorized Person)

If you have any questions, comments or concerns regarding Membership, or would like to become involved with MACC activities or attend meetings, please contact MACC via our web site a www.maupinoregon.com. To assist us in representing our members, please ensure the Visitor's Center has a supply of your brochures, flyers, business cards or other pertinent information available for display and distribution. Contact Cristie Amaral at 541-993-1708 to provide updated brochures for the Visitor's Center, or send them to PO Box 220, Maupin Oregon 97037.

*New Members...*Please allow 2 weeks for your membership information to reach our web page. Once available, please review your new listing for accuracy and report any discrepancies or changes to MACC via the website.

Is there an event that you would like to support? Please mark with an "X" and we will be sure to talk to you as the event draws near.

Maupin Daze ____ Maupin Madness Poker Run ____ Splash for Pink ____ Ride, Row, Run ____
And Bike Show

THANK YOU FOR YOUR SUPPORT

Return completed forms: MACC, P.O. Box 220 Maupin, OR 97037
541-993-1708

**WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
SEPTEMBER 2, 2015**

CONSENT AGENDA

1. [Minutes](#)
 - a. [8.19.2015 Regular Session](#)
 - b. [8.27.2015 Public Hearing](#)



WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
AUGUST 19, 2015

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.

Ms. White said that the Oregon Development Block Grant public hearing is being postponed to August 27, 2015 as grant noticing requirements had not been met. She stated that the August 27th hearing has been properly noticed.

Ms. White stated that the emergency clause has been removed from the Ordinance; today will be the first reading with a second reading and vote to occur at the September 2, 2015 regular session. The regional Mid-Columbia Center for Living IGA will be considered at that same session.

Public Comment – Mid-Columbia Council of Governments

Wayne Lease, Oregon Licensed Electrical Contractor, stated that transparency and archiving is not at the top of the list for MCCOG. He referenced the MCCOG bylaws, noting that Article 1 states MCCOG's authority comes from member counties. He said he would like to know if each county has a resolution and IGA with MCCOG. He also pointed out Articles 2 and 10, saying that the MCCOG

WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
AUGUST 19, 2015
PAGE 2

Secretary/Treasurer needs to meet the responsibilities set out in the bylaws and MCCOG needs to prudently invest those funds not restricted by law.

Mr. Lease suggested that the Board review ORS 294.468 regarding cash balances and inter-fund loans. He noted that in 2013 they passed a resolution to repeal Resolution 10-4, an action which their attorney advised against. He stated that in 2014 they received a permit fee of \$785,000 but only reported \$500,000 in their audit. He said that the Board of Commissioners is not responsible for these actions but will be held accountable for them.

Mr. Lease also asked the Board to review ORS 190.003-190.100 with particular attention to 190.083 which addresses county agreements for transportation facilities.

Discussion List – Surplussing Water Craft & Trailer

Chief Deputy Lane Magill stated that the boat being surplussed came from Tillamook County approximately 12 years ago; Wasco County no longer uses the boat which has maintenance issues. He explained that the Oregon State Marine Board connected him with The Maritime Museum in Klamath County – a nonprofit agency working with kids. He said that Museum staff will transport the boat and OSMB has signed-off on the transfer.

{{{Commissioner Kramer moved to approve Order 15-071 Surplussing 1993 13' Hybrid Personal Water Craft Zodiac VIN #XDC05113F293 and 1993 EZ Loader trailer VIN #ZE1BCT18NAE22264. Commissioner Runyon seconded the motion which passed unanimously.}}}

Department Director – Sheriff's Department

Chief Deputy Magill reported that he had sent out RFQ's to four automotive dealerships and received bids from three. He said that Ray Shultens came back \$210 above the lowest bid. He explained that he cannot send staff in to Portland to pick up the vehicles for \$210; therefore, Ray Schultens' bid is actually the lowest. He pointed out that \$104,000 is budgeted for the vehicles; the final cost is \$1,500 over that budgeted amount. He asked for direction as to how to proceed.

Mr. Stone said that the purchase may overspend the line item but at the end of the year there may be unused funds in that category that can be applied to that purchase. He stated that there is a form to use in order to notify Finance of the circumstance

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to be addressed at the end of the fiscal year.

Sheriff Eiesland announced that Community Corrections Manager Robert Martin has submitted notice of his retirement effective August 31, 2015. He said that the Community Corrections office is down by one Probation Officer; that position has been advertised. He stated that it is his assumption that the Board will want to fill the manager's position.

Sheriff Eiesland went on to say that Mr. Martin's recommendation is to make Chris Carey the lead officer to complete necessary reporting and that a 3% raise go along with that added responsibility. Sheriff Eiesland pointed out that Ms. Carey is married to one of the Probation Officers she would be supervising should she be made lead officer.

Chair Hege said that he thinks this is within the purview of the Administrative Officer.

Commissioner Runyon stated that he thinks this will require further research. Mr. Stone agreed, saying that he has not had an opportunity to discuss this with the Sheriff as the notice just came in.

Chair Hege said that he will be looking to the Administrative Officer and Sheriff for a recommendation; they should make a plan and move it forward.

Mr. Stone asked if the direction is to report back with a recommendation or to make a plan and implement it. Chair Hege responded that he would want it implemented but would also like to be aware of what is being done. He asked if the manager position needs to be replaced.

Sheriff Eiesland replied that he would say that the manager needs to be replaced but maybe the County no longer wants to run the program; maybe the decision will be to send it back to the State. He said that if left to him, he would fill the position; there is not staff time available to run it out of the Sheriff's Office.

Chair Hege said that he would like for Mr. Stone and Sheriff Eiesland to make that determination and fill the position if it needs to be filled. Both Commissioner Runyon and Commissioner Kramer concurred.

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*****The Board was in consensus to direct the Administrative Officer and County Sheriff to determine and implement the best course of action in response to the retirement of the Community Corrections Manager.*****

Agenda Item – Ordinance 15-002 Ratifying MCCFL IGA

Mid-Columbia Center for Living Executive Director Barbara Seatter said that the IGA is an update of the 1994 IGA and recognizes the changes in the composition of MCCFL as an intergovernmental agency. She said that she hopes the Board will approve the IGA.

Ms. White explained that the Board cannot approve the IGA without the ratifying ordinance; the ordinance cannot be considered today as it must be read at two meetings of the Board a minimum of 13 days apart; the ordinance cannot be approved at the same meeting in which it is introduced unless there is an emergency. She said that there was concern that this did not rise to the level of an emergency and therefore the emergency clause has been removed. She reported that she has spoken to Loren Shultz, Infrastructure Finance Authority for Business Oregon; together they had worked through the steps that need to happen to have everything submitted according to the requirements.

Chair Hege asked why an Ordinance is necessary to ratify the IGA, pointing out that many IGA's are approved in the absence of Ordinances. Youth Services Director Molly Rogers replied that this falls under Chapter 190 which requires an organization of this type to be ratified by Ordinance.

Chair Hege asked if all the legal issues in the IGA have been resolved. Mr. Stone replied that they have.

Commissioner Runyon read the title of the Ordinance into the record:

“Ordinance 15-002 In the matter of an ordinance ratifying an intergovernmental agreement creating the Mid-Columbia Center for Living (MCCFL) and revised Intergovernmental Agreement for the continued operation of MCCFL”

Ms. Seatter asked for clarification on the noticing for the hearing. Ms. White said that the hearing is scheduled for Thursday, August 27th; notice for the meeting will appear in the August 20th edition of The Dalles Chronicle. She went on to say that in addition to the newspaper notice, today she would post the notice to the County

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website, send it to the media outlets and send it out through the County distribution list.

Chair Hege asked Ms. Seatter to provide more information regarding the hearing. Ms. Seatter responded that it gives the public the understanding that the County has the opportunity to apply for the building grant which will facilitate the provision of mental health services to low income residents. She said that the notice will be read at the hearing and covers the process. She said that she will be submitting on September 2nd and will request that the County apply for the grant once an invitation to apply has been issued. She said that there will also be an MOU to consider at a future session; County Counsel is currently reviewing that document.

Agenda Item – Amended Vacation Policy
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Sergeant Chris McNeel, a member of the Transition Team, reminded the Board that in April of this year they had approved recommendations from the Transition Team which included allowing new hires to access their first week of vacation after six months of employment. He reported that the first time an employee wanted to use that first week, they could not as it is in violation of the current policy. He said that the Team reconvened to modify the policy to reflect the recommendation already approved by the Board.

Mr. Stone said that this amended policy achieves the six month rule but needs further modification and will come back in the future with additional changes.

{{{Commissioner Runyon moved to approve the amended Vacation Policy with the following corrections: the date in the last cell of the table on page and the addition of language stating that this policy supersedes all previous vacation policies. Commissioner Kramer seconded the motion which passed unanimously.}}}

{{{Commissioner Kramer moved to apply the newly adopted Wasco County Vacation Policy to employees who would have been affected by said policy had it been in place on April 1, 2015, when the recommended changes to the policy were approved by the Board; those employees being: Chrissy Zaugg, Bradley Cross, Angie Brewer, Vanessa Uhalde, Robert Hughes, and Matthew Lindsay. Commissioner Runyon seconded the motion which passed unanimously.}}}

Discussion List – Contract for the Publication of Legal Notices

Ms. White explained that this is a single-source contract renewed annually with The Dalles Chronicle for the publication of legal notices. She said that it outlines costs which have not changed over last year's contract, and sets parameters for submissions.

{{{Commissioner Kramer moved to approve the contract with The Dalles Chronicle for the publication of legal notices. Commissioner Runyon seconded the motion which passed unanimously.}}}

Discussion List – Title VI Policy

Ms. White reported that she has been preparing for an ODOT review of the County's Special Transportation Funds Program. During the course of preparation she discovered that although MCCOG, with whom the County contracts for these services, has the required Title VI policy, the County must adopt the policy as well. She explained that the policy in the packet is identical to the MCCOG policy with the exception of the addition of "Wasco County" in the title of the policy.

Chair Hege asked if ODOT has reviewed the County's program before. Ms. White said that they have not reviewed the County in quite some time and acknowledge that they have been remiss in that process. This review will identify deficiencies and establish a baseline.

Chair Hege asked if this policy is only for the transportation services. Ms. White replied that it is.

{{{Commissioner Runyon moved to approve the Wasco County Title VI Policy. Commissioner Kramer seconded the policy which passed unanimously.}}}

Discussion List – Charter Franchise Agreement

Mr. Stone stated that this is an agreement the County has with Falcon Communications, doing business as Charter Cable, to provide service outside the cities and within the County. He explained that the last contract had a 10-year term as does this contract. He said that he took the old agreement, researched other agreements and then negotiated for items that were attractive in other agreements but not present in our current agreement. He said that much of the items in cable franchise agreements are set by law; some of what he achieved through negotiations

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is an increased insurance limit, outlets for schools, emergency services and the courthouse.

Chair Hege asked if there are any schools that will benefit from the new contract. Mr. Stone replied that the distance from Charter's lines to the schools has been increased which will make it more available; he is not sure which, if any schools, may benefit but once the agreement is signed, letters will be sent to the school districts to let them know.

Mr. Stone went on to say that he did some work on how Charter will report revenues and how the County would conduct an audit if we chose to do so. The County has never audited Charter and it would be expensive to do so. He said there is also a provision for public access channels; there are conditions for use as Charter does not want a lot of dead air time.

Commissioner Runyon asked if there will still be work to do once the agreement is approved. Mr. Stone replied that he will just need to follow-up to make sure the items agreed to are done. He added that the agreement generates approximately \$27,000 in fees annually. Those are fees for service outside the municipalities which have their own agreements with Charter.

{{{Commissioner Kramer moved to approve the Charter Cable Franchise Agreement. Commissioner Runyon seconded the motion which passed unanimously.}}}

Agenda Item – Mill Creek Project

Wasco County Soil and Water Conservation District Manager Shilah Olson stated that this flood hazard mitigation project has been contemplated for at least 10 years. She said that there have been funding challenges but they have added some fish habitat to the project and secured \$256,000 in funding through those efforts. She reported that all the necessary permits will be in place by next week and the project is currently out for bid. She noted that the County holds an easement within the project area. She added that the project has changed slightly; there was a sliver of the National Scenic Area in the original plan which has been excluded from the final plan in order to avoid the delay of the additional, lengthy permitting process for projects within the scenic area. She said that it is frustrating that the Scenic area does not have a parallel process which would help expedite permitting. She stated that the area being omitted from the project is approximately one-tenth of an acre.

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Chair Hege asked where the fish habitat will be located. Ms. Olson replied that it will be in the side channel and provide some refuge for fish. She said that her intent today is just to provide the Board with information regarding the project since they hold an easement there.

Discussion List – LPSCC Appointment

Ms. Rogers reported that Haven Executive Director Tara Koch has submitted an application to serve on the Local Public Safety Coordinating Council. She explained that statute identifies primary members and articulates positions for at-large members. She stated that our at-large members have become inactive or resigned.

Commissioner Runyon observed that Haven is the only victims' advocate in the area. Ms. Rogers said that they are the only non-profit victims' advocate in the County but noted that Ms. Koch will not be representing Haven on LPSCC; she will be an at-large member representing the community.

Ms. Rogers went on to say that HB 3194 assigns more responsibility to LPSCC to direct funding; there will be a formal agenda for that work. Commissioner Runyon announced that yesterday LPSCC formed a committee to identify rules and regulations for the funding; a plan has to be submitted by October 15th. It is a noncompetitive process. Ms. Rogers added that it is not a difficult application process.

{{{Commissioner Runyon moved to approve Order 15-070 appointing Tara Koch to the Local Public Safety Coordinating Council. Commissioner Kramer seconded the motion which passed unanimously.}}}

Agenda Item – Coordinated Care Organization Update

Ms. Rogers said that her report will be from the Wasco County perspective. She reported that during the mapping day for NORCOR, the National Institute of Corrections representatives talked about topics that relate to the CCO – secure email, referrals, and community health records. She explained that community health records are electronic patient records accessible by multiple health care providers. She said that Coco Yakley is working with NORCOR to provide that information to them. She stated that there are layers of security for access; you must have medical credentials to access the record and there is an audit trail. She said that NORCOR will have to follow the same parameters.

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Ms. Rogers went on to say that law enforcement cannot access the records but can send information. For instance, eventually Youth Services will be able to send a referral through the system, receive notification that the referral was opened and whether or not the patient attended the appointment but could not see any of the patient information. She added that referrals will not go out to all providers but only to the specific clinician to whom the referral is made.

Ms. Rogers reviewed some of the data included in the Board Packet. She pointed out that the 97058 zip code residents still use the emergency room at a rate higher than any other in the CCO region. She said there is not data on why that is but it could be that is where the expansion population resides and there is an absence of urgent care in The Dalles so people go to the ER. She said that the County needs to have a conversation about how to fill that gap and change the culture.

Ms. Rogers stated that the CCO is exploring a federally qualified health care clinic. She noted that One Community Health has been able to get federal funding for school-based clinics in Hood River. She said there is also some availability for a jail-based health clinic. Mr. Stone observed that we have visiting school nurses; Ms. Rogers pointed out that appointments cannot be made to see those nurses.

Ms. Rogers announced that they will be doing some strategic planning next week to set priorities for the future and she would like feedback from the Board as to what they see as priorities for Wasco County.

Commissioner Kramer replied that he sees urgent care as a priority.

Mr. Stone asked that the group look at duplication of services and how we can partner to eliminate those duplications.

Chair Hege noted that more information may come out as the Public Health discussion gets off the ground. He said the CCO will be part of that and he expects the group will talk about who is doing what and why. Mr. Stone agreed saying that those discussions should be on the CCO's radar so they are prepared to have that conversation.

Ms. Rogers stated that early childhood is where they will focus on duplication of services.

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Commissioner Runyon asked if they will be inviting the medical community to the table.

Ms. Rogers replied that a lot of those people are already members of the CCO – Public Health, the Community Advisory Council and the Clinical Panel. She said that they have been commended for involving citizens and health entities at the table. She said that the CCO and Council have received some funding; they want to be transparent in the funding application process. She stated that some of the funds need to be spent by the end of the calendar year – those are dedicated funds that must be spent on medical care. She reported that an advisory committee has been charged with making a recommendation for the use of those funds.

Ms. Rogers stated that Ms. Morris had been our representative on the finance committee. She said that it was very useful to have that government finance perspective and the County needs to get someone back in that role. She said that she does not think it is urgent, but when a new finance director is hired, the CCO would like to have that person's participation.

Ms. Rogers said that access to care has decreased in our region; we got a lot of people in the system very quickly and that impacted access. She said that we are second from last in the State and need to put some energy into improving that.

Ms. Rogers noted that we are not doing well in alcohol and drug treatment – we are the lowest in the State. She said that MCCFL is part of that conversation; providers have stabilized at MCCFL which should help improve the situation.

Ms. Rogers observed that we are doing well in childhood immunizations, electronic health records adoption, prenatal and postpartum care and well-child visits.

Chair Hege said that in the beginning there was a goal to reduce the cost of the Oregon Health Plan by 3%. He asked how we are doing in that arena. Ms. Rogers replied that when we got the expansion population there was not a decrease, however costs went up at lower rate than was anticipated. Chair Hege said that the theory was that if we could keep patients out of the ER costs would decrease. Ms. Rogers replied that it is being reduced at the State level; we have more work to do in our region.

Chair Hege recessed the meeting at 10:56 a.m.

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The meeting reconvened at 11:00 a.m.

Agenda Item – Home Rehabilitation Program

Richard Morrow with the Columbia Cascade Housing Corporation said that the IGA being considered today supports a program that assists low-income home owners with minor home repairs. He stated that it is a program that Wasco County has previously participated in; this will continue that participation.

Commissioner Runyon disclosed that he is the Board Chair of the Mid-Columbia Housing Authority which is affiliated with the Columbia Cascade Housing Corporation.

Chair Hege asked who serves as the fiscal agent for this program. Mr. Morrow replied that Hood River County is the fiscal agent. Chair Hege noted that it is a significant amount of money. Mr. Morrow explained that it is used for zero-interest loans; the money goes back into the program as it is repaid. He said that it is used to help with roofs, siding, handicap access, windows, etc. He stated that there is an application process for qualification and the loans are made on a first-come, first-serve basis.

Commissioner Runyon stated that the program serves five counties and two states. Mr. Morrow said that they are working to have Sherman County join the program as well.

{{{Commissioner Kramer moved to approve the Intergovernmental Agreement In Support of a Community Development Block Grant from the 2015 Community Development Block Grant Program Administered by the Oregon Business Development Department, Infrastructure Finance Authority. Commissioner Runyon seconded the motion which passed unanimously.}}}

Agenda Item – Marijuana Legislation and Local Regulations Overview

Planning Director Angie Brewer said that she is not an expert on this topic and is here to make sure we understand our options and start the discussion; she has no recommendations or requests today.

Ms. Brewer said that HB3400 offers options for counties; since Wasco County's electorate voted less than 55% to not legalize marijuana, we do not qualify for option

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one. Option two allows for a moratorium until the next election. She said that there has not been a lot of feedback as to whether people want a moratorium but it is a discussion we should have.

Mr. Stone asked if that is the only option for an opt-out. Ms. Brewer replied that it is, adding that they can address individual issues, but if the County opts out of any portion it disqualifies the County from receiving the State tax revenue distribution.

Commissioner Runyon clarified that any action taken by the Board would impact only unincorporated areas of the County.

Mr. Stone observed that the County has some opportunity for control if we do not opt out.

Ms. Brewer noted that the current Land Use Development Ordinance allows growing as marijuana has now been designated a farm crop.

Commissioner Runyon pointed out that marijuana is a very water intensive crop and growers would have to follow the appropriate water use regulations. Ms. Brewer confirmed adding that she has talked with the Water Master to coordinate that.

Mr. Stone said that he believes we need to understand we are talking about opting out of the commercial piece; there is a separate piece that is residential which will be available under any circumstances. What happens to the product coming out of the residential market versus the commercial market?

Chair Hege pointed out that you cannot residentially grow for commercial purposes. Mr. Stone replied that the message he has heard is that there will be spill over from the residential whether you want it or not. Chair Hege stated that it will be a problem that will need to be addressed and regulated which is something we are not doing today.

Ms. Brewer said that, hypothetically, the Water Master regulates that; everyone can have up to four plants per residence.

Mr. Stone stated that the crop is irrelevant; growers are subject to water rights regulation and irrigation plans. He explained that people with older water rights get first water. He said there are several factors to consider – If people do not get

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product through the commercial market, will that force them into the residential market? If the County opts out, what impact will that have? If the County allows commercial, will that reduce residential markets and what impact will that have?

Ms. Brewer stated that if a farmer wants to become a marijuana producer, they will have to be licensed by the Oregon Liquor Control Commission (OLCC) and will also require a planning permit. She said she would also like to add in a water rights component to the process.

Commissioner Runyon pointed out that this is not unique to marijuana growers; water is a finite commodity. Mr. Stone added that people grow commercial crops with and without water rights and have a significant impact on water resources; Wasco County does not enforce it and he is not sure we know how to enforce it. Ms. Brewer reported that she has spoken to Bob Wood to learn if there are any enforcement tools available; there is not a gauge on every well so it is difficult without people reporting.

Chair Hege stated that there are significantly-sized greenhouses growing marijuana; complaints have been lodged but nothing has been done. Ms. Brewer responded that the complaints that have been investigated have turned out to be medical rather than farm use.

Chair Hege said that he doubts the ones he has seen are growing for medical and if they are using water it needs to be regulated. Ms. Brewer stated that additional time, manner and place provisions can be adopted that are more specific to marijuana facilities. Commissioner Runyon asked if the Planning Commission is looking into that. Ms. Brewer replied that they are not but will be looking at it in the next 6-8 months.

Ms. Brewer said that if the County wants to pursue Option 2, a temporary moratorium can be issued to prevent any grandfathered uses:

2013 House Bill 3460, 2014 Ballot Measure 91, and 2015 House Bill 3400 created six categories of state registered or licensed marijuana businesses in Oregon, two medical and four recreational: (1) Medical marijuana processors; (2) medical marijuana dispensaries; (3) recreational marijuana producers; (4) recreational marijuana processors; (5) recreational marijuana wholesalers; and (6) recreational marijuana retailers. House Bill 3400 created two additional paths to opt out of any

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one or more of those categories of marijuana businesses in unincorporated areas of your county. Under one path, any county governing body can enact an ordinance prohibiting any one or more of those categories, but the ordinance must be referred to county voters at the next general election (November of 2016). So an ordinance enacted under this path effectively operates as a moratorium until the election.

Chair Hege asked if there are any applications in process. Ms. Brewer replied that there was one but it turned out that it did not need a permit. Chair Hege asked if that applicant had water rights. Ms. Brewer replied that he did. She added that her department had some calls last year but has not received applications. She stated that the process for medical growers is different than for recreational growers; recreational growing is an agricultural use while medical growing is not.

Chair Hege asked about dispensaries. Ms. Brewer stated that those are retail outlets and allowed in commercial zones. Chair Hege asked if there are a few commercial zones in the County. Ms. Brewer said that there are and suggested that further setbacks could be adopted. She noted that processing is separate from growing and is defined in the bill – adding value to an agricultural product requires a permit.

Ms. Brewer went on to say that she would like to create a table that lists the zones and how the six categories fit into that. She noted that she has heard very little citizen concerns or inquiries. She said that what she has heard is related to water issues and increased fire risks. She noted that for the fire board marijuana is like any other crop – more vegetation.

Commissioner Runyon noted that there is one other county with a voting pattern similar to Wasco County and asked if Ms. Brewer has heard regarding their decision. Ms. Brewer replied that she has been working closely with their Planning Director and will follow up.

Ms. Brewer explained that if the County chooses to not opt out, we can opt to impose an up to a 3% sales tax. She said it would have to go to the public in the 2016 election. She noted that if the County opts out of any of the six items, the tax cannot be imposed. Ms. Brewer said the State is anticipates receiving a total of 10.7 million dollars based on a 17 to 20 percent tax (the 3 percent difference is the local option). Ms. Brewer said that a rough calculation of Wasco County's potential tax income (assuming all Oregon counties imposed a 3 percent tax and received an equal portion of the State's anticipated funds) would be approximately \$44,000 per biennium. Mr.

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Stone asked if that is in addition to the State component. Ms. Brewer replied that it is.

Citizen Leslie Kasmer asked if a jobs analysis has been done. Ms. Brewer replied that she has not done that but will follow-up.

Ms. Brewer said that the AOC has developed a good list of action items (included in the Board Packet). Chair Hege asked if any counties that have already opted out. Ms. Brewer replied that fifteen counties are eligible for Option One which allows counties that voted against Measure 91 by at least 55% to opt out within 180 days of the effective date of HB3400A; opting out for these fifteen counties does not require a ballot vote. She reported some have already opted out – i.e., Douglas County and Malheur County. Mr. Stone stated that he believes that four or five of the fifteen have already opted out.

Chair Hege asked if the second opt-out option is available past the 2016 general election. Ms. Brewer replied that she believes that would be the cut-off.

Commissioner Runyon said that he thinks there is a lot of confusion around this issue and the public needs information. Ms. Brewer agreed saying that the State roll-out has been confusing. She added that the portions of the County that are in the National Scenic Area are different as marijuana is not federally legal; she said she is waiting to hear how that will be addressed.

Chair Hege stated that he thinks Wasco County should do what Deschutes County has done – open public hearings to listen to citizens' concerns. He said that he has concerns about using residential water for commercial purposes and has heard that there is a strong odor associated with the crop. He said that he thinks it makes sense to hear from the citizens so we understand what they want. He said that he wants to give the public information and then hear from them what they think should be done, noting that even if the Board were to decide to opt out, it would still go to a vote of the people.

Commissioner Runyon agreed, adding that he would like to see what the outcome was in Deschutes County.

Ms. Brewer asked what role the Board sees the Planning Commission playing. Chair Hege replied that the Board will hear the feedback, some of which will include land

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use issues. Ms. Brewer asked if the Board would be giving direction following the hearings. Commissioner Runyon stated that some of that will be a parallel process.

Chair Hege pointed out that there is already a town hall scheduled for September – that would be a good opportunity for the first public input. Mr. Stone suggested doing two or three public meetings to get feedback from the community.

Ms. Kasmer asked what concerns there are about lighting and fencing. Chair Hege replied that glowing greenhouses and security lighting as well as double fencing and razor wire fencing can impact communities.

Chair Hege said we should take what we have and simplify it to give the public a base of information so they can make comments. Commissioner Runyon suggested inviting AOC's Rob Bovett to attend.

Ms. Kasmer asked if that information will include a job analysis. Mr. Stone suggested that those kinds of statistics would probably be developed through the economic development organizations. He said that we can see who is looking into that and get their information. Chair Hege said that the Board will look to Ms. Brewer for the presentation of information.

Ms. Brewer announced that the new Senior Planner will start on August 31st. She said she is looking at job descriptions for the other positions being added to her department. Chair Hege asked if her department is still getting permit applications. Ms. Brewer replied that there is a backlog of applications but new application submissions have slowed. She explained that in a busy year the planners work on six or seven applications at any given time; right now each planner has eighteen or nineteen. She said there has also been a lot of customer calls. She stated that Household Hazardous Waste had a good event last week and Code Compliance has about sixty cases going at all times. She added that they are also working on a grant for Planning.

Discussion List – Facilitation & Coordination Contract

Commissioner Kramer explained that the County received funds from the Oregon Department of Forestry to engage a facilitator for the Wasco County Forest Collaborative Group; it is a small amount of pass-through funding.

{{{Commissioner Kramer moved to approve the Wasco County Professional

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Services Contract for Facilitation and Coordination Services for the Wasco County Forest Collaborative Group. Commissioner Runyon seconded the motion which passed unanimously.}}

Discussion List – Chamber Dues

Ms. White explained that the Chamber has made significant changes to their rate structure which is included in the Board Packet. She asked that the Board make a selection for what level of membership the County will engage.

Commissioner Runyon stated that he has been exploring this and feels that if the County is going to support one Chamber in the County, we should support all. He said that he does not believe the County needs all the bells and whistles; the basic level is fine. He said that the savings can be used to become members of the other Chambers located within the County.

*****The Board was in consensus to have a basic membership in the City of The Dalles Chamber of Commerce.*****

Discussion List – Board Reassignments

{{{Commissioner Kramer moved to approve Order 15-068 appointing Scott Hege to the North Central Public Health District's Board of Directors. Commissioner Runyon seconded the motion which passed unanimously.}}}

{{{Commissioner Runyon moved to approve Order 15-069 appointing Steve Kramer to the Mid-Columbia Council of Governments' Board of Directors. Commissioner Kramer seconded the motion which passed unanimously.}}}

Consent Agenda – 8.5.2015 Regular Session Minutes

Chair Hege noted that on page 9 a comment regarding traffic control was attributed to him but was actually Commissioner Kramer. He said the last paragraph on page 16 did not convey his intent – rather than an arbitrary distribution of funds, he meant that it was based on the tax distribution formula.

Commissioner Runyon pointed out that the last paragraph on page 19 could be misinterpreted to mean that the Board did not often appreciate public attendance. He suggested new wording that would make it clear that there is not often public attendance but the Board always appreciates when the public participates.

{{{Commissioner Kramer moved to approve the Consent Agenda with noted corrections to the minutes. Commissioner Runyon seconded the motion which passed unanimously.}}}

Chair Hege adjourned the meeting at 12:24 p.m.

Summary of Actions

Motions Passed

- **To approve Order 15-071 Surplussing 1993 13' Hybrid Personal Water Craft Zodiac VIN #XDC05113F293 and 1993 EZ Loader trailer VIN #ZE1BCT18NAE22264.**
- **To approve the amended Vacation Policy with the following corrections: the date in the last cell of the table on page and the addition of language stating that this policy supersedes all previous vacation policies.**
- **To apply the newly adopted Wasco County Vacation Policy to employees who would have been affected by said policy had it been in place on April 1, 2015, when the recommended changes to the policy were approved by the Board; those employees being: Chrissy Zaugg, Bradley Cross, Angie Brewer, Vanessa Uhalde, Robert Hughes, and Matthew Lindsay.**
- **To approve the contract with The Dalles Chronicle for the publication of legal notices.**
- **To approve the Charter Cable Franchise Agreement.**
- **To approve Order 15-070 appointing Tara Koch to the Local Public Safety Coordinating Council.**
- **To approve the Intergovernmental Agreement In Support Of a Community Development Block Grant from The 2015 Community Development Block Grant Program Administered by the Oregon Business Development Department, Infrastructure Finance Authority.**
- **To approve the Wasco County Professional Services Contract for Facilitation and Coordination Services for the Wasco County Forest**

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Collaborative Group.

- **To approve Order 15-068 appointing Scott Hege to the North Central Public Health District's Board of Directors.**
- **To approve Order 15-069 appointing Steve Kramer to the Mid-Columbia Council of Governments' Board of Directors.**
- **To approve the Consent Agenda with noted corrections to the minutes.**

Consensus

- **To direct the Administrative Officer and County Sheriff to determine and implement the best course of action in response to the retirement of the Community Corrections Manager.**
- **To have a basic membership in the City of The Dalles Chamber of Commerce.**

WASCO COUNTY BOARD
OF COMMISSIONERS

Scott Hege, Commission Chair

Rod Runyon, County Commissioner

Steve Kramer, County Commissioner



WASCO COUNTY BOARD OF COMMISSIONERS
PUBLIC HEARING
AUGUST 27, 2015

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

At 9:00 a.m. Chair Hege opened the Special Session of the Board of Commissioners with the Pledge of Allegiance. Chair Hege opened a Public Hearing:

“This public hearing is for the application for a 2015 Community Development Block Grant from the Oregon Business Development Department for Mid-Columbia Center for Living Building Project. All persons wishing to be heard at this Public Hearing should sign in on the sign-up sheet giving their name and address. Persons who do not sign in shall speak only after all those who have signed in have given their testimony.

The order of presentation will be: Staff Presentation; testimony from anyone wishing to speak; questions and responses from the Commission.

An official record is being made of what is said at this hearing. Therefore, persons addressing the Commission are requested to begin by stating their name and address. Speak clearly. Only one person may speak at a time.”

Chair Hege then read the following notice into the record:

WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
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Wasco County is eligible to apply for a 2015 Community Development Block Grant from the Oregon Business Development Department. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes.

Approximately \$11.3 million will be awarded to Oregon non-metropolitan cities and counties in 2015. The maximum grant that a city or county can receive is \$3,000,000.

Wasco County is preparing an application for a 2015 Community Development Block Grant from the Oregon Business Development Department for Mid-Columbia Center for Living Building Project. It is estimated that the proposed project will benefit at least 1,100 persons, of whom 91% will be low or moderate income.

A public hearing will be held by the Wasco County Board of Commissioners at 9:00 a.m. on Thursday, August 27, 2015 at the Wasco County Courthouse, 511 Washington Street, Suite 302, The Dalles, OR. The purpose of this hearing is for the Wasco County Board of Commissioners to obtain citizen views and to respond to questions and comments about: community development and housing needs, especially the needs of low- and moderate-income persons, as well as other needs in the community that might be assisted with a Community Development Block Grant project; and the proposed project.

Written comments are also welcome and must be received by Wednesday, August 26, 2015, at 511 Washington Street, Suite 302, The Dalles, OR 97058. Both oral and written comments will be considered by the Wasco County Board of Commissioners in deciding whether to apply.

The location of the hearing is accessible to persons with disabilities. Please contact Kathy White at 541.506.2520 if you will need any special accommodations to attend or participate in the meeting.

More information about Oregon Community Development Block Grants, the proposed project, and records about the County's past use of Community Development Block Grant funds is available for public review at 511 Washington Street, Suite 101, The Dalles, OR during regular office hours. Advance notice is requested. If special accommodations are needed, please notify Kathy White at 541.506.2520 so that appropriate assistance can be provided.

WASCO COUNTY BOARD OF COMMISSIONERS
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Permanent involuntary displacement of persons or businesses is not anticipated as a result from the proposed project. If displacement becomes necessary, alternatives will be examined to minimize the displacement and provide required/ reasonable benefits to those displaced. Any low- and moderate-income housing which is demolished or converted to another use will be replaced.

Chair Hege asked Mid-Columbia Center for Living Executive Director Barbara Seatter to speak about the proposed building project. Ms. Seatter shared illustration boards with drawings of the proposed building (attached). She stated that building being proposed on behalf of the community will likely serve more than 1,100 people. She said that they currently have multiple facilities; this building will bring the teams together making the organization more efficient and effective in the delivery of services; it will also increase their capacity to serve an additional 200 or more clients. She thanked the County for their support of this community project.

Commissioner Runyon asked where the building will be located. Ms. Seatter responded that the building site is at the corner of 10th and Webber next to One Community Health. She explained that Mid-Columbia Center for Living already owns the land which was purchased at the same time as One-Community Health purchased their land – both organizations understood the plan from the beginning.

Commissioner Runyon asked how many buildings MCCFL is currently operating. Ms. Seatter replied that they have three locations in The Dalles as well as locations in Hood River, Maupin and other satellite offices.

Commissioner Runyon asked if the office across from the Chevron station in The Dalles has a special purpose. Ms. Seatter stated that MCCFL had housed both adult and children services in one building with a shared waiting area. It was not always appropriate to have the children in the same space with adults who were struggling with mental health issues and they wanted to separate them. They opened the Family Resiliency Center to allow for separation; it has had a very positive outcome – the lobby is child friendly and more people are willing to come there. She went on to say that the new building will house services for both children and adults but will have waiting areas on separate floors.

Commissioner Runyon asked if all of the current MCCFL buildings are leased. Ms. Seatter said that all but the old Tenneson building are leased facilities. She said they are looking at how they want to use that building.

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Haystack Broadcasting Reporter Rodger Nichols asked how much the grant will be. Ms. Seatter replied that the maximum is \$2 million which is almost half of the overall cost of the project. Mr. Nichols asked about the timeline for the grant process. Ms. Seatter said that MCCFL will put in an initial notice of their plan to apply, if successful there will be an invitation to apply issued from the grantors with a submission deadline of September 30th. She went on to say that they should receive an answer by December 1st and would hope to be ready to start the project by April 1st.

Mr. Nichols asked where they would get the additional funding for the project. Ms. Seatter responded that MCCFL has committed funds in reserve that they have been setting aside for more than 10 years. She explained that the need for expansion has been known; the reserve funds are dedicated to improve services for the low to moderate income population. She stated that the remainder of the funding will be obtained through an equity loan on the MCCFL Hood River building.

Mr. Nichols asked what the total cost for the project is estimated to be. Ms. Seatter replied that it has gone up due to some additional architectural work that added 4,000 square feet to the project. They made those changes when they learned that the grant maximum is \$2 million; it was previously thought to be \$1.5 million. She said they wanted to invest in as large a space as possible. The new plan will allow them to include a Lincoln Program in the facility – this is space that will be used to train for life skills such as computers, resume writing, cooking, etc. The additional space brings the project to 20,000 square feet at an estimated cost of \$4.6 million. That estimate does not include the soft costs of furniture, fixtures, etc. which will cost an estimated additional \$800,000, bringing the total project cost to \$5.4 million.

Ms. Seatter explained that Mid-Columbia Economic Development District (MCEDD) has offered to help with grant administration; there will also be an additional agreement between Wasco County and MCCFL to outline responsibilities for the grant process.

MCEDD Executive Director Amanda Hoey said that they have supported communities throughout the region with grant projects. She said their participation would make it easier for the County.

Ms. Seatter said MCCFL appreciates the support from MCEDD; this project is on the Economic Development Commission's list of priority projects.

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Chair Hege asked if anyone else wished to speak; there being no response, he closed the public testimony portion of the hearing.

{{{Commissioner Runyon moved to go forward with the application process for the 2015 Community Development Block Grant from the Oregon Business Development Department with assistance from MCCFL and MCEDD. Chair Hege seconded the motion which passed unanimously.}}}

Chair Hege closed the public hearing and adjourned the session at 9:24 a.m.

Summary of Actions

- **To go forward with the application process for the 2015 Community Development Block Grant from the Oregon Business Development Department with assistance from MCCFL and MCEDD.**

WASCO COUNTY BOARD
OF COMMISSIONERS

Scott Hege, Commission Chair

Rod Runyon, County Commissioner

Steve Kramer, County Commissioner

Agenda Item

Zoning Map Amendment

- [Notice of Recommendation](#)
- [Planning Commission Report & Recommendation](#)
- [August 4, 2015 Planning Commission Draft Minutes](#)
- [Petitions & Comments](#)
- [August 4, 2015 Planning Commission Packet](#)



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

NOTICE OF RECOMMENDATION

Wasco County Planning Commission

FILE # PLAQJR-15-02-0001

HEARING DATE: August 4, 2015

REQUEST: Rezone two properties in Tygh Valley:

1. 4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial. Proposed uses are intended to support economic development activities in Tygh Valley
2. 4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential. Property will continue to be used for residential use.

RECOMMENDATION: **Approval**, with proposed conditions and findings in the Final Planning Commission report.

APPLICANTS/OWNERS:

4S 13E 3CC 3400
Mike (Irl) and Laila Davis
P.O. Box 188
Tygh Valley, OR 97063

4S 13E 3CC 4300
Randy Cox
82675 Wamic Market Road
Tygh Valley, OR 97063

PROPERTY INFORMATION:

Zoning: 4S 13E 3CC 3400: TV-R, Tygh Valley Residential
4S 13E 3CC 4300: TV-C, Tygh Valley Commercial

Location: 4S 13E 3CC 3400: The subject property is located on the northeast corner of Leonard Avenue/Second Street, approximately 150' east of Wamic Market Road, in the community of Tygh Valley, Oregon.
4S 13E 3CC 4300: The subject property is located north of Wamic Market Road, approximately 100' south of the intersection of Leonard Avenue, in the community of Tygh Valley, Oregon. These properties are more specifically described as:

<u>Existing Tax Lot</u>	<u>Account #</u>	<u>Acres</u>
	4S 13E 3CC 3400 10604	0.92
	4S 13E 3CC 4300 10589	0.50

ATTACHMENTS:

Prepared by Dawn Baird, Associate Planner

- A. Recommended Conditions of Approval
- B. Maps
- C. Staff Report
- D. Detailed Project Description

ATTACHMENT A

RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS OF APPROVAL:

The Planning Commission recommends the following **conditions of approval**:

1. Septic approval shall be obtained from the North Central Public Health District for all proposed uses in the old church building (4S 13E 3CC 3400) prior to the commencement of the use.
2. The subject parcels are located in the EPD-2, Geologic Hazard Overlay Zone (Landslide Area). Future development may be required to obtain a geologic hazard report prepared by an engineering geologist or engineer that is certified to evaluate soils. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare.

SIGNED THIS 4th day of August, 2015, at The Dalles, Oregon.

Russ Hargrave, Chair
Wasco County Planning Commission

State of Oregon
County of Wasco

Signed or attested before me on August 4, 2015, by Dawn Baird, Associate Planner.

Notary Public – State of Oregon

NOTE: Any new land uses or structural development such as residences; garages, workshops or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review.

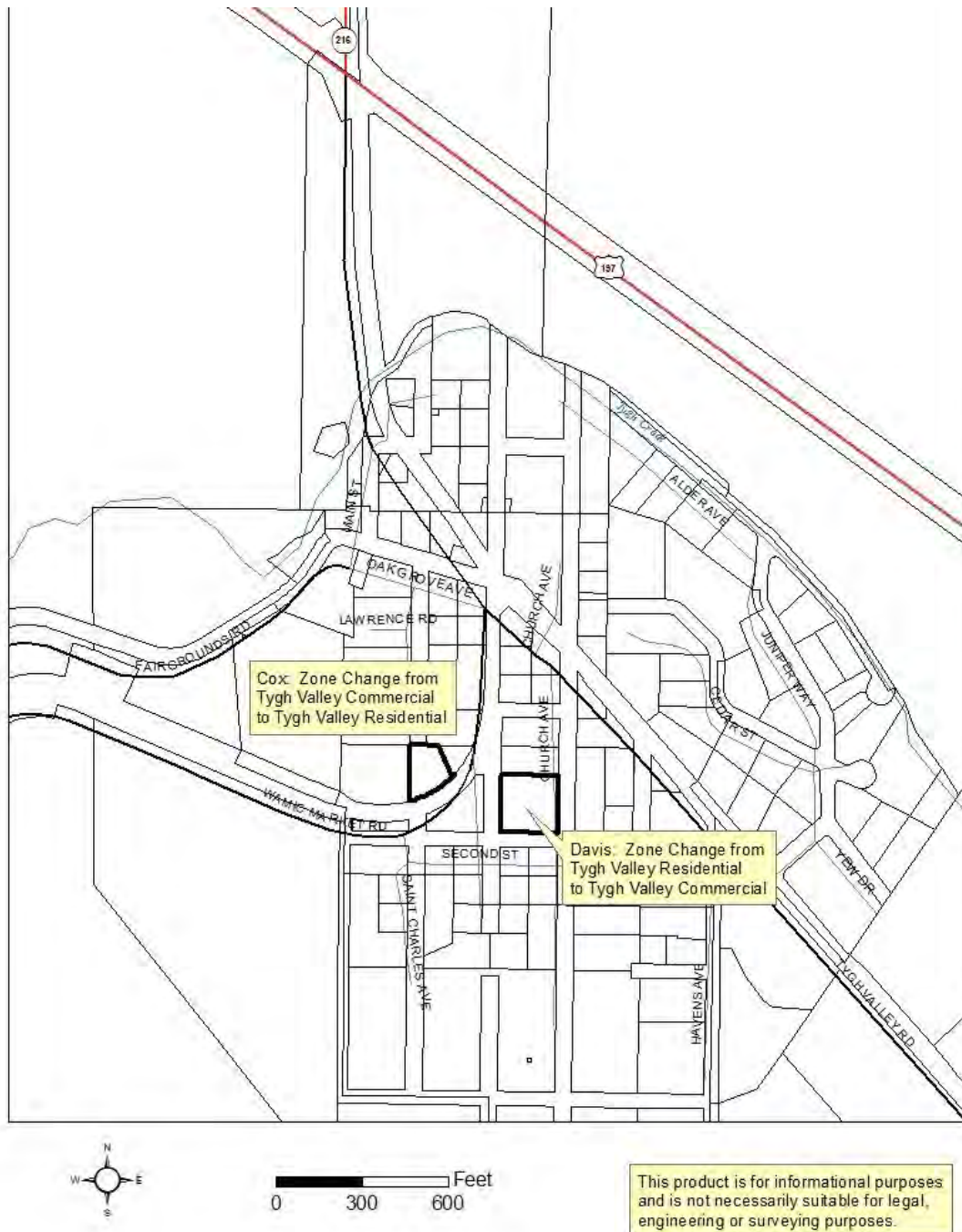
NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: Oregon Revised Statutes, Chapter 215, requires that if you receive this notice, it must promptly be forwarded to the purchaser

ATTACHMENT B – MAPS

Property Owners: Mike & Laila Davis; Randy Cox

4S 13E 3CC, Tax Lots 3400 and 4300

Vicinity Map



ATTACHMENT B – MAPS

Property Owners: Mike & Laila Davis; Randy Cox

4S 13E 3CC, Tax Lots 3400 and 4300

Current Zoning



ATTACHMENT B – MAPS

Property Owners: Mike & Laila Davis; Randy Cox

4S 13E 3CC, Tax Lots 3400 and 4300

Davis property



Site Plan



Cox property



ATTACHMENT D

FINAL PLANNING COMMISSION REPORT & RECOMMENDATION

File Number: PLAQJR-15-02-0001

Request: Rezone two properties in Tygh Valley:

1. 4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial. Proposed uses are intended to support economic development activities in Tygh Valley.
2. 4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential. Property will continue to be used for residential use.

Prepared For: Wasco County Board of Commissioners

Prepared by: Dawn Baird, Associate Planner

Procedure Type: Quasi-Judicial Hearing

Hearing Date: August 4, 2015

Applicant: Irl (Mike) & Carolyn (Laila) Davis

Owners: 4S 13E 3CC 3400: Irl (Mike) and Carolyn (Laila) Davis
4S 13E 3CC 4300: Randy Cox

Location: 4S 13E 3CC 3400: The subject property is located on the northeast corner of Leonard Avenue/Second Street, approximately 150' east of Wamic Market Road, in the community of Tygh Valley, Oregon.

4S 13E 3CC 4300: The subject property is located north of Wamic Market Road, approximately 100' south of the intersection of Leonard Avenue, in the community of Tygh Valley, Oregon.

These properties are more specifically described as:

<u>Existing Tax Lot</u>	<u>Account #</u>	<u>Acres</u>
4S 13E 3CC 3400	10604	0.92
4S 13E 3CC 4300	10589	0.50

Zoning: 4S 13E 3CC 3400: TV-R, Tygh Valley Residential
4S 13E 3CC 4300: TV-C, Tygh Valley Commercial

The subject lots are also located in the Environmental Hazard District 2 – Geologic Hazard Overlay Zone.

Past Actions: 4S 13E 3CC, tax lot 3400: None
4S 13E 3CC, tax lot 4300: LOC-84-BP (roof over trailer)

I. APPLICABLE STANDARDS

A. Wasco County Land Use & Development Ordinance (LUDO)

1. Chapter 2 – Development Approval Procedures

Section 2.060.B.2.	(Recommendation to the County Governing Body on a Zone Change and/or Ordinance Amendment - Chapter 9)
Section 2.080.A.	(Notice)
Section 2.090	(Contents of Notice)
Section 2.140	(Hearing Procedure)
Section 2.150	(Official Notice)
Section 2.190	(General Conduct of Hearings)

2. Chapter 9 – Zone Change and Ordinance Amendment

Section 9.010	(Application for Zone Change)
Section 9.020	(Criteria for Decision)
Section 9.030	(Transportation Planning Rule Compliance)
Section 9.040	(Conditions Relative to the Approval of a Zone Change)
Section 9.060	(Recommendation on Zone Change or Amendment to the Land Use and Development Ordinance)
Section 9.070	(Notice of Planning Commission Recommendation)
Section 9.080	(Action by County Governing Body)

3. Chapter 4 – Supplemental Provisions

Section 4.140	(Traffic Impact Analysis)
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II. BACKGROUND

A. Legal Parcel(s): 4S 13E 3CC 3400 (Davis): The subject property contains four legal subdivision lots identified as Lots 3, 4, 5 & 6, Block 12, plat of Tygh Valley. 4S 13E 3CC 4300 (Cox): The subject property is identified as Lot 7, Block 13, plat of Tygh Valley. The plat of Tygh Valley was recorded with the Wasco County Clerk on June 15, 1892. All identified parcels are consistent with the definition of Legal Parcel in LUDO Chapter 1, Section 1.090 Definitions, because they were created by a duly recorded subdivision.

B. Site Description: 4S 13E 3CC 3400 (Davis): The subject parcel contains 0-5% northeast-facing slopes with grass and scattered trees. The property contains the old church, which includes a residence, attached garage and attached carport. There is also a general purpose shed on the northeast corner of the property. 4S 13E 3CC 4300 (Cox): The subject parcel contains 0-5% northeast-facing slopes with natural grasses and some trees. The property contains an easement road through its center for properties located to the north. Improvements include an existing mobile home, mobile home cover, and two sheds.

C. Surrounding Land Use: Surrounding properties contain similar slopes as the subject parcels, 0-5% northeast-facing. Most properties contain natural grass or green lawn and scattered trees. Properties surrounding the Davis property (4S 13E 3CC 3400) are predominantly developed for residential use, while approximately one-half of the properties surrounding the Cox property (4S 13E 3CC 4300) are developed for residential use, and the other one-half are vacant but zoned for future development. Proposed uses include but are not limited to community event space, event rental space,

small business incubator, community garden and open space, religious events, theater performances, clinic (doctor), and other general office space.

III. FINDINGS:

Wasco County Land Use & Development Ordinance

A. Chapter 2 – Development Approval Procedures

Section 2.060, Application/Completeness, Section B.

(***)

2. *Recommendation to the County Governing Body on a Zone Change and/or Ordinance Amendment (Chapter 9)*

FINDING: The request is for a Zoning Map Amendment for two properties in Tygh Valley. The Planning Commission will use the information provided by staff in this report to make a recommendation to the Board of Commissioners, who will make the final decision on the Zoning Map Amendment.

Section 2.080.A., Notice

Section 2.090, Contents of Notice

Section 2.140, Hearing Procedure

Section 2.150, Official Notice

Section 2.190, General Conduct of Hearings

FINDING: The above sections establish the requirements for providing notice of public hearings and the general conduct of hearings. A twenty day pre-notice is required for quasi-judicial hearings. This hearing is being held on August 4, 2015. The public hearing notice was published in The Dalles Chronicle on July 14, 2015, and notice was provided to agencies and property owners within 750' of the subject parcel, on July 14, 2015, twenty-one days before the hearing.

B. Chapter 9 – Zone Change and Ordinance Amendment

Section 9.010, Application for Zone Change

Section 9.010.C. states that an application for a zone change may be initiated by an application being filed with the Director of Planning on the appropriate forms, containing information required to establish the criteria for the change (quasi-judicial only).

FINDING: Mike Davis, the property owner of 4S 13E 3CC 3400, submitted an application for a Zoning Map Amendment for the two properties on February 25, 2015, on the appropriate forms with property owner signatures. He also provided information addressing the criteria required for the zone change.

Section 9.020, Criteria for Decision

The Approving Authority may grant a zone change only if specific circumstances are found to exist:

A. The original zoning was the product of a mistake; or

APPLICANT FINDING: The original zoning was not the product of a mistake, but rezoning of the two parcels will conform to the Comprehensive Plan as required in 2) below. The sites are suitable to the proposed zoning.

B. It is established that:

1. The rezoning will conform with the Comprehensive Plan; and,

APPLICANT FINDING: The request complies with 2)a). A goal analysis is provided below where it is shown that the proposed rezoning will conform with all of the applicable goals and policies in the Comprehensive Plan.

- Goal 1 – Citizen Involvement

APPLICANT FINDING: This application meets Goal 1, as the rezoning process in Wasco County requires citizen involvement via the Planning Commission and County Board of Commissioners. In addition, the property owners have submitted a petition in support of the rezoning that has the signatures of over 75 residents in Tygh Valley.

FINDING: Concur with applicant finding. All property owners within 300' of the subject properties, and affected agencies, were notified. In addition, a hearing notice was published in The Dalles Chronicle on July 14, 2015 and the application materials have been available at the Wasco County Planning Department office and posted on the Wasco County Planning website for viewing.

- Goal 2 – Land Use Planning

APPLICANT FINDING: This application meets Goal 2, as the rezoning meets the intent of the Wasco County Comprehensive Plan and Statewide Planning Goals. Orderly development is promoted and supported by the approval of this re-zone for the purposes stated in this application. Tygh Valley is a small rural community with limited available public services. Community services proposed to be accommodated at the church parcel will only support viability of Tygh Valley. The rezone allows an existing church building to be used for broader community service provision. Without creating potential for harmful change, additional community service provision is supported.

The rezoning of the Cox property to residential zoning meets Goal 2, as the property provides needed housing in the area and takes pressure away from the conversion of farmland for housing. In addition, the overall acreage zoned residential in Tygh Valley will remain nearly the same by swapping the zoning with the Davis property.

FINDING: Concur with applicant's finding. In addition, staff finds the proposed zones will more accurately reflect the current and historic uses occurring on the subject properties.

- Goal 3 – Agricultural Lands

APPLICANT FINDING: This application supports Goal 3. Rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands, and supportive of farmers. Such development opportunities include value-added food production, farm to table promotion, exploring niche agricultural markets etc. Overall, Tygh Valley is located in a prime location to serve as a center of commercial and community service activity for many of the agricultural lands located in Southern Wasco County. The rezoning will allow for the best use of the property, possibly taking pressure off of the demand for rezoning agricultural lands to allow commercial uses. In addition, the

property will provide a location for a Community Garden that will encourage community members to get involved with farming and learn more about agriculture in the area.

The rezoning of the Cox property to residential will support Goal 3 by continuing to make housing available to agricultural workers within Rural Service Centers. This may take pressure off the conversion of agricultural lands to residential uses.

FINDING: Concur with applicant's finding. Staff notes that the applicant's finding is based on the current landowner's development goals and that future owners of the Davis property would be limited to the list of uses identified as allowed in the Wasco County Land Use and Development Ordinance Tygh Valley Commercial Zone (Section 3.602). Staff finds that the proposed rezone of the Davis property would allow commercial uses to occur on lands not currently used to meet residential development needs, and will not remove agriculture land from production, consistent with Goal 3. Furthermore staff finds that the Cox property is in residential use and does not currently provide the acreage of commercial uses to the community of Tygh Valley anticipated by its current zoning.

- Goal 4 – Forest Lands

APPLICANT FINDING: This application supports Goal 4, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-forest land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to forest lands. Such opportunities may include value-added wood product development, forest based recreation opportunities etc. Tygh Valley is well located to serve as a commercial and community service center for those living in or near Forest Lands around the nearby Mt Hood National Forest.

The rezoning of the Cox property to residential will support Goal 4 by continuing to make housing available to Forest Land workers within Rural Service Centers. This may take pressure off the conversion of forest lands to residential uses.

FINDING: Concur with applicant's finding.

- Goal 5 – Open Spaces, Scenic and Historic Areas and Natural Resources

APPLICANT FINDING: This application supports Goal 5, as the rezoning will encourage private investment for renovation and maintenance of a culturally significant building (the chapel) in Tygh Valley. The uses proposed for the chapel building if rezone is approved will be complementary to those provided by the community center located in the building previously used as a school building. All community services will have a focus on the rural values of open space and importance of maintaining vibrant rural communities and viable and vital agricultural operations around those communities.

The rezoning of the Cox property to residential will support Goal 5 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of areas with Open Space, Scenic and Historic Areas, and Natural Resources to residential uses.

FINDING: Concur with applicant's finding.

- Goal 6 – Air, Water and Land Resource Quality

APPLICANT FINDING: The proposed rezoning will have no significant impact on air, water, and land resources quality. The proposed use will utilize the existing utilities provided to the site. In

addition, the proposed use will not produce significant pollution from business activities at the site or other impacts to air, water, and land resources.

FINDING: Concur with applicant's finding. Staff notes that the properties are served by a public water system, therefore, it will not have a significant impact on water quality. As long as the septic system is adequate for the proposed uses, water and land quality will be unaffected. A **condition** is recommended requiring Mr. and Mrs. Davis to obtain septic approval from the North Central Public Health District for all proposed uses in the old church building (4S 13E 3CC 3400) prior to the commencement of the use.

- Goal 7 – Areas Subject to Natural Disasters and Hazards

APPLICANT FINDING: The proposed rezoning will have no significant impact for areas of natural disasters or hazards. There are no known specific natural disaster risks or hazards for this site. The wildfire hazard in the region will be taken into account, when the landscaping and building renovation is being completed. The wildfire hazard is less in this location due to access to water and surrounding residential areas.

FINDING: The subject parcels, and most of Tygh Valley are located in a Geologic Hazard Overlay Zone. Tygh Valley is identified by the Oregon Department of Geology & Mineral Industries as being in a landslide area. This area could be subject to falling rocks and land from the hills located to the south. The owner is advised that any future development request on the subject properties may be required to obtain a geologic hazard report prepared by an engineering geologist or engineer that is certified to evaluate soils. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare. A **condition** is recommended advising the owners of the existence and requirements for future development.

- Goal 8 – Recreational Needs

APPLICANT FINDING: This application supports Goal 8, as the rezoning will provide open space and a community garden area to meet recreational needs and further support developing sense of community in Tygh Valley.

FINDING: There are no existing recreation sites in the vicinity of the subject parcels, therefore, the proposed rezone will not impact any existing recreation sites. The rezone will allow the continuation of historic uses. Staff concur with applicant's finding.

- Goal 9 – Economy of the State

APPLICANT FINDING: This application directly and primarily supports Goal 9, the rezoning will meet Policy #2 – Implementation Measure D of the Comprehensive Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

The rezoning of the Cox property will allow for further investment in the residential use on the property – instead of it being considered an existing non-conforming use under the current zoning of the parcel as commercial.

FINDING: Concur with applicant's finding. Historically, the Tygh Valley community has relied upon the logging and lumber industry for local jobs. This economic sector was impacted by the federal listing of the Spotted Owl and local jobs have decreased. The proposed uses on the Davis property will allow the creation of potential economic development opportunities, resulting in new job creation.

- Goal 10 – Housing

APPLICANT FINDING: This application supports Goal 10, as the rezoning may increase the surrounding residential property values via the improvement and maintenance of the building. A vacant building of this size with such limited allowed uses decreases neighboring property values. In addition, the total change in acres zoned residential in Tygh Valley will be very minor given the corresponding zone change of a nearby commercial property to residential on Wamic Market Road. Again, the rezone more accurately reflects the existing land use on these two parcels.

The rezoning of the Cox property to residential will support Goal 10 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of other areas to residential uses.

FINDING: Concur with applicant's finding.

- Goal 11 – Public Facilities and Services

APPLICANT FINDING: This application supports Goal 11, as the rezoning will fit into the existing framework of public facilities and services. The rezoning will not have an increased impact on public facilities such as the road network or water system. The rezoning will not increase the need for fire protection, police protection or emergency medical services over the existing use.

The proposed use at the church property could have similar impacts to the allowed existing use of the property as Church Facility. The Church Facility is obviously currently vacant - however the allowed uses at a Church Facility are substantial. The Church Facility use is similar to the proposed in that it generates trips through large events/services. The Church Facility Use could also include daily use for things like a food bank, counseling, classes, and other church programs. The proposed use will be hosting similarly sized events and daily use for businesses. Lastly, the residential use associated with the Church Facility is actually a more intensive use in some ways than the proposed use.

The rezoning of the Cox property to residential will support Goal 11, as the property will continue to be used as residential and fit into the existing framework of public facilities and services that currently serve the residence.

FINDING: The proposed rezone will not require new or modification of existing public facilities and services. Staff concurs with applicant's finding.

- Goal 12 – Transportation

APPLICANT FINDING: This application supports Goal 12, as the rezoning will proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. The two main access points on the property allow for adequate emergency vehicle access to all land uses. The access on the north side is situated in close proximity to one of the main roads - Wamic Market Road- through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County

Road issues are addressed below in Section 9.030.

The single family dwelling on the Cox property takes access from Wamic Market Road via an approximately 20' gravel driveway. There is a secondary access to the single family dwelling via a small gravel driveway that connects to St. Charles Ave. The residential use on this property will not change and does not trigger the need for access or road improvements.

FINDING: Concur with applicant's finding. Roads and traffic are further discussed in Section 9.030, Transportation Planning Rule Compliance

- Goal 13 – Energy Conservation:

APPLICANT FINDING: The renovation of the building will include small energy conservation upgrades, however the proposed rezoning will not have a significant impact on energy conservation in the area.

FINDING: Staff agrees that building renovations will provide small energy conservation improvements. Staff also finds that with the potential to create jobs for Tygh Valley residents, many daily commuters to The Dalles or Maupin may be able to work closer to home – reducing the consumption of fossil fuels. Rezoning the Cox property will not have an impact on energy conservation.

- Goal 14 – Urbanization

APPLICANT FINDING: This application supports Goal 14, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. The rezoning will meet Goal #14 Policy #2 – Implementation Measure C of the Comprehensive Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands. Economic development efforts will be focused on rural uses that fit within the scope of uses provided for in the rural community rule and will support long range community development to accommodate community service and commercial uses within the existing rural community.

The rezoning of the Cox property to residential will support Goal 14 by continuing to make housing available within the Tygh Valley Rural Service Center. This may take pressure off the conversion of other areas to residential uses.

FINDING: Concur with the applicant's finding.

2. The site is suitable to the proposed zone; and

APPLICANT FINDING: The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses of these properties. There will not be a negative impact on adjacent properties as the proposed zone and use will not drastically change how the property has been used in the past for a church. The site does not have any major issues with slope or flooding.

Please see the Detailed Site Description that is attached to the Land Use Application for detailed about the suitability of the site.

FINDING: Concur with the applicant's finding. The proposed rezone will more closely reflect the current and historic uses of the subject parcels. The Cox property is zoned Tygh Valley Commercial, but has been in residential use for more than 30 years. Similarly, the church building on the Davis property has existed since 1957.

3. *There has been a conscious consideration of the public health, safety and welfare in applying the specific zoning regulations.*

APPLICANT FINDING: The zone change will not have a negative impact on the public health, safety, or welfare on the community of Tygh Valley. In terms of public health, the septic system was updated in 2007 and will properly handle all wastewater from the buildings. The main vehicle access will adequately deal with future traffic associated with the proposed use and will not create an unsafe pedestrian environment for the surrounding neighborhoods. Vacant structures are known to attract nuisances, such as vandalism and trespassing. The rezone will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

FINDING: Concur with applicant's finding.

Section 9.030, Transportation Planning Rule Compliance

- A. *Review of Applications for Effect on Transportation Facilities - A proposed zone change or land use regulation change, whether initiated by the County or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – "TPR"). "Significant" means the proposal would:*
 1. *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 2. *Change standards implementing a functional classification system; or*
 3. *As measured at the end of the planning period identified in the adopted transportation system plan:*
 - a. *Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - b. *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or*
 - c. *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

FINDING: The proposed change will not have a significant impact on transportation facilities. On June 18, 2015, Arthur Smith, Public Works Director, Dawn Baird, Associate Planner, Mike Davis, property owner, and Nick Kraemer, Planning Consultant, met to discuss the proposed zone change and its impact on transportation facilities. An e-mail from received from Mr. Smith on June 22nd,

2015, that states: "I have reviewed the proposed zone change and possible development. As the county road official, I have determined that this action will not create any significant impact. Additionally, the estimated increase in traffic volume will be well below the thresholds for requiring a Traffic Impact Analysis".

B. Amendments That Affect Transportation Facilities - Amendments to the land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP...

FINDING: According to Arthur Smith, Public Works Director (June 22, 2015, e-mail), the proposed Zone Change will not significantly affect transportation facilities.

C. Traffic Impact Analysis - A Traffic Impact Analysis shall be submitted with a zone change application pursuant to Section 4.140 Traffic Impact Analysis (TIA))

FINDING: The purpose of a Traffic Impact Analysis is to determine additional impacts on the road system from a Zone Change. As previously stated in Section 9.030.A., the Public Works Director states that he would not require a Traffic Impact Analysis because the change is not significant and the estimated increase in traffic will be below the threshold for requiring a Traffic Impact Analysis. Section 4.140 Traffic Impact Analysis is discussed below.

Section 9.040, Conditions Relative to the Approval of a Zone Change

Reasonable conditions may be imposed, pursuant to Section 2.110(D) as are necessary to insure the compatibility of a zone change to surrounding uses and as are necessary to fulfill the general and specific purposes of this Ordinance.

APPLICANT FINDING: The proposed change will not have a negative impact on surrounding properties. All of the land uses within 1,000 feet of the proposed zone change fall within the Tygh Valley Rural Service Center. The properties directly surrounding the site are zoned residential and are mostly occupied with single family residential uses. The proposed zoning will not impact these residences any differently than the church has impacted them in the past. In addition, the main vehicle access keeps traffic out of the neighborhood and the buildings on the property meet all setbacks. Commercial zoning dominates the area across Wamic Market Road to the north, however the area is mostly occupied with single family residential uses. This area will not be impacted by the rezoning and the rezoning of the Cox property will more accurately reflect the historical/existing use of the property. There is a commercially zoned area approximately 400 feet to the east of the site that is occupied with commercial uses. The proposed zoning will not negatively impact this commercial area and may contribute to the economic viability of those commercial uses by encouraging new businesses and providing resources for entrepreneurs. Overall the community will maintain nearly the same amount of acres of residential and commercially zoned lands. The rezoning will also encourage investment in the property, which may positively impact the value of surrounding properties.

FINDING: Concur with applicant's finding. New uses proposed in either zone would be subject to the siting standards required by the relevant zone. The siting standards include setbacks sufficient to prevent impacts to adjacent properties. Noise produced by potential uses will be similar to, or less than noise produced by a church because potential uses will primarily occur indoors. Traffic generated by commercial uses will be less than generated by the church which was used daily as a residence, and multiple times per week for community/church uses. Future commercial uses will be reviewed to ensure they will not compromise the air quality in the area.

Section 9.060, Recommendation on Zone Change or Amendment to the Land Use and Development Ordinance

After hearing information presented at the hearing, the Approving Authority shall recommend that the proposed zone change or amendment to the Zoning Ordinance be granted or denied. The Director of Planning or his assistants shall reduce to writing the Commission's recommendations together with a brief statement of the facts and reasons upon which such recommendation is based.

FINDING: After hearing all testimony and closing the hearing, the Planning Commission will make a recommendation to the Board of Commissioners on the Zoning Map Amendment. Upon issuance of a Planning Commission Recommendation, Planning Staff will convey in writing the Commission's recommendation and findings.

Section 9.070, Notice of Planning Commission Recommendation

Within ten (10) days of the final Planning Commission hearing, the Director of Planning or his assistants shall give notice thereof to any persons who signed in and testified at the hearing and to such other persons as may have requested the same in writing.

APPLICANT FINDING: Upon completion of the Planning Commission hearing, staff shall provide notice as required by Section 9.070.

Section 9.080, Action by County Governing Body

Upon receipt of the Commission report, the County Governing Body shall take such action as may appear appropriate to that body, or as it feels the public interest requires, provided that in no event shall the County Governing Body act until at least twenty (20) days after the Notice of Planning Commission Recommendation has been mailed.

FINDING: Upon completion of the Planning Commission hearing, the Commission's recommendation will be forwarded to the Board of Commissioners. Notice of the Board hearing will be published a minimum of 10 days prior to the hearing. The Planning Commission recommendation will be mailed the day after their recommendation is made at the hearing. The Board of Commissioners hearing has been tentatively scheduled for September 2, 2015, which is 29 days after notice is mailed.

C. Chapter 4 – Supplemental Provisions

Section 4.140, Traffic Impact Analysis (TIA)

FINDING: The Wasco County Public Works Director reviewed the proposed Zone Change. He considered the existing roads in the area and current traffic loads, and on June 22, 2015, determined that the existing roads are adequate for the proposed use. He stated that the estimated increase in traffic will be below the threshold for requiring a Traffic Impact Analysis.

IV. PLANNING COMMISSION RECOMMENDATION:

Recommend approval of the Zoning Map Amendment to the Board of Commissioners to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, **with the proposed findings and conditions recommended by staff;** or

V. RECOMMENDED CONDITIONS OF APPROVAL:

- A.** Septic approval shall be obtained from the North Central Public Health District for all proposed uses in the old church building (4S 13E 3CC 3400) prior to the commencement of commercial use.
- B.** The subject parcels are located in the EPD-2, Geologic Hazard Overlay Zone (Landslide Area). Future development may be required to obtain a geologic hazard report prepared by an engineering geologist or engineer that is certified to evaluate soils. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare.

ATTACHMENT D

DETAILED PROJECT DESCRIPTION

DETAILED PROJECT DESCRIPTION

Overview

The purpose of this land use application is to request the rezoning of the property at 57645 Leonard Street (formerly the Tygh Valley Methodist Church) from residential zoning to commercial zoning. The rezoning of the property to Tygh Valley-Commercial will enable the property to be improved and utilized for economic development activities. The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 signatures). In addition, an adjacent property owner at 82675 Wamic Market Road, Mr. Randy Cox, is seeking rezoning of his property from commercial to residential in conjunction with this application. The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses as well as the highest and best uses of these properties.

Proposed Use

Long time Tygh Valley residents, Mike and Laila Davis, purchased the former Tygh Valley Methodist Church with intentions of converting the property into a hub of economic and community development in Tygh Valley. The proposed uses for the property include the following:

- **Community Event Space:** The property will be used for a variety of community events such as: benefit concerts, movie nights, small business networking events, lectures, and other events that benefit the community.
- **Event Rental Space:** The property will also be available for rental to host large private events like weddings, funerals, and other gatherings.
- **Small Business Incubator:** A portion of the building will be converted into an economic development office that provides resources for local businesses. In addition, the basement of the church will be available for small businesses to rent desk space or setup other income generating activities.
- **Community Garden and Open Space:** The grounds of the property will host a community garden and open space for community members to utilize.
- **Religious Events:** The property will be available for rental by local religious organizations to hold regular services and host events.

The current zoning of the site, as Tygh Valley Residential, does not allow for many of these uses, which greatly limits the viability of the property and ability to attract investment in redevelopment of the property.

The Cox Property currently has a single family home on the property and it is proposed that the residential use will continue after the rezoning. The existing residential use on this property would be considered existing, non-conforming. The zone change to residential will bring the property into compliance and allow the property owner to continue to make improvements to the residence.

Structures and Dimensions

The church property is 0.92 acres and contains the following structures:

- 2,000 sq foot church that was constructed in 1952-54. The building is constructed of a stout concrete foundation with wood framing and a metal roof. There is also a basement level work area of approximately 2,000 square feet with a kitchen and bathroom. The peak of the chapel is approximately 30 feet tall.
- There is a 2,000 sq foot residence that was the living quarters for the clergy of the Methodist Church attached to the chapel. The building is constructed with wood framing and a concrete foundation and is approximately 20 feet tall.
- The property contains one shed that is approximately 15 by 20 feet. The building is wood framing with a metal corrugated siding and approximately 15 feet tall.

All of the structures meet the required setbacks and there are no easements that impact the proposed uses on the property. All of the structures on the property will require some level of updating to improve their

value and accommodate the proposed uses. These improvements are not economically feasible under the current zoning.

The Cox property is 0.49 acres and contains a single family home that is approximately 1,250 sq ft. The dwelling appears to meet setbacks and no new development is proposed on the property at this time. All future development will meet the standards of the residential zoning.

Access and Infrastructure

Vehicle Access

The main vehicle access for the church site lies on the north side of the property near the intersection of Wamic Market Road and Leonard Avenue. The access is gravel and approximately 15 feet wide. The location of the access on the north side is situated in close proximity to one of the main roads - Wamic Market Road- through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. There is an additional access point on the south side of the property along 2nd Street that served as a driveway entrance for the clergy residence. This access is approximately 15 feet wide, gravel, and accesses the attached garage. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County. The proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. No new point of access is proposed. Anticipated site circulation can be accommodated by existing access points onto existing streets. The applicant will work with the County Planners and Public Works to determine any access improvements necessary to accommodate safe traffic flow onto and off of Tygh Valley streets.

*Insert letter/note from County Roadmaster explaining no need for a TIA.

The single family dwelling on the Cox property takes access from Wamic Market Road via an approximately 20' gravel driveway. There is a secondary access to the single family dwelling via a small gravel driveway that connects to St. Charles Ave. The residential use on this property will not change and does not trigger the need for access or road improvements.

Off-Street Parking

The church property has a large gravel parking area (approximately 0.25 acres) on the north side that can accommodate approximately 40-60 vehicles. The parking area is large enough to meet the demands of the proposed use and will not negatively impact neighboring residential properties. The stormwater runoff from the gravel parking area is all handled on-site and will not drain onto neighboring properties. The parking area will have signage that directs vehicles to parking areas and maintains proper ingress/egress.

The single family dwelling on the Cox property has several parking spaces adjacent to the gravel driveway. The residential use on this property will not change and does not trigger the need for additional parking.

Fire and Emergency Services

The Tygh Valley Fire Department provides Fire and Emergency services to the site. The main vehicle access is large enough to accommodate fire and emergency services vehicles. The parking area is large enough for to accommodate a turnaround for fire and emergency vehicles. In addition the gravel streets surrounding three sides of the property provide alternative access for fire and emergency vehicles. The property is readily accessible and defensible from all sides. The applicant recognizes the County's fire self certification process and is prepared to complete the self certification form and make any required improvements to water service and on site circulation when land use permits are applied for.

The residential use on the Cox property will not change and will not require any additional fire and emergency services.

Utilities

Water is provided to the property by the Barlow Water Improvement District. The water connection is located at the corner of Leonard and 2nd Street.

Wastewater is handled by an on-site septic system. This system was improved and brought to current standards in 2007. See attached reports from Oregon Department of Environmental Quality and the Wasco County Health Department. The existing septic system will be able to handle the wastewater of the proposed use. In case of a septic system failure, there is room for a new septic drainage field to be installed on the south side of the property.

Electricity is provided by the Wasco Electric Cooperative via an overhead line.

The residential use on the Cox property will not change and will not require any changes to the existing utility services.

FINDINGS OF FACT

1. What is the purpose of the proposed change?

The purpose of this land use application is to request the rezoning of the property at 57645 Leonard Street from residential zoning to commercial zoning. The rezoning of the property to Tygh Valley-Commercial will enable the property to be improved and utilized for economic development activities in Tygh Valley. The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 signatures). In addition, an adjacent property owner at 82675 Wamic Market Road is seeking rezoning of his property from commercial to residential in conjunction with this application. The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses and provide for the highest and best use of these properties.

2. Describe how the original zoning was the product of a mistake; or

The rezoning of the two parcels will conform to the Comprehensive Plan and the sites are suitable to the proposed zoning. This application will address the most relevant Goals.

3. Establish that:

a. The rezoning will conform with the Comprehensive Plan (including but not limited to all applicable goals and policies); and,

Goal 1: Citizen Involvement

This application meets Goal 1, as the rezoning process in Wasco County requires citizen involvement via the Planning Commission and County Board of Commissioners. In addition, the property owners have submitted a petition in support of the rezoning that has the signatures of over 75 residents in Tygh Valley.

Goal 2: Land Use Planning

This application meets Goal 2, as the rezoning meets the intent of the Wasco County Comprehensive Plan and Statewide Planning Goals. Orderly development is promoted and supported by the approval of this re-zone for the purposes stated in this application. Tygh Valley is a small rural community with limited available public services. Community services proposed to be accommodated at the church parcel will only support viability of Tygh Valley. The rezone allows an existing church building to be used for broader community service provision. Without creating potential for harmful change, additional community service provision is supported.

The rezoning of the Cox property to residential zoning meets Goal 2, as the property provides needed housing in the area and takes pressure away from the conversion of farmland for housing. In addition, the overall acreage zoned residential in Tygh Valley will remain nearly the same by swapping the zoning with the Davis property.

Goal 3: Agricultural Lands

This application supports Goal 3. Rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands, and supportive of farmers. Such development opportunities include value-added food production, farm to table promotion, exploring niche agricultural markets etc. Overall, Tygh Valley is located in a prime location to serve as a center of commercial and community service activity for many of the agricultural lands located in Southern Wasco County. The rezoning will allow for the best use of the property, possibly taking pressure off of the

demand for rezoning agricultural lands to allow commercial uses. In addition, the property will provide a location for a Community Garden that will encourage community members to get involved with farming and learn more about agriculture in the area.

The rezoning of the Cox property to residential will support Goal 3 by continuing to make housing available to agricultural workers within Rural Service Centers. This may take pressure off the conversion of agricultural lands to residential uses.

Goal 4: Forest Lands

This application supports Goal 4, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-forest land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to forest lands. Such opportunities may include value-added wood product development, forest based recreation opportunities etc. Tygh Valley is well located to serve as a commercial and community service center for those living in or near Forest Lands around the nearby Mt Hood National Forest.

The rezoning of the Cox property to residential will support Goal 4 by continuing to make housing available to Forest Land workers within Rural Service Centers. This may take pressure off the conversion of forest lands to residential uses.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

This application supports Goal 5, as the rezoning will encourage private investment for renovation and maintenance of a culturally significant building (the chapel) in Tygh Valley. The uses proposed for the chapel building if rezone is approved will be complementary to those provided by the community center located in the building previously used as a school building. All community services will have a focus on the rural values of open space and importance of maintaining vibrant rural communities and viable and vital agricultural operations around those communities.

The rezoning of the Cox property to residential will support Goal 5 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of areas with Open Space, Scenic and Historic Areas, and Natural Resources to residential uses.

Goal 6: Air, Water and Land Resources Quality

The proposed rezoning will have no significant impact on air, water, and land resources quality. The proposed use will utilize the existing utilities provided to the site. In addition, the proposed use will not produce significant pollution from business activities at the site or other impacts to air, water, and land resources.

Goal 7: Areas Subject to Natural Disasters and Hazards

The proposed rezoning will have no significant impact for areas of natural disasters or hazards. There are no known specific natural disaster risks or hazards for this site. The wildfire hazard in the region will be taken into account, when the landscaping and building renovation is being completed. The wildfire hazard is less in this location due to access to water and surrounding residential areas.

Goal 8: *Recreational Needs*

This application supports Goal 8, as the rezoning will provide open space and a community garden area to meet recreational needs and further support developing sense of community in Tygh Valley.

Goal 9: *Economy of the State*

This application directly and primarily supports Goal 9, the rezoning will meet Policy #2 – Implementation Measure D of the Comp Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

The rezoning of the Cox property will allow for further investment in the residential use on the property – instead of it being considered a existing non-conforming use under the current zoning of the parcel as commercial.

Goal 10: *Housing*

This application supports Goal 10, as the rezoning may increase the surrounding residential property values via the improvement and maintenance of the building. A vacant building of this size with such limited allowed uses decreases neighboring property values. In addition, the total change in acres zoned residential in Tygh Valley will be very minor given the corresponding zone change of a nearby commercial property to residential on Wamic Market Road. Again, the rezone more accurately reflects the existing land use on these two parcels.

The rezoning of the Cox property to residential will support Goal 10 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of other areas to residential uses.

Goal 11: *Public Facilities and Services*

This application supports Goal 11, as the rezoning will fit into the existing framework of public facilities and services. The rezoning will not have an increased impact on public facilities such as the road network or water system. The rezoning will not increase the need for fire protection, police protection or emergency medical services over the existing use.

The proposed use at the church property could have similar impacts to the allowed existing use of the property as Church Facility. The Church Facility is obviously currently vacant - however the allowed uses at a Church Facility are substantial. The Church Facility use is similar to the proposed in that it generates trips through large events/services. The Church Facility Use could also include daily use for things like a food bank, counseling, classes, and other church programs. The proposed use will be hosting similarly sized events and daily use for businesses. Lastly, the residential use associated with the Church Facility is actually a more intensive use in some ways than the proposed use.

The rezoning of the Cox property to residential will support Goal 11, as the property will continue to be used as residential and fit into the existing framework of public facilities and services that currently serve the residence.

Goal 12: *Transportation*

This application supports Goal 12, as the rezoning will proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. The two main access points on the property allow for adequate emergency vehicle access to all land uses. The access on the north side is situated in close proximity to one of the main roads - Wamic Market Road- through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County

*Insert letter/note from County Roadmaster explaining no need for a TIA.

The single family dwelling on the Cox property takes access from Wamic Market Road via an approximately 20' gravel driveway. There is a secondary access to the single family dwelling via a small gravel driveway that connects to St. Charles Ave. The residential use on this property will not change and does not trigger the need for access or road improvements.

Goal 13: Energy Conservation

The renovation of the building will include small energy conservation upgrades, however the proposed rezoning will not have a significant impact on energy conservation in the area.

Goal 14: Urbanization

This application supports Goal 14, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. The rezoning will meet Goal #14 Policy #2 – Implementation Measure C of the Comp Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands. Economic development efforts will be focused on rural uses that fit within the scope of uses provided for in the rural community rule and will support long range community development to accommodate community service and commercial uses within the existing rural community.

The rezoning of the Cox property to residential will support Goal 14 by continuing to make housing available within the Tygh Valley Rural Service Center. This may take pressure off the conversion of other areas to residential uses.

b. The site is suitable to the proposed zone (taking into consideration among other things slope, access, flooding, traffic, availability of public facilities and services, and impact to adjacent properties); and

The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses of these properties. There will not be a negative impact on adjacent properties as the proposed zone and use will not drastically change how the property has been used in the past for a church. The site does not have any major issues with slope or flooding.

Please see the Detailed Site Description that is attached to the Land Use Application for detailed about the suitability of the site.

c. There has been a conscious consideration of the public health, safety and welfare in applying the specific zoning regulations.

The zone change will not have a negative impact on the public health, safety, or welfare on the community of Tygh Valley. In terms of public health, the septic system was updated in 2007 and will properly handle all wastewater from the buildings. The main vehicle access to the site will adequately deal with future traffic associated with the proposed use and will not create an unsafe pedestrian environment for the surrounding neighborhoods. Vacant structures are known to attract nuisances, such as vandalism and trespassing. The rezoning will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

4. What effect would the proposed change have on surrounding properties? Include a description of the existing land uses within 1,000 feet of the proposed zone change.

The proposed change will not have a negative impact on surrounding properties. All of the land uses within 1,000 feet of the proposed zone change fall within the Tygh Valley Rural Service Center. The properties directly surrounding the site are zoned residential and are mostly occupied with single family residential uses. The proposed zoning will not impact these residences any differently than the church has impacted them in the

past. In addition, the main vehicle access keeps traffic out of the neighborhood and the buildings on the property meet all setbacks. Commercial zoning dominates the area across Wamic Market Road to the north, however the area is mostly occupied with single family residential uses. This area will not be impacted by the rezoning and the rezoning of the Cox property will more accurately reflect the historical/existing use of the property. There is a commercially zoned area approximately 400 feet to the east of the site that is occupied with commercial uses. The proposed zoning will not negatively impact this commercial area and may contribute to the economic viability of those commercial uses by encouraging new businesses and providing resources for entrepreneurs.

Overall the community will maintain nearly the same amount of acres of residential and commercially zoned lands. The rezoning will also encourage investment in the property, which may positively impact the value of surrounding properties.

5. *Is there a public need or demand to support this requested zone change?* ☐ No ☒ Yes. If YES, please describe.

The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 of signatures). The proposed rezoning will compliment existing commercial areas in Tygh Valley by providing resources for small businesses and event space to draw visitors to the area. The rezone will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

6. *Fire Safety. If converting Farm or Forest zoned land to a non-resource zone, include an analysis of how future division and residential development could meet fire safety standards.*

No farm or forest resource land will be converted to non-resource zones or use. All land proposed for re-zone is within the existing unincorporated rural community boundary of Tygh Valley. The Tygh Valley Fire Department provides Fire and Emergency services to the site. The main vehicle access is large enough to accommodate fire and emergency services vehicles. The parking area is large enough for to accommodate a turnaround for fire and emergency vehicles. In addition the gravel streets surrounding three sides of the property provide alternative access for fire and emergency vehicles.

7. *Any other information which may add to the viability of the request.*

The property owners, Mike and Laila Davis, are upstanding members of the community of Tygh Valley and have purchased this property with the intentions of making it a community asset. With the current zoning, it is not economically feasible to make improvements and undertake the proposed uses. The property owners , along with all of the local folks who signed the petition supporting the rezone, are very excited about the potential for this site to be renewed to serve the community by accommodating new and broader uses desired by current residents and compatible with current uses.

WASCO COUNTY PLANNING COMMISSION

August 4, 2015

**Meeting begins at 3:00 p.m.
Tygh Valley Community Center
57594 Tygh Valley Rd
Tygh Valley OR 97063**

CALL TO ORDER

I. ROLL CALL

WASCO COUNTY PLANNING COMMISSIONERS PRESENT

Russell Hargrave
Vicki Ashley
Kenneth McBain
Mike Davis
Jeff Handley
Andrew Myers (arrived after roll call)

WASCO COUNTY PLANNING COMMISSIONERS ABSENT

Brad DeHart
Taner Elliott

WASCO COUNTY PLANNING OFFICE STAFF PRESENT

Angie Brewer, Planning Director
Dawn Baird, Associate Planner
Brenda Jenkins, Planning Coordinator

*****Chair Hargrave recognized Alternate Commissioner Davis as a voting member at today's hearing*****

II. PUBLIC COMMENT: Maximum 15 minutes, *limited to items not being heard or discussed elsewhere on the agenda.*

Jane Oliver, Wamic resident expressed her frustration with the code compliance program. She feels that it is difficult to attract new businesses and new community members if when they come to Wamic, they just see piles of junk. She also stated that she thinks the Code Officer is thoughtful and perhaps overloaded but she thinks the process could be improved to have more effect.

Anna Nolan, resident of Pine Hollow stated that they have problems with gun use in the Pine Hollow area during goose hunting season as well as retaliation for speaking out against the individuals shooting. She stated this is a safety issue and is being frustrated by a lack of response from agencies and police. She asked for planning's help on the issue.

Vice Chair Ashley asked if Ms. Nolan had contacted Oregon Department of Fish and Wildlife. (ODFW) **Ms. Nolan** stated that she has contacted the Department of Fish and Wildlife and WC Sheriff, and Oregon State Police. **Chair Hargrave** stated that the gun use is not a Land Use issue, but he directed Planning Director Brewer to assist Ms. Nolan on who to contact for resolution of the issue. **Commissioner Davis** also stated that the Commission should look at the high density area, and the ability to hunt in these areas, during the review of the County's long range planning.

Brian manning, resident of Pine Hollow stated that he would like to reiterate things Jane Oliver stated. **Chair Hargrave** stated that it is important to remember that the code compliance program is complaint driven. He urged the residents to file complaints if they have further code violation issues.

IV APPROVAL OF PAST MINUTES:

July 7, 2014

Vice Chair Ashley moved to approve the minutes as submitted.

Commissioner McBain seconded. **Chair Hargrave** called for discussion; there was none.

Chair Hargrave called for the vote. **The motion was unanimously approved 6 to 0, 2 absent (Commissioner DeHart and Commissioner Elliott).**

A listing of the vote, as required by Oregon Revised Statute 192.650.c. is as follows:

Chair Hargrave – yes

Vice-Chair Ashley – yes

Commissioner Myers – yes

Commissioner Handley - yes

Commissioner Elliott – absent

Commissioner DeHart – absent

Commissioner McBain – yes

Alternate Commissioner Davis – yes

Alternate Position #2 - Vacant

V QUASI JUDICIAL HEARING:

File PLAQJR-15-02-0001

Request by (Irl) Mike & Laila Davis for a Zoning Map Amendment for two lots: 4S 13E 3CC, tax lot 3400, change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and 4S 13E 3CC 4300, change from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential. 4S 13E 3CC 3400: The subject property is located on the

northeast corner of Leonard Avenue/Second Street, approximately 150' east of Wamic Market Road, in the community of Tygh Valley, Oregon. 4S 13E 3CC 4300 is located north of Wamic Market Road, approximately 100' south of the intersection of Leonard Avenue, in the community of Tygh Valley, Oregon.

Chair Hargrave opened the hearing as follows

We will now open the public hearing on agenda item PLAQJR-15-02-0001, a request by Mike and Laila Davis, to rezone two properties in Tygh Valley which include:

- a. 4S 13E 3CC 3400, Account 10604 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial. Proposed uses are intended to support economic development activities in Tygh Valley.
- b. 4S 13E 3CC 4300, Account 10589 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential. Property will continue to be used for residential use.

The criteria for approval of the proposed Zoning Map Amendment include: Review Authority: Chapter 2, Section 2.060.B.2. of the Wasco County Land Use and Development Ordinance. Review Criteria: Wasco County LUDO, Chapter 2 – Development Approval Procedures, and Chapter 9 – Zone Change and Ordinance Amendment.

The procedure I would like to follow is:

- a. Disclosure of Interest, Ex Parte Contact or Potential Conflicts
- b. Reading of the Rules of Evidence
- c. Planning department will present their report
- d. Those who wish to speak in favor of the proposal
- e. Those who wish to speak in opposition of the proposal
- f. Rebuttal
- g. Close the hearing and record and begin deliberation
- h. If enough information is available the Planning Commission will make a recommendation today.

Chair Hargrave asked if any Commission member wished to disqualify themselves for any personal or financial interest in this matter? **Commissioner Davis** stated that he and his wife are the applicant and property owners in this matter. He then recused himself from the hearing and left the table.

Chair Hargrave asked if any Commission member wished to disclose any **Disclosure of Interest, Ex Parte Contact or Potential Conflicts**: **Vice Chair Ashley** stated that she is familiar with the property as well as the applicant but has no concern of any conflicts.

Chair Hargrave stated that he too has had contact with Mike and Laila Davis but sees no conflict. He also stated that since Mr. Davis is a Planning Commissioner all the Commissioners have some familiarity with him, however this should not be considered a conflict. **Commissioner McBain** stated that he also has familiarity with the property.

Commissioner Handley stated that he visits the property monthly through his employment.

Chair Hargrave asked if any Commission member had visited the location for a site visit; There were none.

Chair Hargrave asked if any member of the audience wished to challenge the right of any Commission member to hear this matter? There were none.

Chair Hargrave asked if any member of the audience wished to question the jurisdiction of this body to act on behalf of Wasco County in this matter? There were none.

Chair Hargrave explained the Rules of Evidence which will be followed.

Chair Hargrave explained party status stating that anyone can speak for or against the proposal today. However, only those who have “party” status will be able to appeal a decision reached by this commission.

A party is defined in Section 1.090 as:

- a. *The applicant and all owners or contract purchasers of record, as shown in the files of the Wasco County Assessor's Office, of the property which is the subject of the application.*
- b. *All property owners of record, as provided in (a) above, within the notification area, as described in section 2.080 A.2., of the property which is the subject of the application.*
- c. *A Citizen Advisory Group pursuant to the Citizen Involvement Program approved pursuant to O.R.S. 197.160.*
- d. *Any affected unit of local government or public district or state or federal agency. Any other person, or his representative, who is specifically, personally or adversely affected in the subject matter, as determined by the Approving Authority.*

Chair Hargrave stated that if you want party status, please say so at the beginning of your testimony. At the end of the public testimony, the Commission will deliberate on granting party status to each person who requested it. He further stated that any party of record may request that the record remain open for at least seven (7) days prior to the conclusion of the initial evidentiary hearing.

Chair Hargrave called for the staff to present their report and recommendation.

Dawn Baird, Associate Planner presented the following (summarized):

The record for this request begins on Page 1-1 of the record (Agenda Packet). A location map for this request is on page 1-5. As the Chair indicated, today we will be discussing a request by Mike & Laila Davis to rezone two properties in Tygh Valley:

- a. 4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial. Proposed uses are intended to support economic development activities in Tygh Valley.

- b. 4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential. Property will continue to be used for residential use.

Per Section 2.060 of the LUDO, the Planning Commission will make a recommendation to the Board of Commissioners for the Zone Change. Mr. Davis submitted this application on February 25, 2015, however, due to the Planning Department work load, he graciously allowed the County to defer a decision beyond the 150 days required by State law.

Location:

- a. 4S 13E 3CC 3400: The subject property is located on the northeast corner of Leonard Avenue/Second Street, approximately 150' east of Wamic Market Road, in the community of Tygh Valley, Oregon. It is 0.92 acre in size.
- b. 4S 13E 3CC 4300: The subject property is located north of Wamic Market Road, approximately 100' south of the intersection of Leonard Avenue, in the community of Tygh Valley, Oregon. It is approximately 0.50 acre in size.

Staff Recommendation: The full Staff Recommendation was mailed in the Planning Commission's agenda packets. It was available for review at the counter one week prior to this hearing, and it is considered a part of the record.

Let's discuss why the request is before the Planning Commission: Irl (Mike) & Carolyn (Laila) Davis purchased the former Tygh Valley Methodist Church (Deed 2014-001260, recorded April 24, 2014). The application was determined to be complete and was scheduled for a public hearing before the Planning Commission today, August 4, 2015.

Stage in the Process: As previously stated, the application was received by the Planning Department on February 25, 2015. The request was found to be complete and was scheduled for a public hearing. All required public notice has been given – notice was published in The Dalles Chronicle on July 14, 2015, and mailed to affected property owners and agencies on the same date. The Staff Recommendation, with findings, conditions and conclusions, was issued on July 28, 2015, and was provided to the Planning Commission. If the Planning Commission feels they have all the necessary information to make a **decision**, they will vote to do so today.

Criteria: The applicable standards used to evaluate each request include:

Wasco County Land Use & Development Ordinance (LUDO)

a. Chapter 2 – Development Approval Procedures

Section 2.060.B.2.	(Recommendation to the County Governing Body on a Zone Change and/or Ordinance Amendment - Chapter 9)
Section 2.080.A.	(Notice)
Section 2.090	(Contents of Notice)
Section 2.140	(Hearing Procedure)
Section 2.150	(Official Notice)
Section 2.190	(General Conduct of Hearings)

b. Chapter 9 – Zone Change and Ordinance Amendment

Section 9.010	(Application for Zone Change)
Section 9.020	(Criteria for Decision)
Section 9.030	(Transportation Planning Rule Compliance)
Section 9.040	(Conditions Relative to the Approval of a Zone Change)
Section 9.060	(Recommendation on Zone Change or Amendment to the Land Use and Development Ordinance)
Section 9.070	(Notice of Planning Commission Recommendation)
Section 9.080	(Action by County Governing Body)

c. Chapter 4 – Supplemental Provisions

Section 4.140	(Traffic Impact Analysis)
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Findings: Findings of fact for the request are listed in the staff recommendation. Based on these findings, it appears to staff that the request for a zone change for each parcel, with recommended conditions, is each consistent with the Wasco County LUDO and Wasco County Comprehensive Plan. If any additional findings, corrections to recommended findings, or new or amended conditions are proposed by the Planning Commission, staff will add them the final Planning Commission report and they will be contained in the report that will be forwarded to the Board of Commissioners.

A goal analysis is provided on page 1-10 of the Planning Commission record. The proposed zone change is consistent with the 14 applicable Statewide Planning Goals. The requested change would better recognize uses that have existed on each property for over 50 years. The request may provide a much needed economic boost to Tygh Valley, and will provide a venue for the local community to come together for events.

Associate Planner Baird read comments received into the record. (see Attachments A-C)

Associate Planner Baird read the following Planning Commission decision options:

- A.** Recommend approval of the Zoning Map Amendment to the Board of Commissioners to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, with the proposed findings and conditions recommended by staff; or
- B.** Recommend approval of the Zoning Map Amendment to the Board of Commissioners to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, with amended findings and conditions provided by the Planning Commission; or
- C.** Recommend denial of the Zoning Map Amendment to the Board of Commissioners to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, with proposed findings provided by the Planning Commission; or
- D.** Continue this hearing to a date and time certain.

Associate Planner Baird provided a staff recommendation. She said that Staff recommends Option A, recommend approval of the Zoning Map Amendment to the Board of Commissioners, with the proposed findings and conditions recommended by staff.

Chair Hargrave called for questions from the Commission.

Vice Chair Ashley asked if the properties were out of the flood zone. **Associate Planner Baird** stated that there was no identified flood hazard.

Chair Hargrave asked what are the surrounding zones, what are churches usually zoned.

Associate Planner Baird stated that churches were permitted uses in several zones.

Chair Hargrave asked if the church is surrounded by other commercial property.

Associate Planner Baird stated that it is surrounded by residential zoning. **Chair**

Hargrave asked if any comments were received in opposition of the request. **Associate Planner Baird** stated that there were not.

Chair Hargrave called for additional questions from the Commission. There were none.

Chair Hargrave called for testimony from the Applicant.

Mike Davis, property owner and applicant was seated at the presenter's table. **Mr. Davis** stated that to start off, if anyone was interested in viewing a short video of the walk through he brought it with him. (The video was not shown, therefore is not part of the record) He then testified that the church was originally built back in the 1950s, he stated that his vision was to bring the church back into more of a community oriented arraignment. He stated that they spoke with the existing community center so that the two uses could work together and not take away from each other. **Mr. Davis** stated that their hope is to bring something to the community and to offer a stimulation for business and a place to rally together as a community.

Chair Hargrave called for questions from the commission. There were none.

Chair Hargrave called for additional testimony in support of the request.

Nick Kraemer, applicant's representative was seated at the presenter's table. **Mr Kraemer** stated that the new zoning will better represent what is currently there. He further stated that the use of a church is actually much closer to a commercial use than to a residential use.

Chair Hargrave called for questions from the commission. There were none.

Chair Hargrave called for additional testimony in support of the request.

Anna Nolan, community member was seated at the presenter's table. **Ms. Nolan** testified that she enthusiastically supports the request and looks forward to the ability to have events in the community.

Chair Hargrave called for questions from the commission. There were none.

Chair Hargrave called for additional testimony in support of the request.

Sue Knapp resident of Maupin Oregon and member of the South Wasco Alliance and Advisory Council for Economic Development was seated at the presenter's table. **Ms. Knapp** stated that she believes the request has great potential and she supports it. **Chair Hargrave** called for questions from the commission. There were none.

Chair Hargrave called for additional testimony in support of the request.

John McElheran, community member was seated at the presenter's table. **Mr. McElheran** stated that the request would make the land use and rules would make more sense. He also called for the Planning Commission and Staff to use common sense when they review land use rules updates.

Chair Hargrave called for questions from the commission. There were none.

Chair Hargrave called for additional testimony in support of the request.

Brian Manning, community member was seated at the presenter's table. **Mr. Manning** stated that he supports what Mr. Davis is trying to do for the economic development for the community. He appreciates the prospect of jobs being created in the community.

Chair Hargrave called for questions from the commission. There were none.

Chair Hargrave called for additional testimony in support of the request. There were none.

Chair Hargrave called for testimony in opposition of the request. There were none.

Chair Hargrave closed the hearing for deliberation.

Vice Chair Ashley stated that she thinks it is a tremendous opportunity for the community. She especially appreciates that they will be working with the existing community center.

Commissioner Handley thinks it is great that they have so much support in a community of this size.

Commissioner Myers stated that he is in favor of the request.

Chair Hargrave called for a motion.

Commissioner McBain moved to recommend approval of the request, based upon the proposed findings and conditions as submitted by staff, to the Wasco County Board of Commissioners. **Vice Chair Ashley** seconded. **Chair Hargrave** called for discussion; there was none. **Chair Hargrave** called for the vote. **The motion was unanimously approved 5 to 0, 1 recused (Commissioner Davis) 2 absent (Commissioner DeHart and Commissioner Elliott).**

A listing of the vote, as required by Oregon Revised Statute 192.650.c. is as follows:

Chair Hargrave – yes

Vice-Chair Ashley – yes

Commissioner Myers – yes
Commissioner Handley - yes
Commissioner Elliott – absent
Commissioner DeHart – absent
Commissioner McBain – yes
Alternate Commissioner Davis – recused
Alternate Position #2 - Vacant

IV **OPTIONAL: DISCUSSION OF OTHER BUSINESS / PLANNING DIRECTOR**
COMMENTS:

Planning Director Brewer informed the Commission that an appeal was received from Garofoli on the decision the Commission made at the July meeting. A Board of Commissioner's hearing has been scheduled for Wednesday, September 16, 2015. She also informed the Commission that the Senior Planner position has been filled and Staff will be advertising soon for the additional staff approved through the budget. **Vice Chair Ashley** asked for an update on the railroad application. **Planning Director Brewer** stated that the Union Pacific Rail Road application is moving forward and they are hoping for an October hearing date.

Commission requested the October Hearing to be scheduled for 1:00 instead of 3:00 in anticipation of a lengthy hearing

Adjourned 4:27

Russell Hargrave, Chair
Wasco County Planning Commission

Angie Brewer, Planning Director
Wasco County Planning & Development

ATTACHMENT A

Petition

Received into
Record by
By on 8/4/15
1 of 2

We, the undersigned are aware that Mike and Laila Davis have purchased the former Tygh Valley Methodist Church in Tygh Valley, Oregon. We are also aware that, as they are not a church entity, they are unable to facilitate many activities on the property as it is currently zoned. These activities include but are not limited to:

- Any community event where goods or money are tendered for its use, such as
 - Movie nights with the price of admission being canned food for the local community center
 - Benefit concerts that the funds are redirected to the South Wasco School district to support performing arts in the school.
 - Weddings or funerals where any fee are used to recover costs of operating the facility.
- Converting the attached residence to a community economic development office where local businesses can come for support resources
- Converting the lower section of the church into job generating business space.

We believe that using the former church facility for these activities, in conjunction with ongoing availability for worship gatherings per Mike and Laila, would be in the best interest of the community and the county.

We therefore support the re-zoning of the former Tygh Valley Methodist Church from residential to commercial property.

Name	Address
Ernie Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Edith Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Robert Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
John Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Robert Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Kelly Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Tammy Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Tammy Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Bill Franklin	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Tygh Members	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Robert Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Tammy Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Ralph Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Bob Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Joe Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Earl Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Shirley Hansen	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Bob Hansen	P.O. Box 154 Tygh Valley OR 97063
R.S. Franklin	P.O. Box 57 Tygh Valley OR 97063
Mary Franklin	P.O. Box 57 Tygh Valley OR 97063
Lisa Williams	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Paul Williams	57621 Tygh Valley Rd. Tygh Valley, OR 97063
Steve Mader	P.O. Box 244 Tygh Valley
Karl Elrod	P.O. Box 244 Tygh Valley

Petition

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 - Benefit concerts that the funds are redirected to the South Wasco School district to support performing arts in the school.
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We therefore support the re-zoning of the former Tygh Valley Methodist Church from residential to commercial property.

Name	Address
<i>John Hoover</i>	220 S Fairway Rd Tygh Valley 97063
<i>Brenda Hoover</i>	"
<i>John Hoover</i>	220 S Fairway Tygh Valley 97063
<i>Randy W. Martin</i>	82235 Hwy 216 Tygh Valley OR 97063
<i>Linda J. Lindley</i>	57645 Leonard Ave P.O. Box 67 Tygh Valley OR 97063
<i>Mike Lindley</i>	57645 Leonard Ave P.O. Box 67 Tygh Valley OR 97063
<i>Deanna Beachler</i>	57653 Church Ave P.O. Box 277 Tygh Valley OR 97063
<i>Marcelle Beachler</i>	" " " " " "
<i>Janice Sowell</i>	57634 Fresh Ave. Tygh Valley, OR. 97063
<i>David J. Knight</i>	57667 Church Ave, Tygh Valley, OR 97063
<i>Lynda Schaefer</i>	57695 Church Ave, Tygh Valley, OR 97063
<i>Don V. Slater</i>	57695 Church Ave, Tygh Valley, OR 97063
<i>May H. Smith</i>	57579 Church Ave. Tygh Valley, OR 97063
<i>Carol L. Webb</i>	57668 Church Ave. Tygh Valley, OR. 97063
<i>Josephine Lawson</i>	57588 Church Ave 100 W. 1st Tygh Valley OR 97063
<i>David Lawson</i>	57588 " " " " " "
<i>Harry M. Lindley</i>	57655 Leonard Ave Tygh Valley OR 97063
<i>David E. Lindley</i>	57655 Leonard Ave Tygh Valley OR 97063
<i>Reggie Beggs</i>	57634 Leonard Ave TV 97063
<i>Al J. J. J.</i>	82151 2nd Fag L Vall 67
<i>Jacqueline Malish</i>	80329 Ross Rd Wainie OR 97063
<i>Jean Buchanan</i>	Tygh Valley, OR 97063

ATTACHMENT B

RECEIVED INTO RECORD
8/4/15
DATE _____ BY JP

Arthur Smith <arthurs@co.wasco.or.us>
To: Dawn Baird <dawnb@co.wasco.or.us>

Mon, Jun 22, 2015 at 9:29 AM

Dawn,

I have reviewed the proposed zone change and possible development. As the county road official, I have determined that this action will not create any significant impact. Additionally, the estimated increase in traffic volume will be well below the thresholds for requiring a Traffic Impact Analysis. If you have any questions, please feel free contact me. Thanks.

Arthur

[Quoted text hidden]

Arthur Smith, Director
Wasco County Public Works
541-506-2645

ATTACHMENT C

RECEIVED INTO RECORD
8/4/15 Bf
DATE BY

From: Robert Wallace <robert@wyeast-rcd.org>
Date: August 3, 2015 at 7:58:31 AM PDT
To: Irl Davis <irldavis@mac.com>, "Frank J. Kay" <susankay@centurytel.net>
Subject: RE: Wasco County Planning Commissioner's Meeting August 4, Tygh Valley Community Center

Good Morning Mike -

I don't think I'll be able to make it to the meeting in Tygh. I'm scheduled to be in the Madras and Warm Springs area tomorrow.

I do support the rezoning of the Tygh Valley Church, this could prove to be a vital business center for the local area. Having grown up in Tygh Valley I feel this makes sense and the facility should be allowed to provide jobs and economic commerce for South Wasco County.

Please keep me informed on the progress.

Take Care,

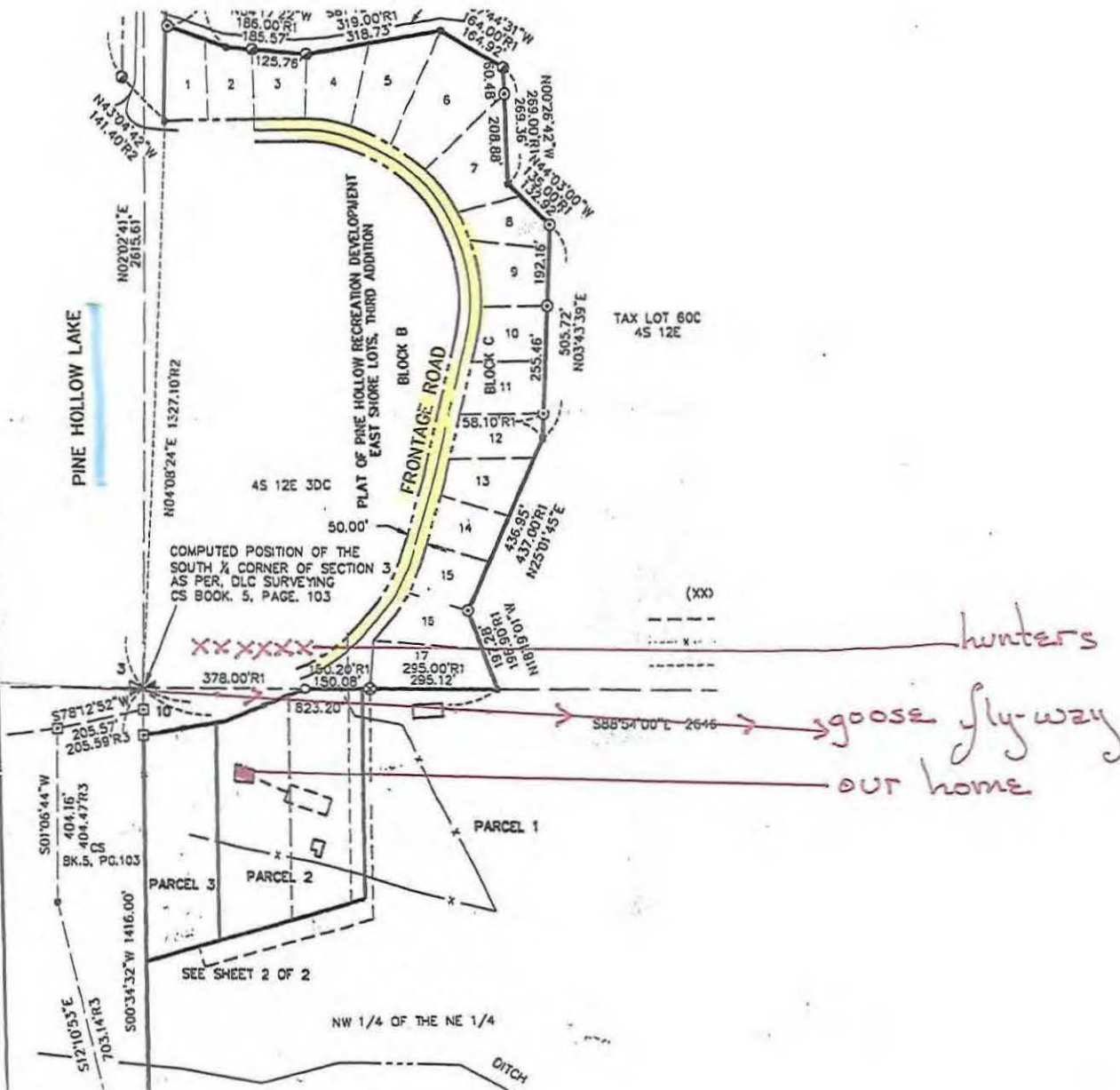
Robert Wallace C.E.M.
Executive Director/Oregon RC&D Energy Program Manager

Wy'East Resource Conservation and Development
Cell 541-815-5503
Robert@Wyeast-RCD.org

—Original Message—

ANNA NOLAN
Submitted 8-4-15
P.C. HEARING
(HUNTING SAFETY ZONE)

Received by
By 8/4/15





Wasco County Planning Department
"Service, Sustainability & Solutions"

2705 East Second St. • The Dalles, OR 97058
(541) 506-2560 • wcpplanning@co.wasco.or.us
www.co.wasco.or.us/planning

WASCO COUNTY PLANNING COMMISSION AGENDA PACKET

FOR

Hearing Date: August 4, 2015

Hearing Time: 3:00 pm

**Hearing Location: Tygh Valley Community Center
57594 Tygh Valley Road
Tygh Valley, Oregon, 97063**

Action Item(s):

QUASI JUDICIAL HEARING:

File PLAQJR-15-02-0001 Davis

Rezone two properties in Tygh Valley:

**4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial.
Proposed uses are intended to support economic development activities in Tygh Valley.**

**4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential.
Property will continue to be used for residential use.**



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MEMORANDUM TABLE OF CONTENTS

Date: July 28, 2015
To: Wasco County Planning Commission
From: Wasco County Planning Office
Subject: Submittal for Hearing dated August 4, 2015

QUASI JUDICIAL HEARING:

File PLAQJR-15-02-0001 Davis

Rezone two properties in Tygh Valley:

4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial.

Proposed uses are intended to support economic development activities in Tygh Valley.

4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential.

Property will continue to be used for residential use.

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Wasco County Planning Department

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SUMMARY OF INFORMATION

Prepared for Planning Commission Hearing

FILE # PLAQJR-15-02-0001

HEARING DATE: August 4, 2015
NOTICE PUBLISH DATE: July 14, 2015

REQUEST: Rezone two properties in Tygh Valley:

1. 4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial. Proposed uses are intended to support economic development activities in Tygh Valley
2. 4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential. Property will continue to be used for residential use.

APPLICANTS/OWNERS:

4S 13E 3CC 3400

Mike (Irl) and Laila Davis
P.O. Box 188
Tygh Valley, OR 97063

4S 13E 3CC 4300

Randy Cox
82675 Wamic Market Road
Tygh Valley, OR 97063

PROPERTY INFORMATION:

Zoning: 4S 13E 3CC 3400: TV-R, Tygh Valley Residential
4S 13E 3CC 4300: TV-C, Tygh Valley Commercial

Location: 4S 13E 3CC 3400: The subject property is located on the northeast corner of Leonard Avenue/Second Street, approximately 150' east of Wamic Market Road, in the community of Tygh Valley, Oregon.
4S 13E 3CC 4300: The subject property is located north of Wamic Market Road, approximately 100' south of the intersection of Leonard Avenue, in the community of Tygh Valley, Oregon. These properties are more specifically described as:

<u>Existing Tax Lot</u>	<u>Account #</u>	<u>Acres</u>
	4S 13E 3CC 3400 10604	0.92
	4S 13E 3CC 4300 10589	0.50

ATTACHMENTS:

Prepared by Dawn Baird, Associate Planner

- A. Summary of Information & Conditions
- B. Planning Commission Options & Staff Recommendation
- C. Maps
- D. Staff Report
- E. Detailed Project Description

ATTACHMENT A

SUMMARY OF INFORMATION & CONDITIONS OF APPROVAL

The full staff recommendation with all proposed findings of fact is enclosed as **Attachment D** and was available at the Wasco County Planning Department for review on July 28, 2015, one week prior to the August 4, 2015, hearing. The full staff recommendation 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.

Mike Davis made application for a Zone Change on February 25, 2015, for two properties. The first, owned by Mike & Laila Davis, is zoned TV-R, Tygh Valley Residential, and contains the old Tygh Valley Community United Methodist Church. The church has existed on the property since approximately 1957, however, the use has been abandoned. The second property, owned by Randy Cox, is zoned TV-C, Tygh Valley Commercial, and contains a mobile home and other residential improvements, which have existed on the site for over 30 years.

The request is to rezone the residential property (Davis) to TV-C, Tygh Valley Commercial, and rezone the commercial property (Cox) to TV-R, Tygh Valley Residential.

RECOMMENDED CONDITIONS OF APPROVAL:

Staff recommends the following conditions of approval:

1. Septic approval shall be obtained from the North Central Public Health District for all proposed uses in the old church building (4S 13E 3CC 3400) prior to the commencement of the use.
2. The subject parcels are located in the EPD-2, Geologic Hazard Overlay Zone (Landslide Area). Future development may be required to obtain a geologic hazard report prepared by an engineering geologist or engineer that is certified to evaluate soils. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare.

ATTACHMENT B

PLANNING COMMISSION OPTIONS & STAFF RECOMMENDATION

PLANNING COMMISSION OPTIONS

- A. Recommend approval of the Zoning Map Amendment to the Board of Commissioners to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, with the proposed findings and conditions recommended by staff; or
- B. Recommend approval of the Zoning Map Amendment to the Board of Commissioners to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, with amended findings and conditions provided by the Planning Commission; or
- C. Recommend denial of the Zoning Map Amendment to the Board of Commissioners to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, with proposed findings provided by the Planning Commission; or
- D. Continue this hearing to a date and time certain.

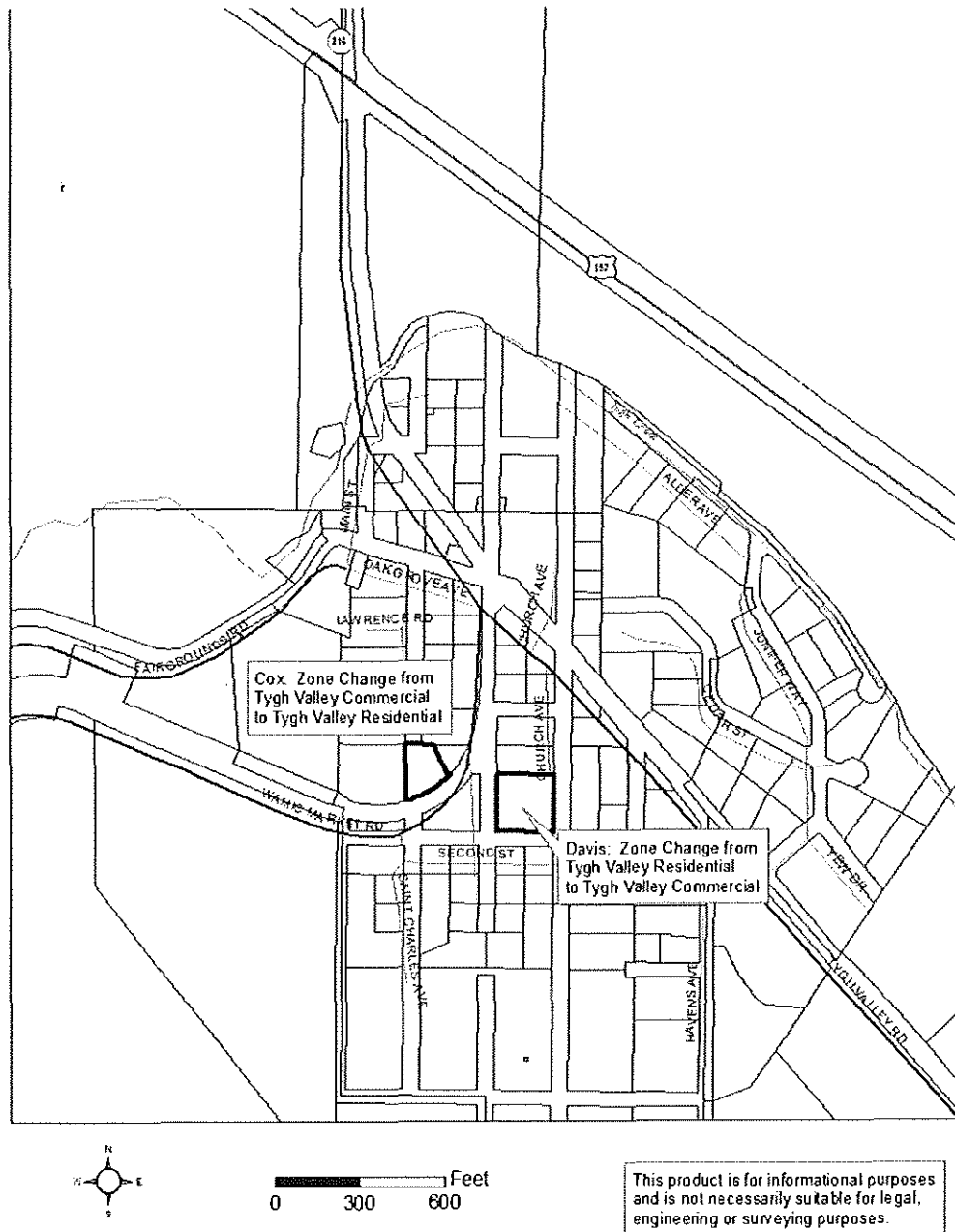
STAFF RECOMMENDATION: With conditions, all criteria and standards for this land use action appear to be met by the owners, therefore, staff recommends **Option A** – Recommend approval of the Zone Change, with proposed findings and conditions recommended by staff.

ATTACHMENT C – MAPS

Property Owners: Mike & Laila Davis; Randy Cox

4S 13E 3CC, Tax Lots 3400 and 4300

Vicinity Map

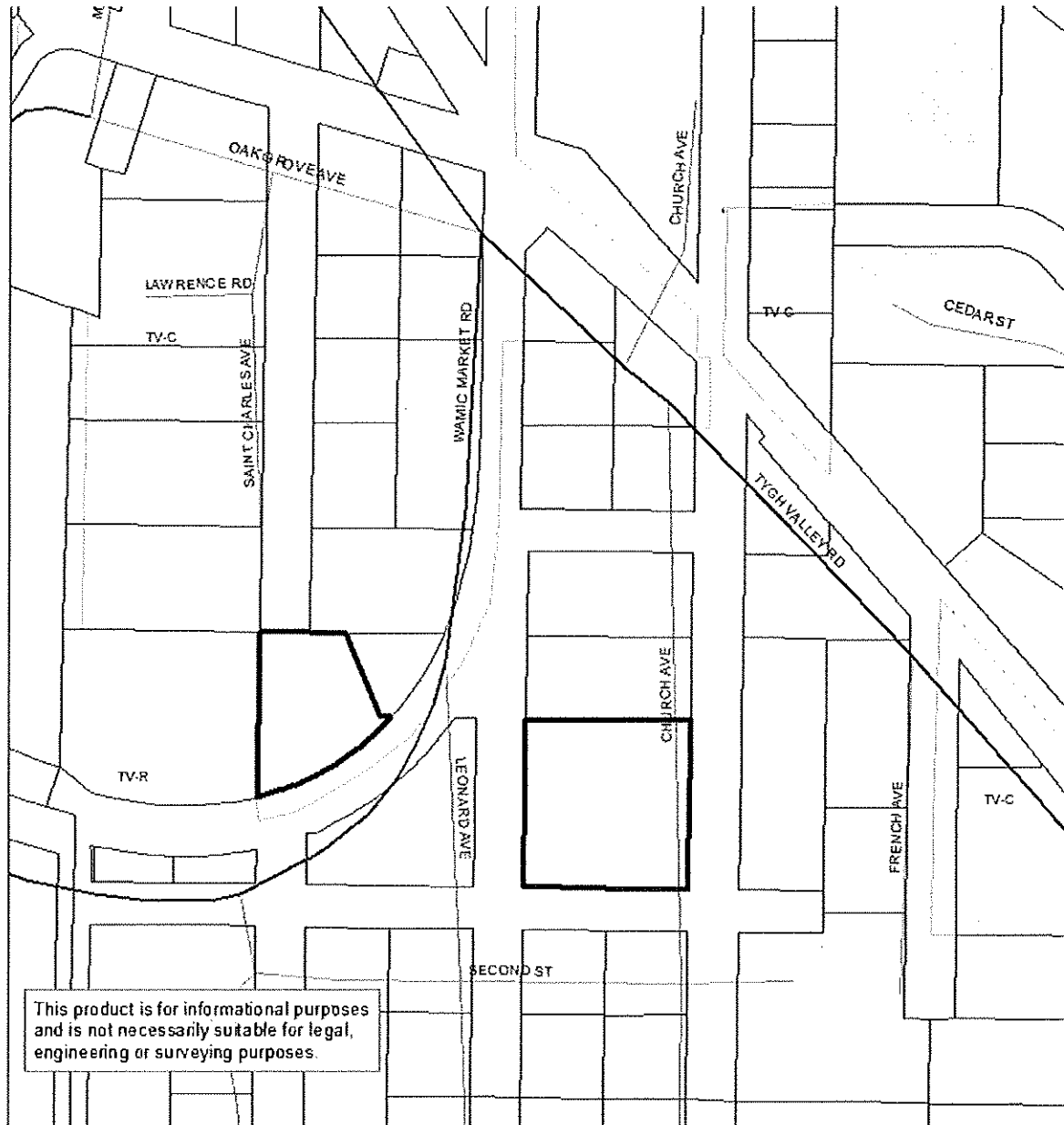


ATTACHMENT C – MAPS

Property Owners: Mike & Laila Davis; Randy Cox

4S 13E 3CC, Tax Lots 3400 and 4300

Current Zoning



0 100 200 Feet

TV-R Tygh Valley Residential
TV-C Tygh Valley Commercial

ATTACHMENT C – MAPS

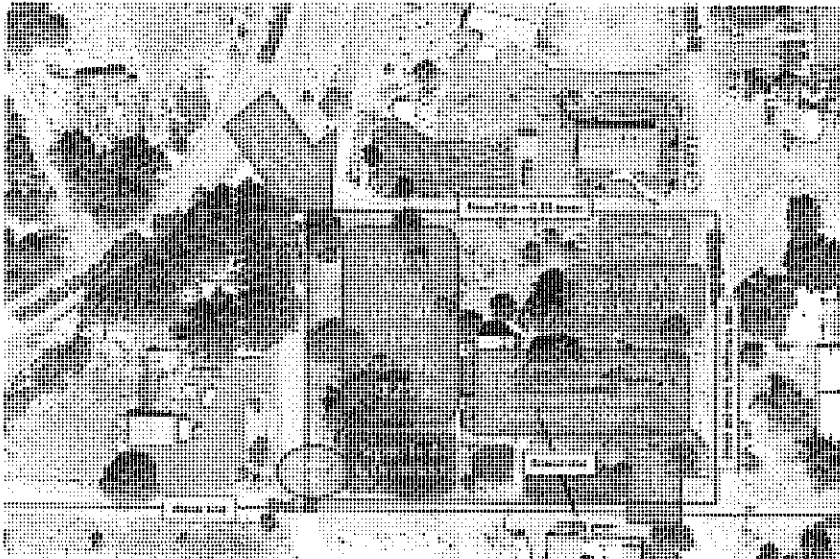
Property Owners: Mike & Laila Davis; Randy Cox

4S 13E 3CC, Tax Lots 3400 and 4300

Davis property



Site Plan



Cox property



0 20 40 Feet

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

ATTACHMENT D – STAFF RECOMMENDATION

File Number: PLAQJR-15-02-0001

Request: Rezone two properties in Tygh Valley:

1. 4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial. Proposed uses are intended to support economic development activities in Tygh Valley.
2. 4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential. Property will continue to be used for residential use.

Prepared For: Wasco County Planning Commission

Prepared by: Dawn Baird, Associate Planner

Procedure Type: Quasi-Judicial Hearing

Hearing Date: August 4, 2015

Applicant: Irl (Mike) & Carolyn (Laila) Davis

Owners: 4S 13E 3CC 3400: Irl (Mike) and Carolyn (Laila) Davis
4S 13E 3CC 4300: Randy Cox

Location: 4S 13E 3CC 3400: The subject property is located on the northeast corner of Leonard Avenue/Second Street, approximately 150' east of Wamic Market Road, in the community of Tygh Valley, Oregon.

4S 13E 3CC 4300: The subject property is located north of Wamic Market Road, approximately 100' south of the intersection of Leonard Avenue, in the community of Tygh Valley, Oregon.

These properties are more specifically described as:

<u>Existing Tax Lot</u>	<u>Account #</u>	<u>Acres</u>
4S 13E 3CC 3400	10604	0.92
4S 13E 3CC 4300	10589	0.50

Zoning: 4S 13E 3CC 3400: TV-R, Tygh Valley Residential
4S 13E 3CC 4300: TV-C, Tygh Valley Commercial

The subject lots are also located in the Environmental Hazard District 2 – Geologic Hazard Overlay Zone.

Past Actions: 4S 13E 3CC, tax lot 3400: None
4S 13E 3CC, tax lot 4300: LOC-84-BP (roof over trailer),

I. APPLICABLE STANDARDS

A. Wasco County Land Use & Development Ordinance (LUDO)

1. Chapter 2 – Development Approval Procedures

Section 2.060.B.2.	(Recommendation to the County Governing Body on a Zone Change and/or Ordinance Amendment - Chapter 9)
Section 2.080.A.	(Notice)
Section 2.090	(Contents of Notice)
Section 2.140	(Hearing Procedure)
Section 2.150	(Official Notice)
Section 2.190	(General Conduct of Hearings)

2. Chapter 9 – Zone Change and Ordinance Amendment

Section 9.010	(Application for Zone Change)
Section 9.020	(Criteria for Decision)
Section 9.030	(Transportation Planning Rule Compliance)
Section 9.040	(Conditions Relative to the Approval of a Zone Change)
Section 9.060	(Recommendation on Zone Change or Amendment to the Land Use and Development Ordinance)
Section 9.070	(Notice of Planning Commission Recommendation)
Section 9.080	(Action by County Governing Body)

3. Chapter 4 – Supplemental Provisions

Section 4.140	(Traffic Impact Analysis)
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II. BACKGROUND

A. **Legal Parcel(s):** 4S 13E 3CC 3400 (Davis): The subject property contains four legal subdivision lots identified as Lots 3, 4, 5 & 6, Block 12, plat of Tygh Valley. 4S 13E 3CC 4300 (Cox): The subject property is identified as Lot 7, Block 13, plat of Tygh Valley. The plat of Tygh Valley was recorded with the Wasco County Clerk on June 15, 1892. All identified parcels are consistent with the definition of Legal Parcel in LUDO Chapter 1, Section 1.090 Definitions, because they were created by a duly recorded subdivision.

B. **Site Description:** 4S 13E 3CC 3400 (Davis): The subject parcel contains 0-5% northeast-facing slopes with grass and scattered trees. The property contains the old church, which includes a residence, attached garage and attached carport. There is also a general purpose shed on the northeast corner of the property. 4S 13E 3CC 4300 (Cox): The subject parcel contains 0-5% northeast-facing slopes with natural grasses and some trees. The property contains an easement road through its center for properties located to the north. Improvements include an existing mobile home, mobile home cover, and two sheds.

C. **Surrounding Land Use:** Surrounding properties contain similar slopes as the subject parcels, 0-5% northeast-facing. Most properties contain natural grass or green lawn and scattered trees. Properties surrounding the Davis property (4S 13E 3CC 3400) are predominantly developed for residential use, while approximately one-half of the properties surrounding the Cox property (4S 13E 3CC 4300) are developed for residential use, and the other one-half are vacant but zoned for future development. Proposed uses include but are not limited to community event space, event rental space,

small business incubator, community garden and open space, religious events, theater performances, clinic (doctor), and other general office space.

III. FINDINGS:

Wasco County Land Use & Development Ordinance

A. Chapter 2 – Development Approval Procedures

Section 2.060, Application/Completeness, Section B.

(***)

2. Recommendation to the County Governing Body on a Zone Change and/or Ordinance Amendment (Chapter 9)

STAFF FINDING: The request is for a Zoning Map Amendment for two properties in Tygh Valley. The Planning Commission will use the information provided by staff in this report to make a recommendation to the Board of Commissioners, who will make the final decision on the Zoning Map Amendment.

Section 2.080.A., Notice

Section 2.090, Contents of Notice

Section 2.140, Hearing Procedure

Section 2.150, Official Notice

Section 2.190, General Conduct of Hearings

STAFF FINDING: The above sections establish the requirements for providing notice of public hearings and the general conduct of hearings. A twenty day pre-notice is required for quasi-judicial hearings. This hearing is being held on August 4, 2015. The public hearing notice was published in The Dalles Chronicle on July 14, 2015, and notice was provided to agencies and property owners within 750' of the subject parcel, on July 14, 2015, twenty-one days before the hearing.

B. Chapter 9 – Zone Change and Ordinance Amendment

Section 9.010, Application for Zone Change

Section 9.010.C. states that an application for a zone change may be initiated by an application being filed with the Director of Planning on the appropriate forms, containing information required to establish the criteria for the change (quasi-judicial only).

STAFF FINDING: Mike Davis, the property owner of 4S 13E 3CC 3400, submitted an application for a Zoning Map Amendment for the two properties on February 25, 2015, on the appropriate forms with property owner signatures. He also provided information addressing the criteria required for the zone change.

Section 9.020, Criteria for Decision

The Approving Authority may grant a zone change only if specific circumstances are found to exist:

A. The original zoning was the product of a mistake; or

APPLICANT FINDING: The original zoning was not the product of a mistake, but rezoning of the two parcels will conform to the Comprehensive Plan as required in 2) below. The sites are suitable to the proposed zoning.

B. It is established that:

1. *The rezoning will conform with the Comprehensive Plan; and,*

APPLICANT FINDING: The request complies with 2)a). A goal analysis is provided below where it is shown that the proposed rezoning will conform with all of the applicable goals and policies in the Comprehensive Plan.

- Goal 1 – Citizen Involvement

APPLICANT FINDING: This application meets Goal 1, as the rezoning process in Wasco County requires citizen involvement via the Planning Commission and County Board of Commissioners. In addition, the property owners have submitted a petition in support of the rezoning that has the signatures of over 75 residents in Tygh Valley.

STAFF FINDING: Concur with applicant finding. All property owners within 300' of the subject properties, and affected agencies, were notified. In addition, a hearing notice was published in The Dalles Chronicle on July 14, 2015 and the application materials have been available at the Wasco County Planning Department office and posted on the Wasco County Planning website for viewing.

- Goal 2 – Land Use Planning

APPLICANT FINDING: This application meets Goal 2, as the rezoning meets the intent of the Wasco County Comprehensive Plan and Statewide Planning Goals. Orderly development is promoted and supported by the approval of this re-zone for the purposes stated in this application. Tygh Valley is a small rural community with limited available public services. Community services proposed to be accommodated at the church parcel will only support viability of Tygh Valley. The rezone allows an existing church building to be used for broader community service provision. Without creating potential for harmful change, additional community service provision is supported.

The rezoning of the Cox property to residential zoning meets Goal 2, as the property provides needed housing in the area and takes pressure away from the conversion of farmland for housing. In addition, the overall acreage zoned residential in Tygh Valley will remain nearly the same by swapping the zoning with the Davis property.

STAFF FINDING: Concur with applicant's finding. In addition, staff finds the proposed zones will more accurately reflect the current and historic uses occurring on the subject properties.

- Goal 3 – Agricultural Lands

APPLICANT FINDING: This application supports Goal 3. Rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands, and supportive of farmers. Such development opportunities include value-added food production, farm to table promotion, exploring niche agricultural markets etc. Overall, Tygh Valley is located in a prime location to serve as a center of commercial and community service activity for many of the agricultural lands located in Southern Wasco County. The rezoning will allow for the best use of the property, possibly taking pressure off of the demand for rezoning agricultural lands to allow commercial uses. In addition, the

property will provide a location for a Community Garden that will encourage community members to get involved with farming and learn more about agriculture in the area.

The rezoning of the Cox property to residential will support Goal 3 by continuing to make housing available to agricultural workers within Rural Service Centers. This may take pressure off the conversion of agricultural lands to residential uses.

STAFF FINDING: Concur with applicant's finding. Staff notes that the applicant's finding is based on the current landowner's development goals and that future owners of the Davis property would be limited to the list of uses identified as allowed in the Wasco County Land Use and Development Ordinance Tygh Valley Commercial Zone (Section 3.602). Staff finds that the proposed rezone of the Davis property would allow commercial uses to occur on lands not currently used to meet residential development needs, and will not remove agriculture land from production, consistent with Goal 3. Furthermore staff finds that the Cox property is in residential use and does not currently provide the acreage of commercial uses to the community of Tygh Valley anticipated by its current zoning.

- Goal 4 – Forest Lands

APPLICANT FINDING: This application supports Goal 4, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-forest land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to forest lands. Such opportunities may include value-added wood product development, forest based recreation opportunities etc. Tygh Valley is well located to serve as a commercial and community service center for those living in or near Forest Lands around the nearby Mt Hood National Forest.

The rezoning of the Cox property to residential will support Goal 4 by continuing to make housing available to Forest Land workers within Rural Service Centers. This may take pressure off the conversion of forest lands to residential uses.

STAFF FINDING: Concur with applicant's finding.

- Goal 5 – Open Spaces, Scenic and Historic Areas and Natural Resources

APPLICANT FINDING: This application supports Goal 5, as the rezoning will encourage private investment for renovation and maintenance of a culturally significant building (the chapel) in Tygh Valley. The uses proposed for the chapel building if rezone is approved will be complementary to those provided by the community center located in the building previously used as a school building. All community services will have a focus on the rural values of open space and importance of maintaining vibrant rural communities and viable and vital agricultural operations around those communities.

The rezoning of the Cox property to residential will support Goal 5 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of areas with Open Space, Scenic and Historic Areas, and Natural Resources to residential uses.

STAFF FINDING: Concur with applicant's finding.

- Goal 6 – Air, Water and Land Resource Quality

APPLICANT FINDING: The proposed rezoning will have no significant impact on air, water, and land resources quality. The proposed use will utilize the existing utilities provided to the site. In

addition, the proposed use will not produce significant pollution from business activities at the site or other impacts to air, water, and land resources.

STAFF FINDING: Concur with applicant's finding. Staff notes that the properties are served by a public water system, therefore, it will not have a significant impact on water quality. As long as the septic system is adequate for the proposed uses, water and land quality will be unaffected. A **condition** is recommended requiring Mr. and Mrs. Davis to obtain septic approval from the North Central Public Health District for all proposed uses in the old church building (4S 13E 3CC 3400) prior to the commencement of the use.

- Goal 7 – Areas Subject to Natural Disasters and Hazards

APPLICANT FINDING: The proposed rezoning will have no significant impact for areas of natural disasters or hazards. There are no known specific natural disaster risks or hazards for this site. The wildfire hazard in the region will be taken into account, when the landscaping and building renovation is being completed. The wildfire hazard is less in this location due to access to water and surrounding residential areas.

STAFF FINDING: The subject parcels, and most of Tygh Valley are located in a Geologic Hazard Overlay Zone. Tygh Valley is identified by the Oregon Department of Geology & Mineral Industries as being in a landslide area. This area could be subject to falling rocks and land from the hills located to the south. The owner is advised that any future development request on the subject properties may be required to obtain a geologic hazard report prepared by an engineering geologist or engineer that is certified to evaluate soils. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare. A **condition** is recommended advising the owners of the existence and requirements for future development.

- Goal 8 – Recreational Needs

APPLICANT FINDING: This application supports Goal 8, as the rezoning will provide open space and a community garden area to meet recreational needs and further support developing sense of community in Tygh Valley.

STAFF FINDING: There are no existing recreation sites in the vicinity of the subject parcels, therefore, the proposed rezone will not impact any existing recreation sites. The rezone will allow the continuation of historic uses. Staff concur with applicant's finding.

- Goal 9 – Economy of the State

APPLICANT FINDING: This application directly and primarily supports Goal 9, the rezoning will meet Policy #2 – Implementation Measure D of the Comprehensive Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

The rezoning of the Cox property will allow for further investment in the residential use on the property – instead of it being considered an existing non-conforming use under the current zoning of the parcel as commercial.

STAFF FINDING: Concur with applicant's finding. Historically, the Tygh Valley community has relied upon the logging and lumber industry for local jobs. This economic sector was impacted by the federal listing of the Spotted Owl and local jobs have decreased. The proposed uses on the Davis property will allow the creation of potential economic development opportunities, resulting in new job creation.

- Goal 10 – Housing

APPLICANT FINDING: This application supports Goal 10, as the rezoning may increase the surrounding residential property values via the improvement and maintenance of the building. A vacant building of this size with such limited allowed uses decreases neighboring property values. In addition, the total change in acres zoned residential in Tygh Valley will be very minor given the corresponding zone change of a nearby commercial property to residential on Wamic Market Road. Again, the rezone more accurately reflects the existing land use on these two parcels.

The rezoning of the Cox property to residential will support Goal 10 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of other areas to residential uses.

STAFF FINDING: Concur with applicant's finding.

- Goal 11 – Public Facilities and Services

APPLICANT FINDING: This application supports Goal 11, as the rezoning will fit into the existing framework of public facilities and services. The rezoning will not have an increased impact on public facilities such as the road network or water system. The rezoning will not increase the need for fire protection, police protection or emergency medical services over the existing use.

The proposed use at the church property could have similar impacts to the allowed existing use of the property as Church Facility. The Church Facility is obviously currently vacant - however the allowed uses at a Church Facility are substantial. The Church Facility use is similar to the proposed in that it generates trips through large events/services. The Church Facility Use could also include daily use for things like a food bank, counseling, classes, and other church programs. The proposed use will be hosting similarly sized events and daily use for businesses. Lastly, the residential use associated with the Church Facility is actually a more intensive use in some ways than the proposed use.

The rezoning of the Cox property to residential will support Goal 11, as the property will continue to be used as residential and fit into the existing framework of public facilities and services that currently serve the residence.

STAFF FINDING: The proposed rezone will not require new or modification of existing public facilities and services. Staff concurs with applicant's finding.

- Goal 12 – Transportation

APPLICANT FINDING: This application supports Goal 12, as the rezoning will proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. The two main access points on the property allow for adequate emergency vehicle access to all land uses. The access on the north side is situated in close proximity to one of the main roads - Wamic Market Road- through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County

Road issues are addressed below in Section 9.030.

The single family dwelling on the Cox property takes access from Wamic Market Road via an approximately 20' gravel driveway. There is a secondary access to the single family dwelling via a small gravel driveway that connects to St. Charles Ave. The residential use on this property will not change and does not trigger the need for access or road improvements.

STAFF FINDING: Concur with applicant's finding. Roads and traffic are further discussed in Section 9.030, Transportation Planning Rule Compliance

- Goal 13 – Energy Conservation:

APPLICANT FINDING: The renovation of the building will include small energy conservation upgrades, however the proposed rezoning will not have a significant impact on energy conservation in the area.

STAFF FINDING: Staff agrees that building renovations will provide small energy conservation improvements. Staff also finds that with the potential to create jobs for Tygh Valley residents, many daily commuters to The Dalles or Maupin may be able to work closer to home – reducing the consumption of fossil fuels. Rezoning the Cox property will not have an impact on energy conservation.

- Goal 14 – Urbanization

APPLICANT FINDING: This application supports Goal 14, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. The rezoning will meet Goal #14 Policy #2 – Implementation Measure C of the Comprehensive Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands. Economic development efforts will be focused on rural uses that fit within the scope of uses provided for in the rural community rule and will support long range community development to accommodate community service and commercial uses within the existing rural community.

The rezoning of the Cox property to residential will support Goal 14 by continuing to make housing available within the Tygh Valley Rural Service Center. This may take pressure off the conversion of other areas to residential uses.

STAFF FINDING: Concur with the applicant's finding.

2. The site is suitable to the proposed zone; and

APPLICANT FINDING: The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses of these properties. There will not be a negative impact on adjacent properties as the proposed zone and use will not drastically change how the property has been used in the past for a church. The site does not have any major issues with slope or flooding.

Please see the Detailed Site Description that is attached to the Land Use Application for detailed about the suitability of the site.

STAFF FINDING: Concur with the applicant's finding. The proposed rezone will more closely reflect the current and historic uses of the subject parcels. The Cox property is zoned Tygh Valley Commercial, but has been in residential use for more than 30 years. Similarly, the church building on the Davis property has existed since 1957.

3. *There has been a conscious consideration of the public health, safety and welfare in applying the specific zoning regulations.*

APPLICANT FINDING: The zone change will not have a negative impact on the public health, safety, or welfare on the community of Tygh Valley. In terms of public health, the septic system was updated in 2007 and will properly handle all wastewater from the buildings. The main vehicle access will adequately deal with future traffic associated with the proposed use and will not create an unsafe pedestrian environment for the surrounding neighborhoods. Vacant structures are known to attract nuisances, such as vandalism and trespassing. The rezone will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

STAFF FINDING: Concur with applicant's finding.

Section 9.030, Transportation Planning Rule Compliance

- A. *Review of Applications for Effect on Transportation Facilities - A proposed zone change or land use regulation change, whether initiated by the County or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – "TPR"). "Significant" means the proposal would:*
 1. *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 2. *Change standards implementing a functional classification system; or*
 3. *As measured at the end of the planning period identified in the adopted transportation system plan:*
 - a. *Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - b. *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or*
 - c. *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

STAFF FINDING: The proposed change will not have a significant impact on transportation facilities. On June 18, 2015, Arthur Smith, Public Works Director, Dawn Baird, Associate Planner, Mike Davis, property owner, and Nick Kraemer, Planning Consultant, met to discuss the proposed zone change and its impact on transportation facilities. An e-mail from received from Mr. Smith on

June 22nd, 2015, that states: "I have reviewed the proposed zone change and possible development. As the county road official, I have determined that this action will not create any significant impact. Additionally, the estimated increase in traffic volume will be well below the thresholds for requiring a Traffic Impact Analysis".

B. Amendments That Affect Transportation Facilities - Amendments to the land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP...

STAFF FINDING: According to Arthur Smith, Public Works Director (June 22, 2015, e-mail), the proposed Zone Change will not significantly affect transportation facilities.

C. Traffic Impact Analysis - A Traffic Impact Analysis shall be submitted with a zone change application pursuant to Section 4.140 Traffic Impact Analysis (TIA)

STAFF FINDING: The purpose of a Traffic Impact Analysis is to determine additional impacts on the road system from a Zone Change. As previously stated in Section 9.030.A., the Public Works Director states that he would not require a Traffic Impact Analysis because the change is not significant and the estimated increase in traffic will be below the threshold for requiring a Traffic Impact Analysis. Section 4.140 Traffic Impact Analysis is discussed below.

Section 9.040, Conditions Relative to the Approval of a Zone Change
Reasonable conditions may be imposed, pursuant to Section 2.110(D) as are necessary to insure the compatibility of a zone change to surrounding uses and as are necessary to fulfill the general and specific purposes of this Ordinance.

APPLICANT FINDING: The proposed change will not have a negative impact on surrounding properties. All of the land uses within 1,000 feet of the proposed zone change fall within the Tygh Valley Rural Service Center. The properties directly surrounding the site are zoned residential and are mostly occupied with single family residential uses. The proposed zoning will not impact these residences any differently than the church has impacted them in the past. In addition, the main vehicle access keeps traffic out of the neighborhood and the buildings on the property meet all setbacks. Commercial zoning dominates the area across Wamic Market Road to the north, however the area is mostly occupied with single family residential uses. This area will not be impacted by the rezoning and the rezoning of the Cox property will more accurately reflect the historical/existing use of the property. There is a commercially zoned area approximately 400 feet to the east of the site that is occupied with commercial uses. The proposed zoning will not negatively impact this commercial area and may contribute to the economic viability of those commercial uses by encouraging new businesses and providing resources for entrepreneurs. Overall the community will maintain nearly the same amount of acres of residential and commercially zoned lands. The rezoning will also encourage investment in the property, which may positively impact the value of surrounding properties.

STAFF FINDING: Concur with applicant's finding. New uses proposed in either zone would be subject to the siting standards required by the relevant zone. The siting standards include setbacks sufficient to prevent impacts to adjacent properties. Noise produced by potential uses will be similar to, or less than noise produced by a church because potential uses will primarily occur indoors. Traffic generated by commercial uses will be less than generated by the church which was used daily as a residence, and multiple times per week for community/church uses. Future commercial uses will be reviewed to ensure they will not compromise the air quality in the area.

Section 9.060, Recommendation on Zone Change or Amendment to the Land Use and Development Ordinance

After hearing information presented at the hearing, the Approving Authority shall recommend that the proposed zone change or amendment to the Zoning Ordinance be granted or denied. The Director of Planning or his assistants shall reduce to writing the Commission's recommendations together with a brief statement of the facts and reasons upon which such recommendation is based.

STAFF FINDING: After hearing all testimony and closing the hearing, the Planning Commission will make a recommendation to the Board of Commissioners on the Zoning Map Amendment. Upon issuance of a Planning Commission Recommendation, Planning Staff will convey in writing the Commission's recommendation and findings.

Section 9.070, Notice of Planning Commission Recommendation

Within ten (10) days of the final Planning Commission hearing, the Director of Planning or his assistants shall give notice thereof to any persons who signed in and testified at the hearing and to such other persons as may have requested the same in writing.

APPLICANT FINDING: Upon completion of the Planning Commission hearing, staff shall provide notice as required by Section 9.070.

Section 9.080, Action by County Governing Body

Upon receipt of the Commission report, the County Governing Body shall take such action as may appear appropriate to that body, or as it feels the public interest requires, provided that in no event shall the County Governing Body act until at least twenty (20) days after the Notice of Planning Commission Recommendation has been mailed.

STAFF FINDING: Upon completion of the Planning Commission hearing, the Commission's recommendation will be forwarded to the Board of Commissioners. Notice of the Board hearing will be published a minimum of 10 days prior to the hearing. The Planning Commission recommendation will be mailed the day after their recommendation is made at the hearing. The Board of Commissioners hearing has been tentatively scheduled for September 2, 2015, which is 29 days after notice is mailed.

C. Chapter 4 – Supplemental Provisions

Section 4.140, Traffic Impact Analysis (TIA)

STAFF FINDING: The Wasco County Public Works Director reviewed the proposed Zone Change. He considered the existing roads in the area and current traffic loads, and on June 22, 2015, determined that the existing roads are adequate for the proposed use. He stated that the estimated increase in traffic will be below the threshold for requiring a Traffic Impact Analysis.

IV. PLANNING COMMISSION DECISION OPTIONS:

- A. **Recommend approval** of the Zoning Map Amendment to the Board of Commissioners to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, **with the proposed findings and conditions recommended by staff;** or

- B. **Recommend approval** of the Zoning Map Amendment to the Board of Commissioners to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, **with amended findings and conditions provided by the Planning Commission; or**
 - C. **Recommend denial** of the Zoning Map Amendment to the Board of Commissioners to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, **with proposed findings provided by the Planning Commission; or**
 - D. Continue this hearing to a date and time certain.
- V. **STAFF RECOMMENDATION:** Staff supports Option A: Recommend approval of the Zoning Map Amendment to the Board of Commissioners, with the proposed findings and conditions recommended in this report.
- IV. **RECOMMENDED CONDITIONS OF APPROVAL:**
- A. Septic approval shall be obtained from the North Central Public Health District for all proposed uses in the old church building (4S 13E 3CC 3400) prior to the commencement of commercial use.
 - B. The subject parcels are located in the EPD-2, Geologic Hazard Overlay Zone (Landslide Area). Future development may be required to obtain a geologic hazard report prepared by an engineering geologist or engineer that is certified to evaluate soils. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare.

ATTACHMENT E

DETAILED PROJECT DESCRIPTION

DETAILED PROJECT DESCRIPTION

Overview

The purpose of this land use application is to request the rezoning of the property at 57645 Leonard Street (formerly the Tygh Valley Methodist Church) from residential zoning to commercial zoning. The rezoning of the property to Tygh Valley-Commercial will enable the property to be improved and utilized for economic development activities. The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 signatures). In addition, an adjacent property owner at 82675 Wamic Market Road, Mr. Randy Cox, is seeking rezoning of his property from commercial to residential in conjunction with this application. The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses as well as the highest and best uses of these properties.

Proposed Use

Long time Tygh Valley residents, Mike and Laila Davis, purchased the former Tygh Valley Methodist Church with intentions of converting the property into a hub of economic and community development in Tygh Valley. The proposed uses for the property include the following:

- **Community Event Space:** The property will be used for a variety of community events such as: benefit concerts, movie nights, small business networking events, lectures, and other events that benefit the community.
- **Event Rental Space:** The property will also be available for rental to host large private events like weddings, funerals, and other gatherings.
- **Small Business Incubator:** A portion of the building will be converted into an economic development office that provides resources for local businesses. In addition, the basement of the church will be available for small businesses to rent desk space or setup other income generating activities.
- **Community Garden and Open Space:** The grounds of the property will host a community garden and open space for community members to utilize.
- **Religious Events:** The property will be available for rental by local religious organizations to hold regular services and host events.

The current zoning of the site, as Tygh Valley Residential, does not allow for many of these uses, which greatly limits the viability of the property and ability to attract investment in redevelopment of the property.

The Cox Property currently has a single family home on the property and it is proposed that the residential use will continue after the rezoning. The existing residential use on this property would be considered existing, non-conforming. The zone change to residential will bring the property into compliance and allow the property owner to continue to make improvements to the residence.

Structures and Dimensions

The church property is 0.92 acres and contains the following structures:

- 2,000 sq foot church that was constructed in 1952-54. The building is constructed of a stout concrete foundation with wood framing and a metal roof. There is also a basement level work area of approximately 2,000 square feet with a kitchen and bathroom. The peak of the chapel is approximately 30 feet tall.
- There is a 2,000 sq foot residence that was the living quarters for the clergy of the Methodist Church attached to the chapel. The building is constructed with wood framing and a concrete foundation and is approximately 20 feet tall.
- The property contains one shed that is approximately 15 by 20 feet. The building is wood framing with a metal corrugated siding and approximately 15 feet tall.

All of the structures meet the required setbacks and there are no easements that impact the proposed uses on the property. All of the structures on the property will require some level of updating to improve their

value and accommodate the proposed uses. These improvements are not economically feasible under the current zoning.

The Cox property is 0.49 acres and contains a single family home that is approximately 1,250 sq ft. The dwelling appears to meet setbacks and no new development is proposed on the property at this time. All future development will meet the standards of the residential zoning.

Access and Infrastructure

Vehicle Access

The main vehicle access for the church site lies on the north side of the property near the intersection of Wamic Market Road and Leonard Avenue. The access is gravel and approximately 15 feet wide. The location of the access on the north side is situated in close proximity to one of the main roads - Wamic Market Road- through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. There is an additional access point on the south side of the property along 2nd Street that served as a driveway entrance for the clergy residence. This access is approximately 15 feet wide, gravel, and accesses the attached garage. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County. The proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. No new point of access is proposed. Anticipated site circulation can be accommodated by existing access points onto existing streets. The applicant will work with the County Planners and Public Works to determine any access improvements necessary to accommodate safe traffic flow onto and off of Tygh Valley streets.

*Insert letter/note from County Roadmaster explaining no need for a TIA.

The single family dwelling on the Cox property takes access from Wamic Market Road via an approximately 20' gravel driveway. There is a secondary access to the single family dwelling via a small gravel driveway that connects to St. Charles Ave. The residential use on this property will not change and does not trigger the need for access or road improvements.

Off-Street Parking

The church property has a large gravel parking area (approximately 0.25 acres) on the north side that can accommodate approximately 40-60 vehicles. The parking area is large enough to meet the demands of the proposed use and will not negatively impact neighboring residential properties. The stormwater runoff from the gravel parking area is all handled on-site and will not drain onto neighboring properties. The parking area will have signage that directs vehicles to parking areas and maintains proper ingress/egress.

The single family dwelling on the Cox property has several parking spaces adjacent to the gravel driveway. The residential use on this property will not change and does not trigger the need for additional parking.

Fire and Emergency Services

The Tygh Valley Fire Department provides Fire and Emergency services to the site. The main vehicle access is large enough to accommodate fire and emergency services vehicles. The parking area is large enough for to accommodate a turnaround for fire and emergency vehicles. In addition the gravel streets surrounding three sides of the property provide alternative access for fire and emergency vehicles. The property is readily accessible and defensible from all sides. The applicant recognizes the County's fire self certification process and is prepared to complete the self certification form and make any required improvements to water service and on site circulation when land use permits are applied for.

The residential use on the Cox property will not change and will not require any additional fire and emergency services.

Utilities

Water is provided to the property by the Barlow Water Improvement District. The water connection is located at the corner of Leonard and 2nd Street.

Wastewater is handled by an on-site septic system. This system was improved and brought to current standards in 2007. See attached reports from Oregon Department of Environmental Quality and the Wasco County Health Department. The existing septic system will be able to handle the wastewater of the proposed use. In case of a septic system failure, there is room for a new septic drainage field to be installed on the south side of the property.

Electricity is provided by the Wasco Electric Cooperative via an overhead line.

The residential use on the Cox property will not change and will not require any changes to the existing utility services.

FINDINGS OF FACT

1. What is the purpose of the proposed change?

The purpose of this land use application is to request the rezoning of the property at 57645 Leonard Street from residential zoning to commercial zoning. The rezoning of the property to Tygh Valley-Commercial will enable the property to be improved and utilized for economic development activities in Tygh Valley. The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 signatures). In addition, an adjacent property owner at 82675 Wamic Market Road is seeking rezoning of his property from commercial to residential in conjunction with this application. The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses and provide for the highest and best use of these properties.

2. Describe how the original zoning was the product of a mistake; or

The rezoning of the two parcels will conform to the Comprehensive Plan and the sites are suitable to the proposed zoning. This application will address the most relevant Goals.

3. Establish that:

a. The rezoning will conform with the Comprehensive Plan (including but not limited to all applicable goals and policies); and,

Goal 1: Citizen Involvement

This application meets Goal 1, as the rezoning process in Wasco County requires citizen involvement via the Planning Commission and County Board of Commissioners. In addition, the property owners have submitted a petition in support of the rezoning that has the signatures of over 75 residents in Tygh Valley.

Goal 2: Land Use Planning

This application meets Goal 2, as the rezoning meets the intent of the Wasco County Comprehensive Plan and Statewide Planning Goals. Orderly development is promoted and supported by the approval of this re-zone for the purposes stated in this application. Tygh Valley is a small rural community with limited available public services. Community services proposed to be accommodated at the church parcel will only support viability of Tygh Valley. The rezone allows an existing church building to be used for broader community service provision. Without creating potential for harmful change, additional community service provision is supported.

The rezoning of the Cox property to residential zoning meets Goal 2, as the property provides needed housing in the area and takes pressure away from the conversion of farmland for housing. In addition, the overall acreage zoned residential in Tygh Valley will remain nearly the same by swapping the zoning with the Davis property.

Goal 3: Agricultural Lands

This application supports Goal 3. Rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands, and supportive of farmers. Such development opportunities include value-added food production, farm to table promotion, exploring niche agricultural markets etc. Overall, Tygh Valley is located in a prime location to serve as a center of commercial and community service activity for many of the agricultural lands located in Southern Wasco County. The rezoning will allow for the best use of the property, possibly taking pressure off of the

demand for rezoning agricultural lands to allow commercial uses. In addition, the property will provide a location for a Community Garden that will encourage community members to get involved with farming and learn more about agriculture in the area.

The rezoning of the Cox property to residential will support Goal 3 by continuing to make housing available to agricultural workers within Rural Service Centers. This may take pressure off the conversion of agricultural lands to residential uses.

Goal 4: Forest Lands

This application supports Goal 4, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-forest land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to forest lands. Such opportunities may include value-added wood product development, forest based recreation opportunities etc. Tygh Valley is well located to serve as a commercial and community service center for those living in or near Forest Lands around the nearby Mt Hood National Forest.

The rezoning of the Cox property to residential will support Goal 4 by continuing to make housing available to Forest Land workers within Rural Service Centers. This may take pressure off the conversion of forest lands to residential uses.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

This application supports Goal 5, as the rezoning will encourage private investment for renovation and maintenance of a culturally significant building (the chapel) in Tygh Valley. The uses proposed for the chapel building if rezone is approved will be complementary to those provided by the community center located in the building previously used as a school building. All community services will have a focus on the rural values of open space and importance of maintaining vibrant rural communities and viable and vital agricultural operations around those communities.

The rezoning of the Cox property to residential will support Goal 5 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of areas with Open Space, Scenic and Historic Areas, and Natural Resources to residential uses.

Goal 6: Air, Water and Land Resources Quality

The proposed rezoning will have no significant impact on air, water, and land resources quality. The proposed use will utilize the existing utilities provided to the site. In addition, the proposed use will not produce significant pollution from business activities at the site or other impacts to air, water, and land resources.

Goal 7: Areas Subject to Natural Disasters and Hazards

The proposed rezoning will have no significant impact for areas of natural disasters or hazards. There are no known specific natural disaster risks or hazards for this site. The wildfire hazard in the region will be taken into account, when the landscaping and building renovation is being completed. The wildfire hazard is less in this location due to access to water and surrounding residential areas.

Goal 8: Recreational Needs

This application supports Goal 8, as the rezoning will provide open space and a community garden area to meet recreational needs and further support developing sense of community in Tygh Valley.

Goal 9: Economy of the State

This application directly and primarily supports Goal 9, the rezoning will meet Policy #2 – Implementation Measure D of the Comp Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

The rezoning of the Cox property will allow for further investment in the residential use on the property – instead of it being considered a existing non-conforming use under the current zoning of the parcel as commercial.

Goal 10: Housing

This application supports Goal 10, as the rezoning may increase the surrounding residential property values via the improvement and maintenance of the building. A vacant building of this size with such limited allowed uses decreases neighboring property values. In addition, the total change in acres zoned residential in Tygh Valley will be very minor given the corresponding zone change of a nearby commercial property to residential on Wamic Market Road. Again, the rezone more accurately reflects the existing land use on these two parcels.

The rezoning of the Cox property to residential will support Goal 10 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of other areas to residential uses.

Goal 11: Public Facilities and Services

This application supports Goal 11, as the rezoning will fit into the existing framework of public facilities and services. The rezoning will not have an increased impact on public facilities such as the road network or water system. The rezoning will not increase the need for fire protection, police protection or emergency medical services over the existing use.

The proposed use at the church property could have similar impacts to the allowed existing use of the property as Church Facility. The Church Facility is obviously currently vacant - however the allowed uses at a Church Facility are substantial. The Church Facility use is similar to the proposed in that it generates trips through large events/services. The Church Facility Use could also include daily use for things like a food bank, counseling, classes, and other church programs. The proposed use will be hosting similarly sized events and daily use for businesses. Lastly, the residential use associated with the Church Facility is actually a more intensive use in some ways than the proposed use.

The rezoning of the Cox property to residential will support Goal 11, as the property will continue to be used as residential and fit into the existing framework of public facilities and services that currently serve the residence.

Goal 12: Transportation

This application supports Goal 12, as the rezoning will proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. The two main access points on the property allow for adequate emergency vehicle access to all land uses. The access on the north side is situated in close proximity to one of the main roads - Wamic Market Road- through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County

*Insert letter/note from County Roadmaster explaining no need for a TIA.

The single family dwelling on the Cox property takes access from Wamic Market Road via an approximately 20' gravel driveway. There is a secondary access to the single family dwelling via a small gravel driveway that connects to St. Charles Ave. The residential use on this property will not change and does not trigger the need for access or road improvements.

Goal 13: Energy Conservation

The renovation of the building will include small energy conservation upgrades, however the proposed rezoning will not have a significant impact on energy conservation in the area.

Goal 14: Urbanization

This application supports Goal 14, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. The rezoning will meet Goal #14 Policy #2 – Implementation Measure C of the Comp Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands. Economic development efforts will be focused on rural uses that fit within the scope of uses provided for in the rural community rule and will support long range community development to accommodate community service and commercial uses within the existing rural community.

The rezoning of the Cox property to residential will support Goal 14 by continuing to make housing available within the Tygh Valley Rural Service Center. This may take pressure off the conversion of other areas to residential uses.

b. The site is suitable to the proposed zone (taking into consideration among other things slope, access, flooding, traffic, availability of public facilities and services, and impact to adjacent properties); and

The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses of these properties. There will not be a negative impact on adjacent properties as the proposed zone and use will not drastically change how the property has been used in the past for a church. The site does not have any major issues with slope or flooding.

Please see the Detailed Site Description that is attached to the Land Use Application for detailed about the suitability of the site.

c. There has been a conscious consideration of the public health, safety and welfare in applying the specific zoning regulations.

The zone change will not have a negative impact on the public health, safety, or welfare on the community of Tygh Valley. In terms of public health, the septic system was updated in 2007 and will properly handle all wastewater from the buildings. The main vehicle access to the site will adequately deal with future traffic associated with the proposed use and will not create an unsafe pedestrian environment for the surrounding neighborhoods. Vacant structures are known to attract nuisances, such as vandalism and trespassing. The rezoning will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

4. What effect would the proposed change have on surrounding properties? Include a description of the existing land uses within 1,000 feet of the proposed zone change.

The proposed change will not have a negative impact on surrounding properties. All of the land uses within 1,000 feet of the proposed zone change fall within the Tygh Valley Rural Service Center. The properties directly surrounding the site are zoned residential and are mostly occupied with single family residential uses. The proposed zoning will not impact these residences any differently than the church has impacted them in the

past. In addition, the main vehicle access keeps traffic out of the neighborhood and the buildings on the property meet all setbacks. Commercial zoning dominates the area across Wamic Market Road to the north, however the area is mostly occupied with single family residential uses. This area will not be impacted by the rezoning and the rezoning of the Cox property will more accurately reflect the historical/existing use of the property. There is a commercially zoned area approximately 400 feet to the east of the site that is occupied with commercial uses. The proposed zoning will not negatively impact this commercial area and may contribute to the economic viability of those commercial uses by encouraging new businesses and providing resources for entrepreneurs.

Overall the community will maintain nearly the same amount of acres of residential and commercially zoned lands. The rezoning will also encourage investment in the property, which may positively impact the value of surrounding properties.

5. Is there a public need or demand to support this requested zone change? ☐ No ☒ Yes. If YES, please describe.

The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 of signatures). The proposed rezoning will compliment existing commercial areas in Tygh Valley by providing resources for small businesses and event space to draw visitors to the area. The rezone will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

6. Fire Safety. If converting Farm or Forest zoned land to a non-resource zone, include an analysis of how future division and residential development could meet fire safety standards.

No farm or forest resource land will be converted to non-resource zones or use. All land proposed for re-zone is within the existing unincorporated rural community boundary of Tygh Valley. The Tygh Valley Fire Department provides Fire and Emergency services to the site. The main vehicle access is large enough to accommodate fire and emergency services vehicles. The parking area is large enough for to accommodate a turnaround for fire and emergency vehicles. In addition the gravel streets surrounding three sides of the property provide alternative access for fire and emergency vehicles.

7. Any other information which may add to the viability of the request.

The property owners, Mike and Laila Davis, are upstanding members of the community of Tygh Valley and have purchased this property with the intentions of making it a community asset. With the current zoning, it is not economically feasible to make improvements and undertake the proposed uses. The property owners, along with all of the local folks who signed the petition supporting the rezone, are very excited about the potential for this site to be renewed to serve the community by accommodating new and broader uses desired by current residents and compatible with current uses.

RCVD: JR 2/25/15



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

LAND USE APPLICATION

FILE NUMBER: PLAQJR-15-02-0001

FEE: \$1,700.00

Date Received: 2/25/15 Planner Initials: JR

Date Complete: _____ Planner Initials: _____

APPLICANT INFORMATION

OWNER INFORMATION

Name: Mike (Irl) and Lalla Davis

Name: Mike (Irl) and Lalla Davis

Address: PO BOX 188

Address: PO BOX 188

City/State/Zip: Tygh Valley, OR 97063

City/State/Zip: Tygh Valley, OR 97063

Phone: (541) 544-3821

Phone: (541) 544-3821

Email: irldavis@mac.com

Email: irldavis@mac.com

PROPERTY INFORMATION

Township/Range/Section/Tax Lot(s)	Acct #	Acres	Zoning
4S 13E 3 CC 3400	10604	0.92	TV-R
4S 13E 3 CC 4300	10589	0.50	TV-C

Property address (or location): 57645 Leonard Street

Water source: Barlow Water Improvement District Sewage disposal method: On-site septic

Name of road providing access: Leonard Ave (additional access from 2nd Street)

Current use of property: Church Facility Use of surrounding properties: Mix of residential and commercial

Do you own neighboring property? ☒ NO ☐ YES (description) _____

DETAILED PROJECT DESCRIPTION (proposed use, structures, dimensions, etc.): The purpose of this land use application is to request the rezoning of the property at 57645 Leonard Street (formerly the Tygh Valley Methodist Church) from residential zoning to commercial zoning. The rezoning of the property to Tygh Valley-Commercial will enable the property to be improved and utilized for economic development activities. The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 signatures). In addition, an adjacent property owner at 82675 Wamic Market Road, Mr. Randy Cox, is seeking rezoning of his property from commercial to residential in conjunction with this application. The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing as well as the highest and best uses of these properties..

☒ Additional description/maps/pictures attached

LEGAL PARCEL STATUS

Partition, Subdivision, OR

Most Recent Pre-9/4/1974 Deed #: _____ Date Filed: _____

Current Deed #: Wasco Title 14-49541 Date Filed: 4/24/14

The deed and a map showing the property described in the deed(s) must accompany this application.

SIGNATURES

Applicant(s): _____ Date: _____

Bill M. Davis Date: 2.15.2018

Property Owner(s): _____ Date: _____

_____ Date: _____

_____ Date: _____

_____ Date: _____

_____ Date: _____

PLEASE NOTE: Before this application will be processed, you must supply all requested information and forms, and address all listed or referenced criteria. Pursuant to ORS 215.428, this office will review the application for completeness and notify Applicant of any deficiencies within 30 days of submission. By signing this form, the property owner or property owner's agent is granting permission for Planning Staff to conduct site inspections on the property.

ALL LAND USE APPLICATIONS MUST INCLUDE:

- ☒ Application Fee – Cash or Check (credit cards now accepted with additional fee)
- ☒ Site Plan
- ☐ Elevation Drawing *N/A*
- ☐ Fire Safety Self-Certification *N/A*
- ☐ Other applicable information/application(s):

☒ DEQ Wastewater Permit

☒ Deeds

☒ Letter from Randy Cox

☐ Petition supporting application

APPLICATIONS FOR PROPERTIES IN THE NATIONAL SCENIC AREA MUST ALSO INCLUDE:

- ☐ Scenic Area Application/Expedited Review
- ☐ Color and Material Samples
- ☐ Landscaping Plan
- ☐ Grading Plan
- ☐ Other applicable information/application(s):

☐ _____

☐ _____

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

Legal Parcel

Deed/Land Use Action: _____

☐ NO

☐ YES

Previous Map and Tax Lot: _____

Past Land Use Actions: If yes, list file #(s) _____

☐ NO

☐ YES

Subject to previous conditions?

☐ NO

☐ YES

Assessor Property Class: _____

Zoning: _____

Environmental Protection Districts – List applicable EPDs:

☐ EPD # _____

☐ EPD # _____

☐ EPD # _____

☐ EPD # _____

Water Resources

Are there bodies of water on property or adjacent properties?

☐ NO

☐ YES

Describe: _____

☐ Fish bearing (100/50 ft buffer)

☐ Non fish bearing (50 ft buffer)

☐ Not identified (25 ft buffer)

☐ Irrigation ditch (50 ft buffer)

Access:

County or ODOT approach permit on file? ☐ NO ☐ YES, # _____

Address:

Address exists and has been verified to be correct?

☐ NO

☐ YES

Address needs to be assigned after approval?

☐ NO

☐ YES

Fire District: _____

Fees (List Review Type and Cost): _____

DETAILED PROJECT DESCRIPTION

Overview

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- **Community Event Space:** The property will be used for a variety of community events such as: benefit concerts, movie nights, small business networking events, lectures, and other events that benefit the community.
- **Event Rental Space:** The property will also be available for rental to host large private events like weddings, funerals, and other gatherings.
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The current zoning of the site, as Tygh Valley Residential, does not allow for many of these uses, which greatly limits the viability of the property and ability to attract investment in redevelopment of the property.

Structures and Dimensions

The property is 0.92 acres and contains the following structures:

- 2,000 sq foot church that was constructed in 1952-54. The building is constructed of a stout concrete foundation with wood framing and a

metal roof. There is also a basement level work area of approximately 2,000 square feet with a kitchen and bathroom. The peak of the chapel is approximately 30 feet tall.

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- The property contains one shed that is approximately 15 by 20 feet. The building is wood framing with a metal corrugated siding and approximately 15 feet tall.

All of the structures meet the required setbacks and there are no easements that impact the proposed uses on the property. All of the structures on the property will require some level of updating to improve their value and accommodate the proposed uses. These improvements are not economically feasible under the current zoning.

Access and Infrastructure

Vehicle Access

The main vehicle access for the site lies on the north side of the property near the intersection of Wamic Market Road and Leonard Avenue. The access is gravel and approximately 15 feet wide. The location of the access on the north side is situated in close proximity to one of the main roads - Wamic Market Road - through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. There is an additional access point on the south side of the property along 2nd Street that served as a driveway entrance for the clergy residence. This access is approximately 15 feet wide, gravel, and accesses the attached garage. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County. The proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. No new point of access is proposed. Anticipated site circulation can be accommodated by existing access points onto existing streets. The applicant will work with the County Planners and Public Works to determine any access improvements necessary to accommodate safe traffic flow onto and off of Tygh Valley streets.

Off-Street Parking

The property has a large gravel parking area (approximately 0.25 acres) on the north side that can accommodate approximately 40-60 vehicles. The parking area is large enough to meet the demands of the proposed use and will not negatively impact neighboring residential properties. The stormwater runoff from the gravel parking area is all handled on-site and will not drain onto neighboring properties. The parking area will have signage that directs vehicles to parking areas and maintains proper ingress/egress.

Fire and Emergency Services

The Tygh Valley Fire Department provides Fire and Emergency services to the site. The main vehicle access is large enough to accommodate fire and emergency services vehicles. The parking area is large enough for to accommodate a turnaround for fire and emergency vehicles. In addition the gravel streets surrounding three sides of the property provide alternative access for fire and emergency vehicles. The property is readily accessible and defensible from all sides. The applicant recognizes the County's fire self certification process and is prepared to complete the self certification form and make any required improvements to water service and on site circulation when land use permits are applied for.

Utilities

Water is provided to the property by the Barlow Water Improvement District. The water connection is located at the corner of Leonard and 2nd Street.

Wastewater is handled by an on-site septic system. This system was improved and brought to current standards in 2007. See attached reports from Oregon Department of Environmental Quality and the Wasco County Health Department. The existing septic system will be able to handle the wastewater of the proposed use. In case of a septic system failure, there is room for a new septic drainage field to be installed on the south side of the property.

Electricity is provided by the Wasco Electric Cooperative via an overhead line.



Site Plan



**BE CAREFUL and BE SAFE –
CALL FOR UNDERGROUND UTILITY LOCATIONS BEFORE YOU DIG!
(503) 232-1987 or 1-800-332-2344.**

Rules, Approved Material Listing, and Database of Licensed Installers can be accessed at:
<http://www.deq.state.or.us/wq/onsite/onsite.htm>

General Conditions And Requirements For All Permits

Onsite Construction-Installation Permits are valid for one year from the date of issuance. The expiration date is noted on this permit. Renewal or reinstatement of a permit may be granted to the original permittee if an application for permit renewal or reinstatement is filed within one year after the original permit expiration date. The renewal or reinstatement will be issued an expiration date one year after the previous date of expiration. Transfer of a permit from the original permittee to another person may be granted if an application for a permit transfer is filed prior to the original permit expiration date and no other changes to the permit are necessary. **Note:** The fee for renewal, reinstatement, or transfer of a permit is less than that for a new permit.

ALL WORK IS TO CONFORM TO OREGON ADMINISTRATIVE RULES, CHAPTER 340, DIVISIONS 71 & 73. WORK MUST BE DONE BY THE PERMITTEE OR BY LICENSED SEWAGE DISPOSAL SERVICE BUSINESS. MAKE NO CHANGES IN SYSTEM LOCATION OR SPECIFICATIONS WITHOUT WRITTEN APPROVAL FROM THE PERMIT ISSUING AGENT.

Installation Requirements: The drainfield is to be installed in undisturbed native soil. There are to be no alterations of the natural site conditions such as soil removal or filling, or slope/topography alterations within the approval areas for both the initial and replacement systems unless otherwise authorized by the Agent. System installation is not to occur when soil moisture, high groundwater, adverse weather, or other conditions that could affect the quality of installation or reliability of the system are present. If such conditions are present and there is a need for sewage disposal at the site, the septic tank can be utilized as a temporary holding tank as outlined in 340-071-0160(9).

Inspection Requirements: The system installer and/or the permit holder must notify the permitting Agent when the construction, alteration, or repair of a system for which a permit was issued is completed (except for the backfilling or covering of the installation). For Pressurized, Sand Filters, RGFs, ATTs, and Capping Fill systems several inspections are required during the construction process (see inspection requirements specific to each system installation). The permitting agent has 7 days to perform an inspection of the completed construction after the official notice date, unless the permitting agent elects to waive the inspection and authorizes the system to be backfilled earlier. Receipt and acceptance of a completed **Final Inspection Request and Notice** form by the permitting agent establishes the official notice date of your request for the pre-cover inspection. Faxed copies are acceptable for inspection request purposes only. Originals must be received before a **Certificate of Satisfactory Completion** can be issued. Please complete all of sections 1 through 4 on the form and return it to the office that issued the permit. Forms determined to be incomplete will be returned.

System Backfill Requirements: The system is to be backfilled or covered only after the permitting agent has approved the construction installation, the inspection has been waived, or the **Certificate of Satisfactory Completion (CSC)** has been issued by operation of law where the inspection has not been conducted within 7 days of notification of completed installation. Unless otherwise required, it is the system installer's responsibility to backfill the system within 10 days after inspection and issuance of the CSC. Backfill must be carefully placed to prevent damage to the system. The backfill must be free of large stones, frozen clumps of earth, masonry, stumps, waste construction materials, or other materials that could damage the system. Be sure that the untreated building paper, filter fabric, or other material approved by the agent is completely covering all drain media where required prior to backfill. The system can be connected to and placed into service once it has been properly backfilled and the CSC has been issued.

Initial and Replacement Areas – Protection: The installed subsurface absorption field and designated replacement areas must be protected and kept free of development such as roadways, covering with asphalt or concrete, filling, cutting, or other soil modifications.

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WASCO-SHERMAN PUBLIC HEALTH DEPARTMENT

419 East Seventh, Room 100
The Dalles, OR 97058
(541) 506-2600

Permit Number: _____

Date Issued: _____

Application for:

County:

Date Pd: Eval _____

Evaluation _____ New Installation _____
Repair X 320 Other _____

Wasco ☒ Sherman ☐

Permit 8/27 Eval _____
Other _____

PASTOR JERRY D. HALLAM Tygh Valley
(Name of Applicant) WMC

Township 4S Range 13 Section 3 CC

P.O. Box 16
(Mailing Address)

Tax Lot # 3460
Site Address: 57627 LECNARD ST.
Tygh Valley, OR 97063

DUFUR OR 97063
(City) (State) (ZIP)

(Telephone) (541) 467-2554

Proposed use:

Residential ☒ Commercial ☒

Other (explain) Church

Water Supply: X
Community _____

Private: Well _____ Spring _____

DIRECTIONS TO PROPERTY: (Please be specific.)

Tygh Valley United Methodist Church
57627 LECNARD ST. Tygh Valley 97063

Property Zone _____

Size of lot or parcel _____

Test Holes [] have been prepared [] will be prepared (date) _____

Pastor Jerry D. Hallam
(Signature Owner/Installer)

Aug 27, 2007
(Date)

IMPORTANT: ATTACH A MAP OF PROPERTY INCLUDING LOCATION OF WELL, ANY WELLS ON ADJACENT PROPERTY, AND TEST HOLES. ON LOTS LESS THAN 20 ACRES, APPROXIMATE PROPERTY CORNER SHOULD BE VISIBLY MARKED.

2/26/03

180' 6/12" Rock under pipe & loop system (equal system)

WASCO SHERMAN PUBLIC HEALTH DEPARTMENT
419 EAST SEVENTH STREET
THE DALLES, OR 97038
541-506-2603

NAME _____ Township _____ Range _____ Section _____
Tax Lot# _____

PLOT PLAN (please use pencil)

STAN COOPER (Little Rock Const.)
Installer's Name
(MUST BE LICENSED BY D.E.Q.)

House _____ Mobile Home _____ Bedrooms _____ Baths _____ Basement: _____ Yes _____ No
Feet from Well: Drainfield _____ Septic Tank _____

CONSTRUCTION PERMITS ARE
FOR ONE (1) YEAR FROM DATE

SYSTEM MUST BE INSPECTED BEFORE
BACKFILLING

ALL MATERIALS MUST BE D.E.Q. APPROVED

I hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief.

DATE _____

(Applicant's Signature)

(Date Received)

FINAL INSPECTION REQUEST AND NOTICE

Pursuant to the requirements within ORS 454.665, OAR 340-71-170 and OAR 340-71-175, the system installer and/or the permittee must notify the Department of Environmental Quality (or its authorized Agent) when the construction, alteration or repair of a system for which a permit was issued is completed (except for the backfilling or covering of the installation). The Department (or Agent) has 7 days to perform an inspection of the completed construction after the official notice date, unless the Department (or Agent) elects to waive the inspection and authorizes the system to be backfilled earlier. Receipt and acceptance of this completed form by the Department (or Agent) establishes the official notice date of your request for the pre-cover inspection. Please complete all four sections of the form and return it to the office that issued the permit. Forms that are determined to be incomplete will be returned.

SECTION 1: BASIC INFORMATION.

Property Owner Tygh Valley Methodist Church Permit Number 33-07-050 County Wasco

Township 4S; Range 13E; Section 300; Tax Lot 3400; Tax Acct. # _____

Job Location 57627 Leonard St

Date System Construction Completed 9-24-07; Date Submitted to DEQ or Agent 10-1-07

SECTION 2: MATERIALS LIST. Identify and list all materials used in the system's construction.

193' 4" Perf sewer Pipe - ASTM F810-01

10' 4" solid sewer Pipe - ASTM F810-01

4' 4" ABS Pipe

1- 4" Fernco

1- 45°

2- 22 Bend

2- 90 Bend

4- Tee's

1- Dist Box Tuff Tite

5 Bails straw

30 Yds Drain Rock

Property Owner 1841 Valley Permit Number 37590 County Polk

SECTION 3: AS-BUILT PLAN OF THE CONSTRUCTED SYSTEM. Indicate the direction of NORTH and show the locations of all wells within 200 feet of the system.

SECTION 4: CONSTRUCTION WAS PERFORMED BY:

____ Property Owner (Permittee)

☒ Sewage Disposal Service Business: Little Rock Const 37590
(Print Full Business Name) (License Number)

I certify the information provided in this notice is correct, and that the construction of this system was in accordance with the permit and the rules regulating the construction of on-site sewage disposal systems (OAR Chapter 340, Divisions 71 and 73).

Steve [Signature] Owner 10-1-07
(System Installer's Signature) (Title) (Date)

STATE OF OREGON
Department of Environmental Quality
Onsite Wastewater Treatment System Construction Installation Permit

33-07-050
PERMIT NUMBER

CONTROL NUMBER

S.E. NUMBER

320
FEE

☐ NEW CONSTRUCTION ☒ REPAIR ☐ ALTERATION ☐ RENEWAL ☐ OTHER _____

PERMIT ISSUED TO: Tygh Valley Methodist church
Property Owner's Name

4s
Township

13E
Range

3cc
Section

3400
Tax Lot/Acct.#

57627 Leonard St.
Site Address

Tygh Valley
Nearest City or Community

Wasco
County

[Signature]
Issued by - Signature

8/28/2007
Date Issued

8/28/2008
Expiration Date

Type of Facility Served: ☐ Single Family Res. # Bdrms.: _____ ☒ Other - Specify Church

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SYSTEM SPECIFICATIONS

☐ Standard ☐ Capping Fill ☐ Sand Filter ☒ Seepage Trench ☐ Seepage Bed ☐ Pressurized Distribution
☐ Tile Dewatering ☐ ATT - Treatment Level Required: ☐ I or ☐ II ☐ Other: _____

Specify Type

Max. Peak Design Flow: _____ Gal/Day

Min. Septic Tank Volume: 1000 Gal

Min. Dosing Tank Volume: _____ Gal

Special Tank Requirements: _____

DRAINFIELD SPECIFICATIONS

Media Type: ☒ Rock/Pipe ☐ Other (Product/Manufacturer): _____

Trench Spec.: 150 Linear Ft.

2 Trench Width (Ft.)

Undisturbed Soil Between Trenches: 8 feet

Max. Depth: 42 inches

Min. Depth: 30 inches

Total Rock Depth: 18 inches

Rock Below Pipe: 12 in.

Rock Above Pipe: 2 in.

Capping Fills - Min. Depth of Fill Material: _____ in.

Seepage Bed Specifications: 12 inches rock below pipe

Distribution Method: ☐ Equal ☒ Loop ☐ Equal-Hydrosplitter ☒ Serial ☐ Pressurized ☐ Gravelless Half Pipe

Special Requirements: ☐ Ground water interceptor: Depth: _____ inches Amount of Drain Media _____ inches

☐ Rake Trench Sidewalls ☐ Filter Fabric On Top of Drain Media ☐ Other: _____

Inspection Requirements: For Pressurized, Sand Filters, RGFs, ATTs and Capping Fill systems, there are several inspections required. See inspection requirements specific to each system.

The attached Final Inspection Request And Notice Form must be completed and submitted at time of system completion.

For pre-cover inspection information, contact: WSHD

CERTIFICATE OF SATISFACTORY COMPLETION

☐ System Inspection ☐ Operation of Law - 7 Days Notice ☒ Pre-Cover Inspection Waived Per 340-071

[Signature]
Authorized Agent - Signature

REHS
Title

WSHD
Office

Date

To be valid, this document must be signed by an "Agent" as defined in OAR 340-071-0100. Requirements for this Certificate of Satisfactory Completion and additional inspection information are attached to this document.

Cl_Permi_fill-in.dot - 8/29/2007



Wasco Title 14-49541
After recording, return original to:

James M. Habberstad
Attorney at Law
106 East Fourth Street
Second Floor
The Dalles, Oregon 97058-1863

The true and actual consideration paid
for this transfer, stated in terms of
dollars, is \$20,000.00.

Until a change is requested, all tax
statements shall be sent to:

Tygh Valley Community United
Methodist Church FKA Tygh Valley
Methodist Church
C/O James Walker, President of the
Tygh Valley United Methodist Church
board of trustees
1505 SW 18th Avenue
Portland, Oregon 97201-2524

Wasco County Official Records		2014-001260
DEED-D		
Cnt=1 Stn=1 WASCO COUNTY		04/24/2014 11:34 AM
\$10.00	\$11.00	\$20.00 \$10.00 \$15.00
		\$66.00
		
00083418201400012600020024		
I, Linda Brown, County Clerk for Wasco County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.		
		

GRANTOR:

Tygh Valley Community United
Methodist Church FKA Tygh Valley
Methodist Church
1505 SW 18th Avenue
Portland, Oregon 97201-2524

GRANTEE:

Irl M. Davis and Carolyn M. Davis
82859 Highway 216
Tygh Valley, Oregon 97063-8710

WARRANTY DEED
(Statutory Form ORS 93.850)

TYGH VALLEY COMMUNITY UNITED METHODIST CHURCH FKA TYGH VALLEY
METHODIST CHURCH, Grantor, conveys and warrants to IRL M. DAVIS and
CAROLYN M DAVIS, Grantees, the following described real property free of
encumbrances except as specifically set forth herein, situated in the County of
Wasco, State of Oregon, to wit:

Lots 3, 4, 5, and 6 in Block 12, of TYGH PROPER

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, 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.


The true consideration for this conveyance is \$20,000.00.

Dated this 22ND day of April, 2014.


STATE OF OREGON)
 : ss.
County of Wasco)

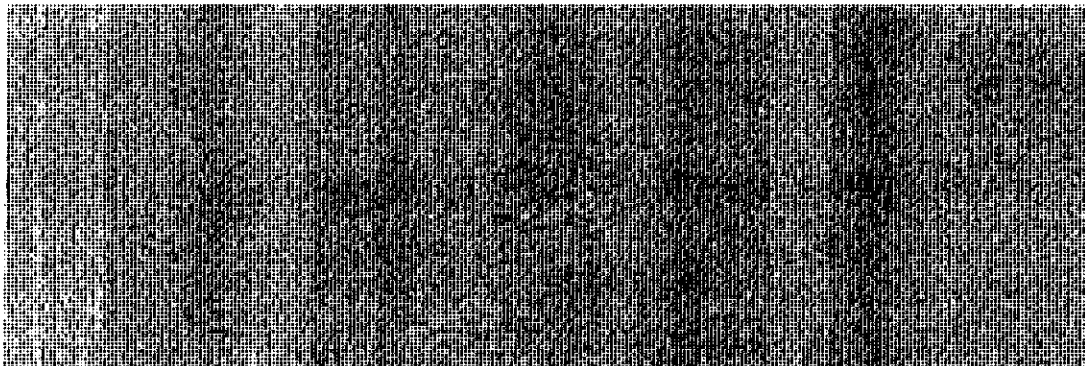
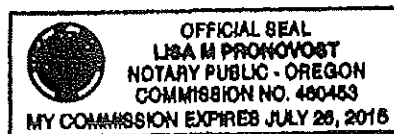
TYGH VALLEY COMMUNITY UNITED
METHODIST CHURCH FKA TYGH
VALLEY METHODIST CHURCH

Personally appeared the above-named
TYGH VALLEY COMMUNITY UNITED
METHODIST CHURCH FKA TYGH
VALLEY METHODIST CHURCH, and
JAMES WALKER, PRESIDENT OF THE
TYGH VALLEY UNITED METHODIST
CHURCH BOARD OF TRUSTEES, and
executed the foregoing instrument
before me this 22 day of April, 2014.


James Walker,
President of The Tygh Valley United
Methodist Church board of trustees

"Grantor"

 Notary
Public for Oregon
My commission expires July 26, 2015



1997, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

WASCO COUNTY COURT

Francis E. Taylor
 Florence Taylor

五、

(2)

[illegible][illegible]

856758

(2) 252118

January 14, 2015

TO:

Wasco County Planning Department
2705 East 2nd Street
The Dalles, OR 97058

FROM:

Randy Cox
82675 Wamic Market Road
Tygh Valley, OR 97063

RE: TYGH VALLEY REZONING

The purpose of this letter is to show my support and awareness of the application for rezoning of two parcels in Tygh Valley. I am the current property owner of 82675 Wamic Market Road. The property is currently zoned TV-C (commercial) and is proposed to be re-zoned TV-R (residential).

The property is currently used as a single family residence and is surrounded by other single family residences. Rezoning the property to TV-R (residential) will match the current use - I have no intention of using the property for commercial purposes.

I am also in support of the re-zoning of 82719 2nd Street to TV-C (commercial) to accommodate the proposed uses at the site. This will benefit the community of Tygh Valley and the new zoning will more accurately reflect existing land use in the area.

Please let me know if I need to provide any other information or different form of documentation to show my support and awareness of this zone change.

Regards,

Randy Cox



CC: Mike and Laila Davis

Petition

We, the undersigned are aware that Mike and Laila Davis have purchased the former Tygh Valley Methodist Church in Tygh Valley, Oregon. We are also aware that, as they are not a church entity, they are unable to facilitate many activities on the property as it is currently zoned. These activities include but are not limited to:

- Any community event where goods or money are tendered for its use, such as
 - Movie nights with the price of admission being canned food for the local community center
 - Benefit concerts that the funds are redirected to the South Wasco School district to support performing arts in the school.
 - Weddings or funerals where any fee are used to recover costs of operating the facility.
- Converting the attached residence to a community economic development office where local businesses can come for support resources
- Converting the lower section of the church into job generating business space.

We believe that using the former church facility for these activities, in conjunction with ongoing availability for worship gatherings per Mike and Laila, would be in the best interest of the community and the county.

We therefore support the re-zoning of the former Tygh Valley Methodist Church from residential to commercial property.

Name	Address	
<i>John Hooper</i>	<i>220 S Fairway Rd Tygh Valley 97063</i>	
<i>Debra Hooper</i>	<i>"</i>	
<i>John Hooper</i>	<i>220 S Fairway Rd Tygh Valley</i>	<i>97063</i>
<i>Betsy W. Hooper</i>	<i>82735 Hwy 101 Tygh Valley OR</i>	<i>97063</i>
<i>Robert Hooper</i>	<i>57645 Leonard Ave P.O. Box 67 Tygh Valley</i>	<i>97063</i>
<i>John Hooper</i>	<i>57645 Leonard Ave P.O. Box 67 Tygh Valley</i>	<i>97063</i>
<i>James A. Hooper</i>	<i>57653 Church Ave P.O. Box 277 Tygh Valley</i>	<i>97063</i>
<i>Marshall Hooper</i>	<i>"</i>	
<i>James Hooper</i>	<i>57634 Frank Ave. Tygh Valley, OR</i>	<i>97063</i>
<i>David J. Hooper</i>	<i>57667 Church Ave. Tygh Valley, OR</i>	<i>97063</i>
<i>David Hooper</i>	<i>57695 Church Ave. Tygh Valley, OR</i>	<i>97063</i>
<i>David Hooper</i>	<i>57695 Church Ave. Tygh Valley, OR</i>	<i>97063</i>
<i>Ray H. Hooper</i>	<i>57579 Church Ave. Tygh Valley, OR</i>	<i>97063</i>
<i>David Hooper</i>	<i>57668 Church Ave. Tygh Valley, OR</i>	<i>97063</i>
<i>David Hooper</i>	<i>57555 Church Ave. Tygh Valley, OR</i>	<i>97063</i>
<i>David Hooper</i>	<i>57555 " " " "</i>	
<i>David Hooper</i>	<i>57655 Leonard Ave Tygh Valley OR</i>	<i>97063</i>
<i>David Hooper</i>	<i>57655 Leonard Ave Tygh Valley OR</i>	<i>97063</i>
<i>David Hooper</i>	<i>57634 Leonard Ave P.O. Box 67</i>	<i>97063</i>
<i>David Hooper</i>	<i>57751 2nd Tygh Valley OR</i>	
<i>David Hooper</i>	<i>57634 Leonard Ave Tygh Valley OR</i>	<i>97063</i>
<i>David Hooper</i>	<i>Tygh Valley, OR</i>	<i>97063</i>

E-9-11th

15th

- Any community event where goods or money are tendered for its use, such as
 - Movie nights with the price of admission being canned food for the local community center
 - Benefit concerts that the funds are redirected to the South Wasco School district to support performing arts in the school.
 - Weddings or funerals where any fee are used to recover costs of operating the facility.
- Converting the attached residence to a community economic development office where local businesses can come for support resources
- Converting the lower section of the church into job generating business space.

We therefore support the re-zoning of the former Tygh Valley Methodist Church from residential to commercial property.

45 13E 3CL 4300

Name	Address
BAS Frank Linn	P.O.Bx 184 Tygh Valley OR 97063
R S F-truck/m	P.O.Bx 57 Tygh Valley OR 97063
Mary Frank Mm	P.O.Bx 57 Tygh Valley OR 97063
Lisette W. Williams	57631 Tygh Valley Rd, Tygh Valley 97063
Fred Williams	57631 Tygh Valley Rd - TT OR 97063
Alexander Menden	P.O.Box 244 Tygh Valley
Karl Elwood	P.O.Box 244 Tygh Valley

Rcvd: JR 2/25/15

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

FILE NUMBER: _____

ZONE CHANGE APPLICATION

Current Zoning

Comprehensive Plan Map Designation: Rural Service Center

Zoning Designation: 57645 Leonard Street is TV-R ; 82675 Wamic Market Road is TV-C

Proposed Zoning

Comprehensive Plan Map Designation: Rural Service Center

Zoning Designation: 57645 Leonard Street is TV-C ; 82675 Wamic Market Road is TV-R

Total Acreage to be Rezoned: 57645 Leonard Street is 0.92 ac ; 82675 Wamic Market Road is 0.50 ac

FINDINGS OF FACT

The following shall be addressed by the applicant. Response (findings of fact) to the following questions shall be typewritten and attached to the application.

1. What is the purpose of the proposed change?
2. Describe how the original zoning was the product of a mistake; or
3. Establish that:
 - a. The rezoning will conform with the Comprehensive Plan (including but not limited to all applicable goals and policies); and,
 - Goal 1: Citizen Involvement
 - Goal 2: Land Use Planning
 - Goal 3: Agricultural Lands
 - Goal 4: Forest Lands
 - Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources
 - Goal 6: Air, Water and Land Resources Quality
 - Goal 7: Areas Subject to Natural Disasters and Hazards
 - Goal 8: Recreational Needs
 - Goal 9: Economy of the State
 - Goal 10: Housing
 - Goal 11: Public Facilities and Services
 - Goal 12: Transportation
 - Goal 13: Energy Conservation
 - Goal 14: Urbanization
 - b. The site is suitable to the proposed zone (taking into consideration among other things slope, access, flooding, traffic, availability of public facilities and services, and impact to adjacent properties); and
 - c. There has been a conscious consideration of the public health, safety and welfare in applying the specific zoning regulations.

4. What effect would the proposed change have on surrounding properties? Include a description of the existing land uses within 1,000 feet of the proposed zone change.
5. Is there a public need or demand to support this requested zone change? ☐ No ☐ Yes. If YES, please describe.
6. Fire Safety. If converting Farm or Forest zoned land to a non-resource zone, include an analysis of how future division and residential development could meet fire safety standards.
7. Any other information which may add to the viability of the request.

SITE INFORMATION

The following maps shall be required for a complete application:

- X Zoning Map: Show area of proposed re-zoning.
- N/A Soils Map: If converting Forest or Farm zoned land to a non-resource zone include a soils map. These are available at the Wasco County GIS Department or the Farm Services Agency.
- X Site Plan Map for the area to be rezoned and lands within at least 1000' that includes the following:
 - ☒ North Arrow
 - ☒ Scale
 - ☒ Boundaries or properties proposed to be rezoned (dimensions)
 - ☒ All waterways, wetlands, noticeable landforms and drainage of property
 - ☒ Structures (including dwelling, accessory buildings, barns, walls and fences) with location and size
 - ☒ Utilities (existing)
 - Electric/Communication corridors including poles
 - Septic tanks & drain fields (primary and reserve)/Wells and supply lines
 - ☒ All points of ingress and egress (roads and driveways) and whether they are public or private with their length, width and surface type
 - ☒ Significant terrain features and land forms including slopes over 20%

REVIEW PROCESS

Before this application will be processed, you must supply all the requested information. Pursuant to ORS 215.427 this office will review the application for completeness and notify the applicant of any deficiencies within 30 days of submission. If you have questions, the following pages provide directions and helpful information in order to complete the application. Other questions can be addressed in the pre-application conference.

A request for a Zone Change will be reviewed by the Wasco County Planning Commission at a public hearing. Upon receipt of a completed application, hearing dates will be set.

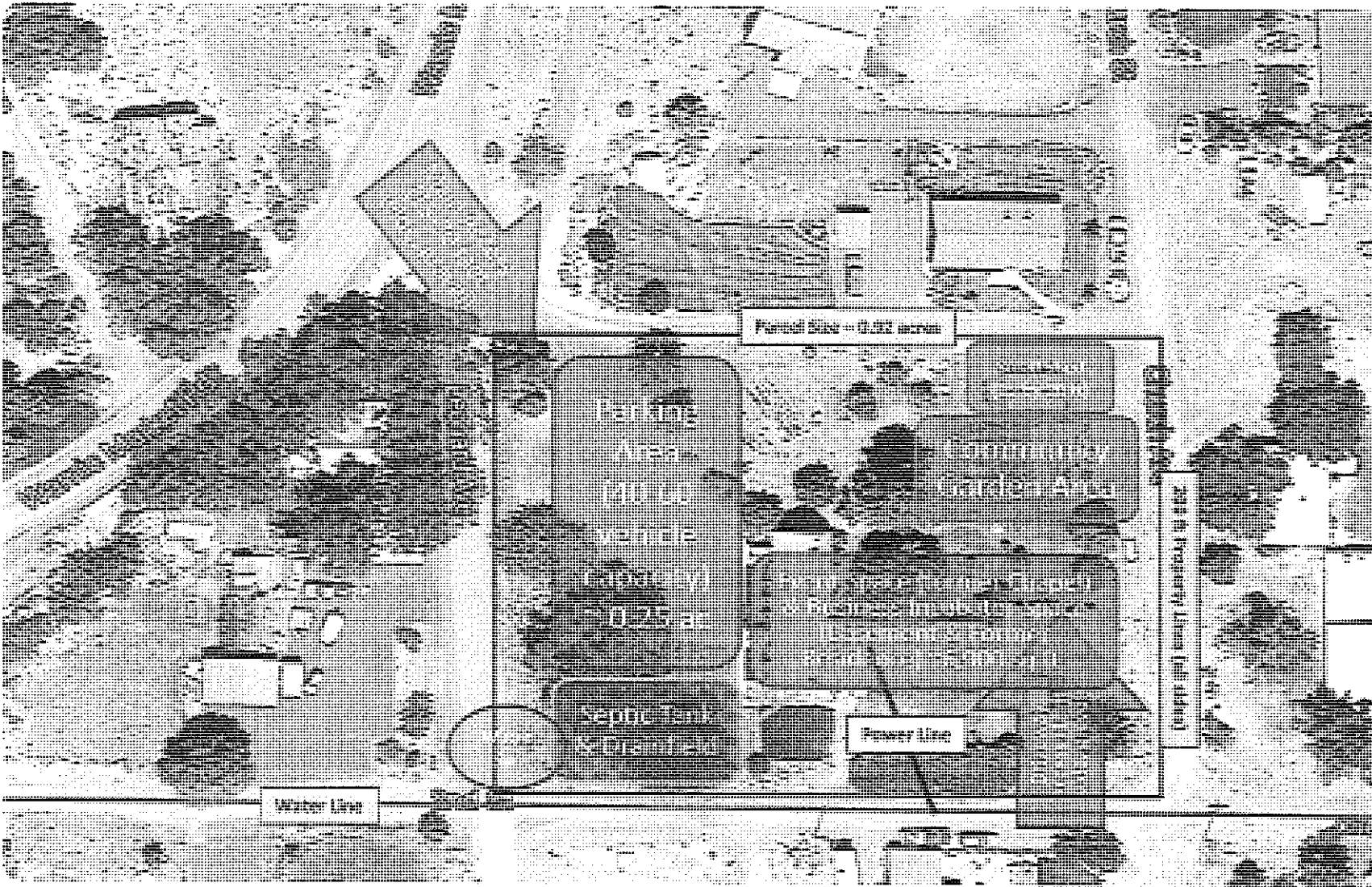
A recommendation on the proposal will be made by the Planning Commission and forwarded to the Wasco County Board of Commissioners where a final decision will be issued.

The decision of the Board of Commissioners may be appealed to the Land Use Board of Appeals (LUBA). Information regarding appeals to LUBA is available at the Wasco County Planning Department.

In case of Appeal: Written notice of the appeal must be filed with the Planning Director, within twelve (12) days of the subject decision. Forms are available at the Wasco County Planning Department.



Site Plan



[illegible]

FINDINGS OF FACT

1. What is the purpose of the proposed change?

The purpose of this land use application is to request the rezoning of the property at 57645 Leonard Street from residential zoning to commercial zoning. The rezoning of the property to Tygh Valley-Commercial will enable the property to be improved and utilized for economic development activities in Tygh Valley. The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 signatures). In addition, an adjacent property owner at 82675 Wamic Market Road is seeking rezoning of his property from commercial to residential in conjunction with this application. The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses and provide for the highest and best use of these properties.

2. Describe how the original zoning was the product of a mistake; or

The rezoning of the two parcels will conform to the Comprehensive Plan and the sites are suitable to the proposed zoning. This application will address the most relevant Goals.

3. Establish that:

- a. The rezoning will conform with the Comprehensive Plan (including but not limited to all applicable goals and policies); and,***

Goal 1: Citizen Involvement

This application meets Goal 1, as the rezoning process in Wasco County requires citizen involvement via the Planning Commission and County Board of Commissioners. In addition, the property owners have submitted a petition in support of the rezoning that has the signatures of over 75 residents in Tygh Valley.

Goal 2: Land Use Planning

This application meets Goal 2, as the rezoning meets the intent of the Wasco County Comprehensive Plan and Statewide Planning Goals. Orderly development is promoted and supported by the approval of this re-zone for the purposes stated in this application. Tygh Valley is a small rural community with limited available public services. Community services proposed to be accommodated at the church parcel will only support viability of Tygh Valley. The rezone allows an existing church building to be used for broader community service provision. Without creating potential for harmful change, additional community service provision is supported.

Goal 3: *Agricultural Lands*

This application supports Goal 3. Rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands, and supportive of farmers. Such development opportunities include value-added food production, farm to table promotion, exploring niche agricultural markets etc. Overall, Tygh Valley is located in a prime location to serve as a center of commercial and community service activity for many of the agricultural lands located in Southern Wasco County. The rezoning will allow for the best use of the property, possibly taking pressure off of the demand for rezoning agricultural lands to allow commercial uses. In addition, the property will provide a location for a Community Garden that will encourage community members to get involved with farming and learn more about agriculture in the area.

Goal 4: *Forest Lands*

This application supports Goal 4, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-forest land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to forest lands. Such opportunities may include value-added wood product development, forest based recreation opportunities etc. Tygh Valley is well located to serve as a commercial and community service center for those living in or near Forest Lands around the nearby Mt Hood National Forest.

Goal 5: *Open Spaces, Scenic and Historic Areas and Natural Resources*

This application supports Goal 5, as the rezoning will encourage private investment for renovation and maintenance of a culturally significant building (the chapel) in Tygh Valley. The uses proposed for the chapel building if rezoned is approved will be complementary to those provided by the community center located in the building previously used as a school building. All community services will have a focus on the rural values of open space and importance of maintaining vibrant rural communities and viable and vital agricultural operations around those communities.

Goal 6: *Air, Water and Land Resources Quality*

No Significant Impact.

Goal 7: *Areas Subject to Natural Disasters and Hazards*

No Significant Impact.

Goal 8: *Recreational Needs*

This application supports Goal 8, as the rezoning will provide open space and a community garden area to meet recreational needs and further support developing sense of community in Tygh Valley.

Goal 9: *Economy of the State*

This application directly and primarily supports Goal 9, the rezoning will meet Policy #2 – Implementation Measure D of the Comp Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

Goal 10: *Housing*

This application supports Goal 10, as the rezoning may increase the surrounding residential property values via the improvement and maintenance of the building. A vacant building of this size with such limited allowed uses decreases neighboring property values. In addition, the total change in acres zoned residential in Tygh Valley will be very minor given the corresponding zone change of a nearby commercial property to residential on Wamic Market Road. Again, the rezone more accurately reflects the existing land use on these two parcels.

Goal 11: *Public Facilities and Services*

This application supports Goal 11, as the rezoning will fit into the existing framework of public facilities and services. The rezoning will not have an increased impact on public facilities such as the road network or water system. The rezoning will not increase the need for fire protection, police protection or emergency medical services over the existing use.

Goal 12: *Transportation*

This application supports Goal 12, as the rezoning will proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. The two main access points on the property allow for adequate emergency vehicle access to all land uses. The access on the north side is situated in close proximity to one of the main roads - Wamic Market Road- through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County

Goal 13: *Energy Conservation*

No Significant Impact.

Goal 14: Urbanization

This application supports Goal 14, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. The rezoning will meet Goal #14 Policy #2 – Implementation Measure C of the Comp Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands. Economic development efforts will be focused on rural uses that fit within the scope of uses provided for in the rural community rule and will support long range community development to accommodate community service and commercial uses within the existing rural community.

b. The site is suitable to the proposed zone (taking into consideration among other things slope, access, flooding, traffic, availability of public facilities and services, and impact to adjacent properties); and

The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses of these properties. There will not be a negative impact on adjacent properties as the proposed zone and use will not drastically change how the property has been used in the past for a church. The site does not have any major issues with slope or flooding.

Please see the Detailed Site Description that is attached to the Land Use Application for detailed about the suitability of the site.

c. There has been a conscious consideration of the public health, safety and welfare in applying the specific zoning regulations.

The zone change will not have a negative impact on the public health, safety, or welfare on the community of Tygh Valley. In terms of public health, the septic system was updated in 2007 and will properly handle all wastewater from the buildings. The main vehicle access to the site will adequately deal with future traffic associated with the proposed use and will not create an unsafe pedestrian environment for the surrounding neighborhoods. Vacant structures are known to attract nuisances, such as vandalism and trespassing. The rezone will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

4. What effect would the proposed change have on surrounding properties? Include a description of the existing land uses within 1,000 feet of the proposed zone change.

The proposed change will not have a negative impact on surrounding properties. All of the land uses within 1,000 feet of the proposed zone change fall within the Tygh Valley Rural Service Center. The properties directly surrounding the site are zoned residential and are mostly occupied with single family residential uses. The proposed zoning will not impact these residences any differently than the church has impacted them in the past. In addition, the main vehicle access keeps traffic out of the neighborhood and the buildings on the property meet all setbacks. Commercial zoning dominates the area across Wamic Market Road to the north, however the area is mostly occupied with single family residential uses. This area will not be impacted by the rezoning and the rezoning of the Cox property will more accurately reflect the historical/existing use of the property. There is a commercially zoned area approximately 400 feet to the east of the site that is occupied with commercial uses. The proposed zoning will not negatively impact this commercial area and may contribute to the economic viability of those commercial uses by encouraging new businesses and providing resources for entrepreneurs.

Overall the community will maintain nearly the same amount of acres of residential and commercially zoned lands. The rezoning will also encourage investment in the property, which may positively impact the value of surrounding properties.

5. Is there a public need or demand to support this requested zone change? ☐ No ☒ Yes. If YES, please describe.

The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 of signatures). The proposed rezoning will compliment existing commercial areas in Tygh Valley by providing resources for small businesses and event space to draw visitors to the area. The rezone will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

6. Fire Safety. If converting Farm or Forest zoned land to a non-resource zone, include an analysis of how future division and residential development could meet fire safety standards.

No farm or forest resource land will be converted to non-resource zones or use. All land proposed for re-zone is within the existing unincorporated rural community boundary of Tygh Valley. The Tygh Valley Fire Department provides Fire and Emergency services to the site. The main vehicle access is large enough to accommodate fire and emergency services vehicles. The parking area is large enough

for to accommodate a turnaround for fire and emergency vehicles. In addition the gravel streets surrounding three sides of the property provide alternative access for fire and emergency vehicles.

7. Any other information which may add to the viability of the request.

The property owners, Mike and Laila Davis, are upstanding members of the community of Tygh Valley and have purchased this property with the intentions of making it a community asset. With the current zoning, it is not economically feasible to make improvements and undertake the proposed uses. The property owners, along with all of the local folks who signed the petition supporting the rezone, are very excited about the potential for this site to be renewed to serve the community by accommodating new and broader uses desired by current residents and compatible with current uses.

DETAILED PROJECT DESCRIPTION

Overview

The purpose of this land use application is to request the rezoning of the property at 57645 Leonard Street (formerly the Tygh Valley Methodist Church) from residential zoning to commercial zoning. The rezoning of the property to Tygh Valley-Commercial will enable the property to be improved and utilized for economic development activities. The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 signatures). In addition, an adjacent property owner at 82675 Wamic Market Road, Mr. Randy Cox, is seeking rezoning of his property from commercial to residential in conjunction with this application. The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses as well as the highest and best uses of these properties.

Proposed Use

Long time Tygh Valley residents, Mike and Laila Davis, purchased the former Tygh Valley Methodist Church with intentions of converting the property into a hub of economic and community development in Tygh Valley. The proposed uses for the property include the following:

- **Community Event Space:** The property will be used for a variety of community events such as: benefit concerts, movie nights, small business networking events, lectures, and other events that benefit the community.
- **Event Rental Space:** The property will also be available for rental to host large private events like weddings, funerals, and other gatherings.
- **Small Business Incubator:** A portion of the building will be converted into an economic development office that provides resources for local businesses. In addition, the basement of the church will be available for small businesses to rent desk space or setup other income generating activities.
- **Community Garden and Open Space:** The grounds of the property will host a community garden and open space for community members to utilize.
- **Religious Events:** The property will be available for rental by local religious organizations to hold regular services and host events.

The current zoning of the site, as Tygh Valley Residential, does not allow for many of these uses, which greatly limits the viability of the property and ability to attract investment in redevelopment of the property.

The Cox Property currently has a single family home on the property and it is proposed that the residential use will continue after the rezoning. The existing residential use on this property would be considered existing, non-conforming. The

zone change to residential will bring the property into compliance and allow the property owner to continue to make improvements to the residence.

Structures and Dimensions

The church property is 0.92 acres and contains the following structures:

- 2,000 sq foot church that was constructed in 1952-54. The building is constructed of a stout concrete foundation with wood framing and a metal roof. There is also a basement level work area of approximately 2,000 square feet with a kitchen and bathroom. The peak of the chapel is approximately 30 feet tall.
- There is a 2,000 sq foot residence that was the living quarters for the clergy of the Methodist Church attached to the chapel. The building is constructed with wood framing and a concrete foundation and is approximately 20 feet tall.
- The property contains one shed that is approximately 15 by 20 feet. The building is wood framing with a metal corrugated siding and approximately 15 feet tall.

All of the structures meet the required setbacks and there are no easements that impact the proposed uses on the property. All of the structures on the property will require some level of updating to improve their value and accommodate the proposed uses. These improvements are not economically feasible under the current zoning.

The Cox property is 0.49 acres and contains a single family home that is approximately 1,250 sq ft. The dwelling appears to meet setbacks and no new development is proposed on the property at this time. All future development will meet the standards of the residential zoning.

Access and Infrastructure

Vehicle Access

The main vehicle access for the church site lies on the north side of the property near the intersection of Wamic Market Road and Leonard Avenue. The access is gravel and approximately 15 feet wide. The location of the access on the north side is situated in close proximity to one of the main roads - Wamic Market Road - through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. There is an additional access point on the south side of the property along 2nd Street that served as a driveway entrance for the clergy residence. This access is approximately 15 feet wide, gravel, and accesses the attached garage. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County. The proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. No new point of access is proposed. Anticipated site circulation can be accommodated by

existing access points onto existing streets. The applicant will work with the County Planners and Public Works to determine any access improvements necessary to accommodate safe traffic flow onto and off of Tygh Valley streets.

*Insert letter/note from County Roadmaster explaining no need for a TIA.

The single family dwelling on the Cox property takes access from Wamic Market Road via an approximately 20' gravel driveway. There is a secondary access to the single family dwelling via a small gravel driveway that connects to St. Charles Ave. The residential use on this property will not change and does not trigger the need for access or road improvements.

Off-Street Parking

The church property has a large gravel parking area (approximately 0.25 acres) on the north side that can accommodate approximately 40-60 vehicles. The parking area is large enough to meet the demands of the proposed use and will not negatively impact neighboring residential properties. The stormwater runoff from the gravel parking area is all handled on-site and will not drain onto neighboring properties. The parking area will have signage that directs vehicles to parking areas and maintains proper ingress/egress.

The single family dwelling on the Cox property has several parking spaces adjacent to the gravel driveway. The residential use on this property will not change and does not trigger the need for additional parking.

Fire and Emergency Services

The Tygh Valley Fire Department provides Fire and Emergency services to the site. The main vehicle access is large enough to accommodate fire and emergency services vehicles. The parking area is large enough for to accommodate a turnaround for fire and emergency vehicles. In addition the gravel streets surrounding three sides of the property provide alternative access for fire and emergency vehicles. The property is readily accessible and defensible from all sides. The applicant recognizes the County's fire self certification process and is prepared to complete the self certification form and make any required improvements to water service and on site circulation when land use permits are applied for.

The residential use on the Cox property will not change and will not require any additional fire and emergency services.

Utilities

Water is provided to the property by the Barlow Water Improvement District. The water connection is located at the corner of Leonard and 2nd Street.

Wastewater is handled by an on-site septic system. This system was improved and brought to current standards in 2007. See attached reports from Oregon Department of Environmental Quality and the Wasco County Health Department. The existing septic system will be able to handle the wastewater of the proposed use. In case of a septic system failure, there is room for a new septic drainage field to be installed on the south side of the property.

Electricity is provided by the Wasco Electric Cooperative via an overhead line.

The residential use on the Cox property will not change and will not require any changes to the existing utility services.

FINDINGS OF FACT

1. What is the purpose of the proposed change?

The purpose of this land use application is to request the rezoning of the property at 57645 Leonard Street from residential zoning to commercial zoning. The rezoning of the property to Tygh Valley-Commercial will enable the property to be improved and utilized for economic development activities in Tygh Valley. The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 signatures). In addition, an adjacent property owner at 82675 Wamic Market Road is seeking rezoning of his property from commercial to residential in conjunction with this application. The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses and provide for the highest and best use of these properties.

2. Describe how the original zoning was the product of a mistake; or

The rezoning of the two parcels will conform to the Comprehensive Plan and the sites are suitable to the proposed zoning. This application will address the most relevant Goals.

3. Establish that:

- a. The rezoning will conform with the Comprehensive Plan (including but not limited to all applicable goals and policies); and,***

Goal 1: Citizen Involvement

This application meets Goal 1, as the rezoning process in Wasco County requires citizen involvement via the Planning Commission and County Board of Commissioners. In addition, the property owners have submitted a petition in support of the rezoning that has the signatures of over 75 residents in Tygh Valley.

Goal 2: Land Use Planning

This application meets Goal 2, as the rezoning meets the intent of the Wasco County Comprehensive Plan and Statewide Planning Goals. Orderly development is promoted and supported by the approval of this re-zone for the purposes stated in this application. Tygh Valley is a small rural community with limited available public services. Community services proposed to be accommodated at the church parcel will only support viability of Tygh Valley. The rezone allows an existing church building to be used for broader community service provision. Without creating potential for harmful change, additional community service provision is supported.

The rezoning of the Cox property to residential zoning meets Goal 2, as the property provides needed housing in the area and takes pressure away from the conversion of farmland for housing. In addition, the overall acreage zoned residential in Tygh Valley will remain nearly the same by swapping the zoning with the Davis property.

Goal 3: Agricultural Lands

This application supports Goal 3. Rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands, and supportive of farmers. Such development opportunities include value-added food production, farm to table promotion, exploring niche agricultural markets etc. Overall, Tygh Valley is located in a prime location to serve as a center of commercial and community service activity for many of the agricultural lands located in Southern Wasco County. The rezoning will allow for the best use of the property, possibly taking pressure off of the demand for rezoning agricultural lands to allow commercial uses. In addition, the property will provide a location for a Community Garden that will encourage community members to get involved with farming and learn more about agriculture in the area.

The rezoning of the Cox property to residential will support Goal 3 by continuing to make housing available to agricultural workers within Rural Service Centers. This may take pressure off the conversion of agricultural lands to residential uses.

Goal 4: Forest Lands

This application supports Goal 4, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-forest land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to forest lands. Such opportunities may include value-added wood product development, forest based recreation opportunities etc. Tygh Valley is well located to serve as a commercial and community service center for those living in or near Forest Lands around the nearby Mt Hood National Forest.

The rezoning of the Cox property to residential will support Goal 4 by continuing to make housing available to Forest Land workers within Rural Service Centers. This may take pressure off the conversion of forest lands to residential uses.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

This application supports Goal 5, as the rezoning will encourage private investment for renovation and maintenance of a culturally significant building (the chapel) in Tygh Valley. The uses proposed for the chapel building if rezone is approved will be

complementary to those provided by the community center located in the building previously used as a school building. All community services will have a focus on the rural values of open space and importance of maintaining vibrant rural communities and viable and vital agricultural operations around those communities.

The rezoning of the Cox property to residential will support Goal 5 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of areas with Open Space, Scenic and Historic Areas, and Natural Resources to residential uses.

Goal 6: Air, Water and Land Resources Quality

The proposed rezoning will have no significant impact on air, water, and land resources quality. The proposed use will utilize the existing utilities provided to the site. In addition, the proposed use will not produce significant pollution from business activities at the site or other impacts to air, water, and land resources.

Goal 7: Areas Subject to Natural Disasters and Hazards

The proposed rezoning will have no significant impact for areas of natural disasters or hazards. There are no known specific natural disaster risks or hazards for this site. The wildfire hazard in the region will be taken into account, when the landscaping and building renovation is being completed. The wildfire hazard is less in this location due to access to water and surrounding residential areas.

Goal 8: *Recreational Needs*

This application supports Goal 8, as the rezoning will provide open space and a community garden area to meet recreational needs and further support developing sense of community in Tygh Valley.

Goal 9: *Economy of the State*

This application directly and primarily supports Goal 9, the rezoning will meet Policy #2 – Implementation Measure D of the Comp Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

The rezoning of the Cox property will allow for further investment in the residential use on the property – instead of it being considered a existing non-conforming use under the current zoning of the parcel as commercial.

Goal 10: *Housing*

This application supports Goal 10, as the rezoning may increase the surrounding residential property values via the improvement and maintenance of the building. A vacant building of this size with such limited allowed uses decreases neighboring property values. In addition, the total change in acres zoned residential in Tygh Valley will be very minor given the corresponding zone change of a nearby commercial property to residential on Wamic Market Road. Again, the rezone more accurately reflects the existing land use on these two parcels.

The rezoning of the Cox property to residential will support Goal 10 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of other areas to residential uses.

Goal 11: *Public Facilities and Services*

This application supports Goal 11, as the rezoning will fit into the existing framework of public facilities and services. The rezoning will not have an increased impact on public facilities such as the road network or water system. The rezoning will not increase the need for fire protection, police protection or emergency medical services over the existing use.

The proposed use at the church property could have similar impacts to the allowed existing use of the property as Church Facility. The Church Facility is obviously currently vacant - however the allowed uses at a Church Facility are substantial. The Church Facility use is similar to the proposed in that it generates trips through large events/services. The Church Facility Use could also include daily use for things like a food bank, counseling, classes, and other church programs. The proposed use will be hosting similarly sized events and daily use for businesses. Lastly, the residential use associated with the Church Facility is actually a more intensive use in some ways than the proposed use.

The rezoning of the Cox property to residential will support Goal 11, as the property will continue to be used as residential and fit into the existing framework of public facilities and services that currently serve the residence.

Goal 12: Transportation

This application supports Goal 12, as the rezoning will proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. The two main access points on the property allow for adequate emergency vehicle access to all land uses. The access on the north side is situated in close proximity to one of the main roads -> Wamic Market Road- through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County

*Insert letter/note from County Roadmaster explaining no need for a TIA.

The single family dwelling on the Cox property takes access from Wamic Market Road via an approximately 20' gravel driveway. There is a secondary access to the single family dwelling via a small gravel driveway that connects to St. Charles Ave. The residential use on this property will not change and does not trigger the need for access or road improvements.

Goal 13: Energy Conservation

The renovation of the building will include small energy conservation upgrades, however the proposed rezoning will not have a significant impact on energy conservation in the area.

Goal 14: Urbanization

This application supports Goal 14, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. The rezoning will meet Goal #14 Policy #2 – Implementation Measure C of the Comp Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands. Economic development efforts will be focused on rural uses that fit within the scope of uses provided for in the rural community rule and will support long range community development to accommodate community service and commercial uses within the existing rural community.

The rezoning of the Cox property to residential will support Goal 14 by continuing to make housing available within the Tygh Valley Rural Service Center. This may take pressure off the conversion of other areas to residential uses.

b. The site is suitable to the proposed zone (taking into consideration among other things slope, access, flooding, traffic, availability of public facilities and services, and impact to adjacent properties); and

The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses of these properties. There will not be a negative impact on adjacent properties as the proposed zone and use will not drastically change how the property has been used in the past for a church. The site does not have any major issues with slope or flooding.

Please see the Detailed Site Description that is attached to the Land Use Application for detailed about the suitability of the site.

c. There has been a conscious consideration of the public health, safety and welfare in applying the specific zoning regulations.

The zone change will not have a negative impact on the public health, safety, or welfare on the community of Tygh Valley. In terms of public health, the septic system was updated in 2007 and will properly handle all wastewater from the buildings. The main vehicle access to the site will adequately deal with future traffic associated with the proposed use and will not create an unsafe pedestrian environment for the surrounding neighborhoods. Vacant structures are known to attract nuisances, such as vandalism and trespassing. The rezone will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the

welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

4. What effect would the proposed change have on surrounding properties? Include a description of the existing land uses within 1,000 feet of the proposed zone change.

The proposed change will not have a negative impact on surrounding properties. All of the land uses within 1,000 feet of the proposed zone change fall within the Tygh Valley Rural Service Center. The properties directly surrounding the site are zoned residential and are mostly occupied with single family residential uses. The proposed zoning will not impact these residences any differently than the church has impacted them in the past. In addition, the main vehicle access keeps traffic out of the neighborhood and the buildings on the property meet all setbacks. Commercial zoning dominates the area across Wamic Market Road to the north, however the area is mostly occupied with single family residential uses. This area will not be impacted by the rezoning and the rezoning of the Cox property will more accurately reflect the historical/existing use of the property. There is a commercially zoned area approximately 400 feet to the east of the site that is occupied with commercial uses. The proposed zoning will not negatively impact this commercial area and may contribute to the economic viability of those commercial uses by encouraging new businesses and providing resources for entrepreneurs.

Overall the community will maintain nearly the same amount of acres of residential and commercially zoned lands. The rezoning will also encourage investment in the property, which may positively impact the value of surrounding properties.

5. Is there a public need or demand to support this requested zone change? ☐ No ☒ Yes. If YES, please describe.

The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 of signatures). The proposed rezoning will compliment existing commercial areas in Tygh Valley by providing resources for small businesses and event space to draw visitors to the area. The rezone will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

6. Fire Safety. If converting Farm or Forest zoned land to a non-resource zone, include an analysis of how future division and residential development could meet fire safety standards.

No farm or forest resource land will be converted to non-resource zones or use. All land proposed for re-zone is within the existing unincorporated rural community boundary of Tygh Valley. The Tygh Valley Fire Department provides Fire and Emergency services to the site. The main vehicle access is large enough to accommodate fire and emergency services vehicles. The parking area is large enough for to accommodate a turnaround for fire and emergency vehicles. In addition the gravel streets surrounding three sides of the property provide alternative access for fire and emergency vehicles.

7. Any other information which may add to the viability of the request.

The property owners, Mike and Laila Davis, are upstanding members of the community of Tygh Valley and have purchased this property with the intentions of making it a community asset. With the current zoning, it is not economically feasible to make improvements and undertake the proposed uses. The property owners, along with all of the local folks who signed the petition supporting the rezone, are very excited about the potential for this site to be renewed to serve the community by accommodating new and broader uses desired by current residents and compatible with current uses.

Agenda Item
License Agreement Amendment

- [Memo](#)
- [2015 Solid Waste Disposal License Agreement Amendment](#)

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS
FROM: KATHY WHITE
SUBJECT: SOLID WASTE DISPOSAL LICENSE AGREEMENT
DATE: 8/28/2015

BACKGROUND INFORMATION

Each year the Solid Waste Advisory Committee adjusted the Tipping, License and Host Fees for the Landfill by a percentage equal to the CPI as reported for the 12-month period ending September 30th of the preceding year. That same formula is applied to the HHW program surcharge. The agreement requires that no later than November 1st of each year, the Licensee shall provide notice to all customers and users of the Disposal Site of the adjusted fees to be effective as of January 1st of the next year.

The time frame between September 30th and November 1st has proven challenging to getting the necessary work, approvals and notices completed. Therefore, the date in this agreement for the CPI calculations –the first step in the process - has been changed to July 31st which provides 2 additional months for the process to be completed and will assure timely notification to customers.

The entire agreement is under review and will likely come back to you in the coming months with additional revisions. Today's small change will allow the work for this year to begin approximately one month earlier.

AMENDMENT TO SOLID WASTE DISPOSAL LICENSE AGREEMENT

This Amendment to the Solid Waste Disposal License Agreement is entered into by and between Wasco County, Oregon, ("County," "Licensor") and Wasco County Landfill, Inc., (the "Licensee" or "WCLF"), a wholly owned subsidiary of Waste Connections Inc.

Whereas, on November 13, 1996, the County and the Licensee's predecessors entered into the Agreement; and

Whereas, on December 16, 1998, the County consented to the assignment of the Solid Waste Disposal License Agreement between Wasco County, Sanifill, Inc. and North Wasco County Landfill, Inc. to Republic Services of Oregon I, L.L.C.; and

Whereas, WCLF is the successor in interest to Republic Services of Oregon, LLC; and

Whereas, the County wishes to implement a regional Household Hazardous Waste Program to benefit the citizens, farmers and businesses of Wasco, Hood River and Sherman Counties; and

Whereas, Licensee and County now agree to amend the License Agreement in order to implement the Household Hazardous Waste Program;

NOW, THEREFORE, WASCO COUNTY AND WASCO COUNTY LANDFILL, INC. agree as follows:

1. Under the DEFINITIONS article of the Agreement, the definition of Household Hazardous Waste Program (HHW Program) Surcharge" is added:

BB. "Household Hazardous Waste Program (HHW Program) Surcharge" shall have the meaning assigned to it in Section 5.3.

2. Section 1.2 of the AGREEMENTS section of the Agreement is modified to read:

1.2 Flow reports. Within thirty (30) days after the end of each month during the term of this Agreement, Licensee shall transmit to Licensor a written report summarizing the volume, by tons, of all Acceptable Waste (including Special Waste) from any source, disposed of at the Disposal Site in the previous month. In addition, Licensee will provide information noting which tons were assessed the HHW Program Surcharge.

3. Article 5 title is modified and section 5.3 is added to the Agreement:

5. Annual License Fee, Host Fee and Household Hazardous Waste Program Surcharge

Payable to County.

5.3 HHW Program Surcharge. In order to fund the regional HHW Program, the Licensee shall assess a \$6.35 per ton surcharge on each ton of Acceptable Waste, excluding Special Waste, which is generated within the HHW Program area of Wasco, Hood River, and Sherman Counties and delivered to and disposed of at the Disposal Site. The surcharge will become effective January 1, 2004. The HHW Program Surcharge shall be adjusted annually, pursuant to the provisions of Section 6.0. Licensee shall pay the County the HHW Program Surcharge on or before the fifteenth day of each month. The funds generated from the payment of the Surcharge shall be paid into the HHW Program Fund of the County.

4. Article 6 title and section 6.0 of the Agreement are modified to read:

6. Adjustments to Tipping Fee, License Fee Host Fee and Household Hazardous Waste Program Surcharge

6.0 CPI Adjustment. Commencing on January 1, 1997 and on January 1st of each year thereafter throughout the term of this Agreement, the then-current County Tipping Fee, License Fee and Host Fee shall be adjusted in a percentage amount equal to .85 times the CPI Change, as reported for the twelve month period ending July 31st of the preceding year. Commencing on January 1, 2005 and on January 1st of each year thereafter, in accordance with the Intergovernmental Agreement covering the HHW Program, the then-current HHW Program Surcharge shall be adjusted with the same formula and on the same schedule. By no later than November 1, 1996 and on November 1st of each year thereafter during the term of this Agreement, Licensee shall provide notice to all Customers and users of the Disposal Site of the adjusted Tipping Fees to be effective as of January 1st of the following year.

Dated this 2nd Day of September, 2015.

Wasco County Landfill

Wasco County Board of Commissioners

Date: _____

Scott C. Hege, Commission Chair

By: _____

Rod L. Runyon, County Commissioner

(printed name)

Steven D. Kramer, County Commissioner

(corporate title)

APPROVED AS TO FORM

Kristen Campbell
Wasco County Counsel

Agenda Item
Finance Department Update

- [No documents have been submitted for this item –
Return to Agenda](#)

Agenda Item

Wholly Uncollectible Taxes

- [ORS 311.790 Cancellation of Uncollectible Property Tax](#)
- [Forgiving List for Account 71407](#)
- [Supplemental Information for Account 71407](#)
- [Property Inquiry Detail](#)
- [Assessor's Affidavit](#)
- [County Counsel Affidavit](#)
- [Order 15-080 Cancelling Certain Uncollectible Personal Property Taxes](#)

2013 ORS § 311.790¹

Cancellation of uncollectible property tax

- (1) If the tax collector and the district attorney for any county determine that taxes on personal property that are delinquent are for any reason wholly uncollectible, the tax collector and district attorney may request, in writing, the county court for an order directing that the taxes be canceled. The court, when so requested, may in its discretion order and direct the tax collector to cancel such uncollectible personal property taxes. The order shall be entered in the journal of the county court.
- (2) If the tax collector determines that additional taxes on real property disqualified from special assessment under ORS 308A.703 (Additional taxes upon disqualification) are wholly uncollectible due to the property's exempt status, the tax collector may request, in writing, the county court for an order directing that the taxes be canceled. The court, when so requested, may in its discretion order and direct the tax collector to cancel the uncollectible property taxes. The order shall be entered in the journal of the county court. [Formerly 311.710; 1993 c.6 §6; 2007 c.791 §1]

...

See annotations under ORS 311.710 in permanent edition.

Chapter 311

Law Review Citations

5 EL 516 (1975)

Related Statutes³

- 90.425
Disposition of personal property abandoned by tenant
- 90.675
Disposition of manufactured dwelling or floating home left in facility

August 2015

Forgiving List of Wholly Uncollectible Taxes for Account #71407

Owner: BEST DOUGLAS
3564 E 2ND #62
THE DALLES, OR 97058

Taxes Owing to September 15, 2015

2014 Principal	\$ 47.32
2014 Interest	<u>\$ 4.42</u>
Total	\$ 51.74

This Personal Property Manufactured Structure was damaged by mold and was uninhabitable. Structure was moved and destroyed by C.T. Wilson per C.T. Wilson. Physical inspection was done on 12/22/2014 and confirmed that the structure is no longer there.

It will remain an active account for so long as there are taxes owing.

The account will continue to accrue interest and/or warrant fees, because it is still active. There is no structure to foreclose against if we continue to assess fees and/or charges.

We request that the taxes be cancelled.

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
71407

Parent Parcel Number

Property Address
3564 E 2ND #47

Neighborhood
919 PP Manufactured Structures

Property Class
19 Personal Property Mobile

TAXING DISTRICT INFORMATION

Jurisdiction 33

Area 001

Section & Plat 31

Routing Number 02

Site Description

Topography:

Public Utilities:
Water

Street or Road:

Neighborhood:

Zoning:

Legal Acres:
0.0000

OWNERSHIP

BEST DOUGLAS

3564 E 2ND #62

THE DALLES, OR 97058

SECTION 31 TOWNSHIP 2N RANGE 14E QUARTER PRCL 700
MapTax Lot: 02N14 E31 00700
00

Inactive

RESIDENTIAL

Tax ID 02N14 E31 00700 00

TRANSFER OF OWNERSHIP

Date

Date	Owner	Doc #	Value
10/07/2012	MILLER LEON E	6300000000	\$2000
08/31/2010	DEL RAY PROPERTIES INC	6300000000	\$5000
05/19/2008	LISTON RANDA M	6300000000	\$1000
11/14/2001	WILDS JOHN T	0000000000	\$6500

VALUATION RECORD

Assessment Year	01/01/2012	01/01/2013	01/01/2013	01/01/2013	01/01/2014	01/01/2014	01/01/2015
Reason for Change		2013 Base	Revaluation	Revaluation	Revaluation	RMV Corr	Revaluation
VALUATION L	0	0	0	0	0	0	0
MARKET VALUE B	7330	7330	7330	6260	5860	2570	2440
T	7330	7330	7330	6260	5860	2570	2440
VALUATION L	0	0	0	0	0	0	0
LAND USE B	7330	7330	7330	6260	5860	2570	2440
T	7330	7330	7330	6260	5860	2570	2440

LAND DATA AND CALCULATIONS

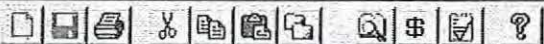
Rating	Measured	Table	Prod. Factor						
Soil ID	Acreage		-or-						
-or-	-or-		Depth Factor						
Actual	Effective	Effective	-or-						
Frontage	Frontage	Depth	Square Feet	Base	Adjusted	Extended	Influence		Value
				Rate	Rate	Value	Factor		

MEMO:
7/97 NC; DECK/GS/ETC; APP #19;
XNumber: 254881 MH ID: 149000
1/14 NC; MH UNINHABITABLE-FULL OF MOLD/DECK
GONE/SHED OWNED BY PARK; MB;
1/15 NC; MS GONE; BJ

Destroyed

Supplemental Cards
TOTAL LAND VALUE

File Edit View Tools Topics Work Areas My Favorites Help



Search Criteria

Property No. 71407

Tax Year

Effective

Tax Year Date

Clear

As of Date 08/18/2015

☒ Use Start Dates☐ Use End Dates

Assessment Date

Search

3 Documents

4 Exemptions

5 Value Changes

6 Property Transfer

5eg Merges

7 Levies

Search Results

Summary

Parties

Values

Taxes

Events

1 Receipts

2 Other

Charge Group

☐ Include Zero Balance Charges

Interest Date 09/15/2015

Search

Year	Category	TCA/District	Charged	Minimum	Bal. Due	Due Date
2014	Property Tax Principal	142	42.97	42.97	42.97	11/15/2014
2014	Property Tax Interest	0570R_HOU	0.41	0.41	0.41	09/15/2015
2014	Property Tax Interest	142	4.01	4.01	4.01	09/15/2015
2014	OR Housing MDPCR	0570R_HOU	4.35	4.35	4.35	11/15/2014

Details...

Print Bill...

From Year

To Year

Levy Cycle

Total

51.74

51.74

51.74

Close

Help...

IN THE COUNTY COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

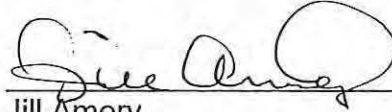
IN THE MATTER OF THE CANCELLATION)
OF CERTAIN UNCOLLECTIBLE PERSONAL) AFFIDAVIT
PROPERTY TAXES.)

STATE OF OREGON,)
) ss.
County of Wasco.)

I, JILL AMERY, being first duly sworn on oath depose and say: That I am the duly qualified and acting Tax Collector in and for the County of Wasco; That the attached list of personal property taxes was prepared in my office and under my direction; That I have examined said list and investigated the feasibility of collection of said taxes; That from my investigation I have determined that the attached list of taxes of personal property represents a list of uncollectible personal property taxes which are delinquent and are now wholly uncollectible by virtue of the fact that the personal property manufactured structure has been destroyed; and That in my opinion said taxes are wholly uncollectible by virtue of these facts; and Further that I make this Affidavit in support of a Motion for an Order of this Court declaring the said taxes to be uncollectible and directing me as Tax Collector of this County to cancel said uncollectible personal property taxes.

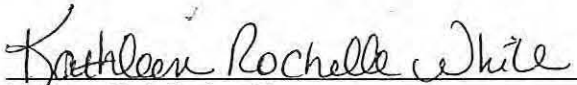
////

DATED this 21st day of August 2015.



Jill Amery
Wasco County Tax Collector

SUBSCRIBED AND SWORN to before me this 21st day of
August, 2015.



Notary Public for Oregon

My Commission Expires: May 21, 2015



IN THE COUNTY COURT OF THE STATE OF OREGON

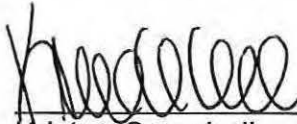
IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE CANCELLATION)
OF CERTAIN UNCOLLECTIBLE PERSONAL) A F F I D A V I T
PROPERTY TAXES.)

STATE OF OREGON,)
) ss.
County of Wasco.)

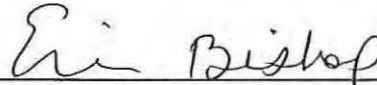
I, KRISTEN CAMPBELL, being first duly sworn on oath depose and say: That I am the, qualified and acting Legal Council for the State of Oregon in and for the County of Wasco; That based upon the Affidavit of Jill Amery, Tax Collector of said County, I have determined that the attached list of taxes of personal property represents a list of uncollectible personal property taxes which are delinquent and are now wholly uncollectible by virtue of the fact that the personal property manufactured structure has been destroyed; and That in my opinion said taxes are wholly uncollectible by virtue of these facts; and Further that I make this Affidavit in support of a written application under ORS 311.790 for an Order directing the Tax Collector to cancel such personal property taxes as uncollectible.

DATED this 25th day of August, 2015



Kristen Campbell
Wasco County Legal Council

SUBSCRIBED AND SWORN to before me this 25 day of
August, 2015.



Notary Public for Oregon
My Commission Expires: 6-1-2019

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE CANCELLATION)
OF CERTAIN UNCOLLECTIBLE PERSONAL) ORDER #15-080
PROPERTY TAXES)

NOW ON THIS DATE, the above-entitled matter having come on regularly to be heard upon the Motion of the District Attorney for an Order declaring certain taxes upon personal property to be now uncollectible and directing the Tax Collector to cancel said personal property taxes; it appearing to the Board from the Affidavits of Jill F. Amery, Tax Collector for Wasco County, and Kristen Campbell, Counsel for Wasco County, that the taxes in the complaint are wholly uncollectible.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Jill F. Amery, Tax Collector for Wasco County, cancel the taxes listed in the motion on file in this matter, attached hereto, and by this reference incorporated herein, as uncollectible personal

property taxes; it is further ordered that this Order be entered in the Journal of the Board of County Commissioners.

DATED this 2nd day of September, 2015.

WASCO COUNTY BOARD
OF COMMISSIONERS

Scott C. Hege, Chair

Rod L. Runyon, County Commissioner

Steven D. Kramer, County Commissioner

APPROVED AS TO FORM:

Kristen Campbell
Wasco County General Counsel

Agenda Item

IGA for Document Publishing & Distribution

- [State of Oregon Department of Administrative Services Intergovernmental Agreement for Document Publishing, Processing & Delivery](#)



Oregon

John A. Kitzhaber, MD, Governor

Department of Administrative Services
Enterprise Goods and Services
Publishing & Distribution
550 Airport Road SE
Salem, Oregon 97301-6084
(503) 373-1700
FAX (503) 373-7789

**State of Oregon
Department of Administrative Services (DAS)
Publishing and Distribution (P&D)**

**INTERGOVERNMENTAL AGREEMENT
FOR DOCUMENT PUBLISHING, PROCESSING AND DELIVERY**

USE OF STATE PRINTING AND MAILING SERVICES

Agreement Number 248 -15

This agreement, hereinafter referred to as "Agreement," is made and entered into this 14th day of August, 2015, by and between the State of Oregon, Department of Administrative Services (DAS), Publishing and Distribution (P&D), 550 Airport Road SE, Salem OR 97301-6084, hereinafter referred to as "State, DAS, or P&D" and Wasco County, 511 Washington St RM 208, The Dalles OR 97058, hereinafter referred to as "Political Subdivision."

1. PURPOSE

The purpose of this agreement is to reduce document publishing and mailing expenses for public agencies in Oregon by providing access to cost effective and efficient print-to-post technologies and services.

2. STATUTORY AUTHORITY

In accordance with and pursuant to the provisions of ORS Chapter 190, entitled "INTERGOVERNMENTAL COOPERATION", the State is authorized to cooperate with and furnish services to a city, county, district, or other municipal corporation, commission, authority, entity or political subdivision organized and existing under statute or city or county charter in Oregon. By execution of this Agreement, Political Subdivision represents that it meets the criteria for cooperation or receipt of services from the State.

In accordance with and pursuant to the provisions of ORS Chapter 283.140, the Department of Administrative Services has authority to operate central mail services for state agencies where it is economical to do so. The agency is also directed to report opportunities for saving (money) through state agency mailroom centralization, consolidation, and automation and through mail route coordination.

In accordance with and pursuant to the provisions of ORS Chapter 282.020 and 282.050(2), "The Director of the Oregon Department of Administrative Services **or the Director's Designee** shall control and manage the state printing section and all state printing. (b) Control all state printing purchases, including those outside of the **Oregon Department of Administrative Services**; and any printing conducted outside of the **department** on behalf of state government may be conducted only through authority of the **Director or the Director's Designee**." "The Oregon Department of Administrative Services shall control and regulate the performance and production of all multiple duplication work required by state agencies and the purchase and use of multiple duplicating equipment, including but not limited to xerographic or other copying devices. The department shall itself perform, through the state printing plant, such duplication services for the state agencies as may practicably and economically be performed centrally, and for those purposes require that duplicating equipment possessed by any agency be transferred to the state printing section."

3. SERVICES TO BE PROVIDED

a) Upon Political Subdivision's written order, State will provide to Political Subdivision for the term of this Agreement, and in return for payment, document publishing, processing and mailing services which include but are not limited to: printing, duplicating, binding, folding, tabbing, inserting, metering, addressing, bulking, sorting and mailing.

- b) Orders cannot be canceled by Political Subdivision except on terms that will compensate State against loss incurred in reliance on the order.
- c) Title for finished work shall pass to Political Subdivision upon delivery to common carrier at shipping point or upon delivery to Political Subdivision, whichever occurs first. State's responsibility for the shipment ceases with delivery to the carrier and claims for loss or damage must be presented to the carrier.
- d) (For printing orders) Upon Political Subdivision's request, proof will be furnished by State to Political Subdivision and promptly read, corrected (if necessary) and returned by Political Subdivision to State. State warrants that finished work will conform to corrected proof. State is not responsible for any errors evident in the proof if Political Subdivision does not review or correct the proof.

4. TERM

This Agreement is effective, and considered fully executed, upon signature by both parties. The initial term of this Agreement is one year from effective date of this Agreement. The term of this Agreement may be extended if it is mutually agreeable to do so. Such extension shall be in writing.

5. CONSIDERATION

Political Subdivision shall pay State in accordance with the rates and charges set forth in Exhibit B Rate Schedule.

6. INVOICING

Upon submission of job, Political Subdivision will provide DAS with an account number assigned to it by the State Financial Management System (SFMS). In the month following job completion, DAS will mail Political Subdivision an invoice for services and postage. The invoice will be mailed to the address associated with the account number assigned to political subdivisions in the SFMS.

7. PAYMENT PROVISIONS

Payment is due no later than 30 days after you receive the invoice.

8. CANCELLATION

Either party may terminate this agreement without liability or penalty, upon thirty (30) days written notice to the other party. No such termination shall prejudice any obligations or liabilities of either party already accrued prior to the effective date of termination.

9. RESPONSIBILITIES OF THE POLITICAL SUBDIVISION

a) It is understood that using the services authorized by this agreement is elective on the part of the Political Subdivision.

b) The Political Subdivision is responsible for providing the State with the necessary information and/or files necessary to publish and mail in a cost effective and timely manner.

10. LIABILITIES

State Liability

a) State agrees to perform the work in a good and workmanlike manner consistent with the customs and practices of the industry. State expressly excludes all other guarantees, warranties or representations. State will not be liable for any indirect or consequential damages, with State's sole liability being limited to the repair and reasonable costs of correcting any errors that are attributable to State.

b) State shall not be responsible for delays beyond the control of State such as labor stoppage, equipment breakdown, strikes, delays of suppliers, contractors or carriers, fire, or acts of God.

11. LIMITATION OF LIABILITY

The Political Subdivision agrees that the State shall not be subject to any claim, action, or liability arising in any manner whatsoever out of any act or omission, interruption, or cessation of service under this Agreement. The State shall not be liable or responsible for any direct, indirect, special, or consequential damages sustained by the Political Subdivision, including, but not limited to, delay, interruption of business of service.

12. INDEMNITY

If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against a party (the "Notified Party") with respect to which the other party ("Other Party") may have liability, the Notified Party must promptly notify the Other Party in writing of the Third Party Claim and deliver to the Other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Either party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by the Other Party of the notice and copies required in this paragraph and meaningful opportunity for the Other Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to the Other Party's liability with respect to the Third Party Claim. With respect to a Third Party Claim for which the State is jointly liable with the County (or would be if joined in the Third Party Claim), the State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the County in such proportion as is appropriate to reflect the relative fault of the State on the one hand and of the County on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the State on the one hand and of the County on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if the State had sole liability in the proceeding.

With respect to a Third Party Claim for which the County is jointly liable with the State (or would be if joined in the Third Party Claim), the County shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the State in such proportion as is appropriate to reflect the relative fault of the County on the one hand and of the State on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the County on the one hand and of the State on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The County's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if it had sole liability in the proceeding.

Alternative Dispute Resolution

The parties should attempt in good faith to resolve any dispute arising out of this agreement. This may be done at any management level, including at a level higher than persons directly responsible for administration of the agreement. In addition, the parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.

13. DISCLAIMER

THE FOREGOING UNDERTAKING IS IN LIEU OF ALL WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE. STATE MAKES NO REPRESENTATION OR WARRANTY AS TO WHETHER THE PRINT SERVICES ARE USABLE FOR A PARTICULAR PURPOSE, WHETHER OR NOT STATE HAS BEEN INFORMED OF THE NATURE OF ANY SUCH PURPOSE OR HAS OFFERED AN OPINION AS TO THE USE OF THE STATE PRINT SERVICES FOR SUCH A PURPOSE.

Signatures of Approval

When the parties sign this IGA, it will become approved and operational.

Department of Administrative Services

Wasco County

By: _____ Date: _____

By: _____ Date: _____

Customer Relations Manager

Title: _____

Publishing & Distribution

By: _____ Date: _____

By: _____ Date: _____

Contracts Manager

Title: _____

DAS Operations

**EXHIBIT A
STATEMENT OF WORK**

1. Political Subdivision shall:

- a) Make all arrangements necessary to procure and deliver preprinted Property Tax Statement stock to DAS Publishing & Distribution at 550 Airport Road SE, Salem, Oregon. It is understood that no printing can commence until said stock is delivered.
- b) Order and arrange for all envelopes needed for mailing be delivered to DAS, no earlier than August 8, 2015, and not later than September 5, 2015.
- c) Provide files for inserts to DAS as mutually agreed upon between Political Subdivision and DAS project coordinator.
- d) Provide DAS project coordinator the projected date when live files are expected to be delivered to DAS no later than August 21, 2015.
- e) Use secure file transfer protocol (SFTP) to timely transfer files to DAS for printing and mailing.
- f) Ensure documents contain sequential numbers to aid in audit control.
- g) Bear the costs for overtime accrued as a result of the Political Subdivision's failure to meet agreed upon submission time.
- h) Bear the responsibility for any errors or omissions made according to the responsibilities set forth above, and shall in no way hold DAS financially responsible for the correction of these errors or omissions.
- i) Bear the costs for pre-paying postage required by the United States Postal Service for mailings. Check must be received seven (7) working days prior to mailing. Please make checks payable to Pitney Bowes Reserve Account. Detailed instructions provided by P&D Customer Relations Management representative (CRM).
- j) Provide completed data sheet five (5) calendar days prior to live printing. See example Attachment 1
- k) Testing shall be completed by September 18, 2015. NOTE: If lock box testing is required, testing must commence by August 17, 2015.

2. DAS shall provide the following services:

a) Printing

- i) DAS shall print property tax statements using the data files and property tax statement stock provided by Political Subdivision.
- ii) DAS shall store and secure tax statement stock during the printing process.
- iii) DAS shall print other materials as requested by Political Subdivision in accordance with established state printing standards and prices.

b) Processing:

- i) DAS shall fold and insert tax statements, and corresponding inserts, so that the address is clearly visible inside the envelope window.
- ii) To obtain the lowest possible discounted postage rate and in accordance with the USPS rules for automated first class bar-coded mailings, DAS will pre-sort up to two ounce mail pieces processed under this agreement.

iii) Additional Processing as indicated by checked boxes.

Political Subdivision to check all boxes that apply and complete requested information.

- ☒ Yes ☐ No Lock box testing required. Send lock box test to: DENISE MILLS, US BANK
MAIL CODE PD-OR-C243, 17650 NE SANDY BLVD, GRESHAM OR 97230 -
☐ Yes ☒ No DAS will hold approximately _____ pre-specified statements for pickup by Political 5000

Subdivision.

☒ Yes ☐ No DAS will use automated inserting equipment to insert approximately 12,800 single-page tax statements into windowed envelopes.

☐ Yes ☒ No DAS will use automated "smart" inserting equipment to insert multiple tax statements into #10 business envelope with expansion scored flap.

☒ Yes ☐ No DAS will hand-insert approximately 4400 multiple tax statements into appropriate sized mailing containers.

Political Subdivision to choose only one:

☐ DAS will run all one and two ounce mail pieces through address update software to obtain discounted postage rates.

☒ DAS will not run presort mail through address correction software and will not print "Return Service Requested" on presort mail because Political Subdivision has envelopes pre-printed with the appropriate address update endorsement.

☐ DAS does not mail.

b) Mailing

- i) Non-letter size mail pieces will be metered and mailed as single piece.
- ii) DAS will store and secure all finished tax statements until the mutually agreed upon mailing date.
- iii) DAS shall ensure the mailing is delivered to United States Postal Service.
- iv) All mailing must be completed on or before October 23, 2015.
- v) Any errors or omissions which are made according to the responsibilities set forth above shall become the responsibility of DAS and DAS shall in no way hold the Political Subdivision financially responsible for the correction of these errors or omissions.

7. Deliverables:

- i) DAS shall ensure that the Political Subdivisions' requirements are met as set forth in the Statement of Work with a completion date of no later than October 23, 2015.
- ii) DAS shall provide the Political Subdivision with invoices that reflect services and material charges for the tax bill printing and mailing project at rates set forth below.

Area	Description	Rate	Unit	Notes
Print	Printing on Provided Stock	\$ 0.025	Impression	
Print	Variable data piece tracking	\$ 0.010	Record	
Mail	Insert and Meter	\$ 0.088	Mail Piece	Up to 5 inserts
Mail	OCR Barcode and Pre-Sort	\$ 0.033	Mail Piece	USPS Requirement to obtain the best available postage rate
Mail	Fast-forward address correction	\$ 0.110	Per corrected address	USPS Requirement to obtain the best available postage rate. Average 10% of total mail pieces
Mail	1-2 oz. First Class discount postage	\$ 0.391	Mail Piece	** Current US Postal Service rate (subject to change)
	Other Services			
Pre Production	Template Design	\$ 79.000	Hour	Only charged for non print ready files
Pre Production	Programming	\$ 79.000	Hour	Only charged for non print ready files
Mail	Metering for letters	\$ 0.098	Mail Piece	For Non Automated inserted letters
Mail	Metering for Flats	\$ 0.152	Mail Piece	For Non Automated inserted flats
Other	Hand Work	\$ 65.000	Hour	Hand Folding and inserting (as and if needed)
Other	Overtime	\$ 60.000	Hour	If print ready files are not received by the mutually agreed upon day and time, Publishing & Distribution <i>may</i> need to recover overtime necessary to complete the job on due date.

Tax Insert Price Metric

TAX INSERTS 2015

Insert Group 1

1 sided / folded – 8.5 x 11 and 8.5 x 14 Black ink on colored paper.

1-24,999 copies	\$.0360 per insert*
25,000-49999 copies	\$.0335 per insert*
50,000-99,999 copies	\$.0318 per insert*
100,000 + copies	\$.0314 per insert*

1 sided / folded – 8.5 x 11 and 8.5 x 14 Black ink on white paper.

1-24,999 copies	\$.0273 per insert*
25,000-49999 copies	\$.0249 per insert*
50,000-99,999 copies	\$.0233 per insert*
100,000 + copies	\$.0230 per insert*

1 sided / folded – 8.5 x 11 and 8.5 x 14 Black + 1 pms ink on colored paper.

1-24,999 copies	\$.0427 per insert*
25,000-49999 copies	\$.0379 per insert*
50,000-99,999 copies	\$.0347 per insert*
100,000 + copies	\$.0341 per insert*

1 sided / folded – 8.5 x 11 and 8.5 x 14 Black + 1 pms ink on white paper.

1-24,999 copies	\$.0341 per insert*
25,000-49999 copies	\$.0293 per insert*
50,000-99,999 copies	\$.0262 per insert*
100,000 + copies	\$.0253 per insert*

Insert Group 2

2 sided / folded – 8.5 x 11 and 8.5 x 14 Black ink on colored paper.

1-24,999 copies	\$.0390 per insert*
25,000-49999 copies	\$.0355 per insert*
50,000-99,999 copies	\$.0333 per insert*
100,000 + copies	\$.0313 per insert*

2 sided / folded – 8.5 x 11 and 8.5 x 14 Black ink on white paper.

1-24,999 copies	\$.0300 per insert*
25,000-49999 copies	\$.0269 per insert*
50,000-99,999 copies	\$.0248 per insert*
100,000 + copies	\$.0244 per insert*

Insert Group 2 continued

2 sided / folded – 8.5 x 11 and 8.5 x 14 Black + 1 pms ink on colored paper.

1-24,999 copies	\$.0470 per insert*
25,000-49999 copies	\$.0419 per insert*
50,000-99,999 copies	\$.0386 per insert*
100,000 + copies	\$.0379 per insert*

2 sided / folded – 8.5 x 11 and 8.5 x 14 Black + 1 pms ink on white paper.

1-24,999 copies	\$.0394 per insert*
25,000-49999 copies	\$.0343 per insert*
50,000-99,999 copies	\$.0301 per insert*
100,000 + copies	\$.0303 per insert*

Insert Group 3

1 sided – 1/3 sht Black ink on colored paper.

1-24,999 copies	\$.0145 per insert**
25,000-49999 copies	\$.0115 per insert**
50,000-99,999 copies	\$.0099 per insert**
100,000 + copies	\$.0097 per insert**

1 sided – 1/3 sht Black ink on white paper.

1-24,999 copies	\$.0111 per insert**
25,000-49999 copies	\$.0084 per insert**
50,000-99,999 copies	\$.0069 per insert**
100,000 + copies	\$.0067 per insert**

1 sided – 1/3 sht Black ink +1 pms on colored paper.

1-24,999 copies	\$.0206 per insert**
25,000-49999 copies	\$.0147 per insert**
50,000-99,999 copies	\$.0117 per insert**
100,000 + copies	\$.0112 per insert**

1 sided 1/3 sht Black + 1 pms ink on white paper.

1-24,999 copies	\$.0171 per insert**
25,000-49999 copies	\$.0115 per insert**
50,000-99,999 copies	\$.0087 per insert**
100,000 + copies	\$.0082 per insert**

Insert Group 4

2 sided – 1/3 sht Black ink on colored paper.

1-24,999 copies	\$.0169 per insert**
25,000-49999 copies	\$.0128 per insert**
50,000-99,999 copies	\$.0107 per insert**
100,000 + copies	\$.0105 per insert**

2 sided – 1/3 sht Black ink on white paper.

1-24,999 copies	\$.0134 per insert**
25,000-49999 copies	\$.0097 per insert**
50,000-99,999 copies	\$.0077 per insert**
100,000 + copies	\$.0075 per insert**

2 sided 1/3 sht Black ink + 1 pms on colored paper.

1-24,999 copies	\$.0214 per insert**
25,000-49999 copies	\$.0164 per insert**
50,000-99,999 copies	\$.0133 per insert**
100,000 + copies	\$.0127 per insert**

2 sided 1/3 sht Black + 1 pms ink on white paper.

1-24,999 copies	\$.0176 per insert**
25,000-49999 copies	\$.0131 per insert**
50,000-99,999 copies	\$.0102 per insert**
100,000 + copies	\$.0096 per insert**

Specifications:

OCE reserves the right to review annually documentation of its expenses for utilities, materials and supplies, equipment, and personnel to determine if a price adjustment is necessary to maintain the service provided in this agreement.

Rush charges (20%) will be assessed on any order with less than six full production days from the proof approval date to delivery request date to cover additional production costs and overtime.

*Stocks quoted in this estimate are on a #20 basis.

**Stocks quoted in this estimate are on a #70 basis

Colored paper refers to choices supplied by OCE through the Earthchoice line.

Printing process uses Soy Ink, Recycled stocks and chemical free printing plate process.

Property Tax Statements - Detail Sheet Tax Year (YYYY)

Date	mm/dd/yyyy	Order Number	XXXXXXX
County Name	Columbia	Test Order Number	XXXXXXX
Address	230 Strand ST St Helens OR 97051	Total Number of Inserts	
Contact	Mary Ann Guess	Insert # 1	#9 Green Return Envelope
Phone	503-397-0060	Insert # 2	
Agency #	1000055	Insert # 3	
Print File Transmit Date	mm/dd/yyyy	Mail Date	mm/dd/yyyy
Fast Forward OK	Yes or No	Okay to Mail Sooner	Yes or No
Main Mailing Envelope	#10 White w/ left window	Pick up Date	mm/dd/yyyy
Number of Print Files	8		

Batch (file) Name	File Number	Record Qty	*Form Color - Size	Mail/Deliver	Mail, Ship, Package or Delivery Instructions	Seq Begin	Seq End	Cntrl Begin	Cntrl End
						Control #		Multiple Batch #	
7000571 Columbia TS Fish and Wildlife 23.pdf	774	23	Green - 11"	Deliver	Leave FLAT - Ship UPS Overnight to County	000001	000023		
7000571 Columbia TS Foreclosure 74.pdf	773	74	Green - 11"	Deliver	Leave FLAT - Ship UPS Overnight to County	000001	000074		
7000571 Columbia TS Green 1 5000.pdf	780	5,000	Green - 11"	Mail	Insert #9 green envelope	000001	005000		
7000571 Columbia TS Green 5001 10000.pdf	780	5,000	Green - 11"	Mail	Insert #9 green envelope	005001	010000		
7000571 Columbia TS Green 10001 15000.pdf	780	5,000	Green - 11"	Mail	Insert #9 green envelope	010001	015000		
7000571 Columbia TS Green 15001 16155.pdf	780	1,155	Green - 11"	Mail	Insert #9 green envelope	015001	016155		
7000571 Columbia TS Yellow 1 5000.pdf	779	5,000	Yellow - 11"	Mail		000001	005000		
7000571 Columbia TS Yellow 5001 7724.pdf	779	2,724	Yellow - 11"	Mail		005001	007724		
Total Print Qty		23,976							
Return to County		xxxx							
Mail		xxxx							
Green Form		xxxx							
Yellow Form		xxxx							

* Form Color Options: Green, Yellow, Green/Black or Yellow/Black
* Form Size Options: 11" or 14"

Files sent in this manner (combined and grouped in like production needs)
allow counties the maximum cost benefits.

Sample Detail Sheet

Agenda Item

Surveyor Agreement

- [Intergovernmental Agreement between Wasco County & Hood River County for County Surveyor Services](#)

INTERGOVERNMENTAL AGREEMENT BETWEEN WASCO COUNTY AND HOOD RIVER COUNTY

This Agreement is by and between WASCO COUNTY, a political subdivision of the State of Oregon, hereinafter referred to as “Wasco County,” and HOOD RIVER COUNTY, a home rule county of the state of Oregon, hereinafter referred to as “Hood River County.”

RECITALS

WHEREAS, ORS 204.005 requires the governing body of an Oregon county to appoint a County Surveyor; and

WHEREAS, a suitable County Surveyor is not readily available to act on behalf of Hood River County; and

WHEREAS, a period of twelve (12) months may be necessary for Hood River County to select and/or evaluate the work of a suitable County Surveyor and retain them on a permanent basis; and

WHEREAS, the need exists for Hood River County to appoint, employ, or otherwise retain County Surveyor services until such time a permanent replacement is retained; and

WHEREAS, Intergovernmental Agreements between Wasco County and Hood River County exist to allow for the exchange of such services; and

WHEREAS, the Road Surveyor of Wasco County meets the requirements of ORS 204.016 and ORS 209.115 to be appointed as County Surveyor within the State of Oregon; and

WHEREAS, the parties herein desire to exchange services on an interim basis in the best interest of both counties.

AGREEMENT

NOW, THEREFORE, the parties agree as follows:

1. Wasco County, through its Public Works Department Road Surveyor or any duly appointed Deputy, agrees to provide services in the capacity of County Surveyor to, and for the benefit of, Hood River County.
2. Services to be provided shall be those typically performed by the County Surveyor, including but not limited to; reviewing and providing comments for development applications; reviewing and approving Boundary Surveys, Partitions, Subdivisions, Condominiums, and other surveys; responding to general survey-related questions from county departments, other agencies, private surveyors and citizens; and keeping sufficient records of surveys filed with the County.

Return to Agenda

3. Subject to the availability of funds, Hood River County agrees to reimburse Wasco County for all time and materials expended while performing said services. A monthly statement shall be provided to the Hood River County Public Works Department by the 10th of each month specifying the time and materials to be reimbursed and the respective charge. Time shall be reimbursed at a rate of \$54.00 per hour. Payment shall be due and payable within twenty-one (21) days of receipt of statement.
4. Services shall be provided in accordance with all laws of the State of Oregon. The parties acknowledge that some services may be required by state law to be completed within a specified time; however, in the event that such services are needed in both counties to the extent that the requirements cannot be met, the parties agree that the needs within Wasco County shall take priority.
5. For the purpose of this Agreement, the counties are independent contractors. Nothing herein shall alter the employment status of any person providing services under this Agreement. Such persons shall at all times continue to be subject to all standards of performance, disciplinary rules and other terms and conditions of their employer. Hood River County shall not be responsible for the direct payment of any salaries, wages, compensation or benefits for employees of Wasco County.
6. This Agreement may be terminated by either party upon giving thirty (30) days written notice. Termination shall be without prejudice to any obligations or liabilities of either party accrued prior to termination.
7. Wasco County and Hood River County are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly or otherwise, to third persons.
8. All notices, correspondence, reports or request shall be either personally delivered, sent via first class mail, or emailed to the following addresses:

Brad Cross, Road Surveyor
Wasco County Public Works
2705 East 2nd Street
The Dalles, OR 97058
bradleyc@co.wasco.or.us

Mikel Diwan, Director
Hood River County Public Works
918 18th Street
Hood River, OR 97031
mikel.diwan@co.hood-river.or.us

Date: _____

WASCO COUNTY

Scott Hege, Commissioner Chair

Rod Runyon, Commissioner

Steve Kramer, Commissioner

Date: _____

HOOD RIVER COUNTY

Ron Rivers, Commission Chair

Maui Meyer, Commissioner

Les Perkins, Commissioner

Karen Joplin, Commissioner

Robert Benton, Commissioner

Agenda Item
Fund Exchange Agreement

- [2015 Fund Exchange Agreement 30883 for Surface Pavement Restoration in Wasco County](#)

2015 FUND EXCHANGE AGREEMENT
Surface Pavement Restoration
Wasco County

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State"; and WASCO COUNTY, acting by and through its elected officials, hereinafter referred to as "Agency," both herein referred to individually or collectively as "Party" or "Parties."

RECITALS

1. By the authority granted in Oregon Revised Statute (ORS) [190.110](#), [366.572](#) and [366.576](#), State may enter into cooperative agreements with counties, cities and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.

NOW THEREFORE, the premises being in general as stated in the foregoing Recitals, it is agreed by and between the Parties hereto as follows:

TERMS OF AGREEMENT

1. Agency has submitted a completed and signed Part 1 of the Project Prospectus, or a similar document agreed to by State, outlining the schedule and costs associated with all phases of the pavement surface restoration of Easton Canyon Road, Old Moody Road, Seven-mile Hill Road, State Road, Three-mile Road and Wrentham Road, hereinafter referred to as "Project."
2. State has reviewed Agency's prospectus and considered Agency's request for the Fund Exchange. State has determined that Agency's Project is eligible for the exchange of funds.
3. To assist in funding the Project, Agency has requested State to exchange 2015 federal funds, which have been allocated to Agency, for state funds based on the following ratio:

\$94 state for \$100 federal

4. Based on this ratio, Agency wishes to trade \$272,960 federal funds for \$256,582 state funds.

5. The term of this Agreement will begin upon execution and will terminate two (2) years from the date that all required signatures are obtained unless extended by an executed amendment.
6. The Parties agree that the exchange is subject to the following conditions:
 - a. The federal funds transferred to State may be used by State at its discretion.
 - b. State funds transferred to Agency must be used for the Project. This Fund Exchange will provide funding for specific roadway projects and may also be used for the following maintenance purposes:
 - i. Purchase or Production of Aggregate. Agency shall ensure the purchase or production of aggregate will be highway related and used exclusively for highway work.
 - ii. Purchase of Equipment. Agency shall clearly describe how it plans to use said equipment on highways. Agency shall demonstrate that the equipment will only be used for highway purposes.
 - c. State funds may be used for all phases of the Project, including preliminary engineering, right of way, utility relocations and construction. Said use shall be consistent with the Oregon Constitution and statutes (Section 3a of Article IX Oregon Constitution). Agency shall be responsible to account for expenditure of state funds.
 - d. This Fund Exchange shall be on a reimbursement basis, with state funds limited to a maximum amount of \$256,582. All costs incurred in excess of the Fund Exchange amount will be the sole responsibility of Agency.
 - e. State certifies, at the time this Agreement is executed, that sufficient funds are available and authorized for expenditure to finance costs of this Agreement within State's current appropriation or limitation of the current biennial budget.
 - f. Agency, and any contractors, shall perform the work as an independent contractor and will be exclusively responsible for all costs and expenses related to its employment of individuals to perform the work including, but not limited to, retirement contributions, workers' compensation, unemployment taxes, and state and federal income tax withholdings.
 - g. Agency shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS [279C.505](#), [279C.515](#), [279C.520](#), [279C.530](#) and [279B.270](#) incorporated herein by reference and made a part hereof. Without limiting the generality of the foregoing, Agency expressly agrees to comply with (i) [Title VI of Civil Rights Act of 1964](#); (ii) [Title V and Section 504 of the Rehabilitation Act of 1973](#); (iii) the [Americans with Disabilities Act of 1990](#) and ORS [659A.142](#); (iv) all regulations and administrative rules established

pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.

- h. Agency, or its consultant, shall conduct the necessary preliminary engineering and design work required to produce final plans, specifications and cost estimates; purchase all necessary right of way in accordance with current state and federal laws and regulations; obtain all required permits; be responsible for all utility relocations; advertise for bid proposals; award all contracts; perform all construction engineering; and make all contractor payments required to complete the Project.
- i. Agency shall submit invoices to State on a quarterly basis, for actual costs incurred by Agency on behalf of the Project directly to State's Project Manager for review and approval. Such invoices will be in a form identifying the Project, the agreement number, the invoice number or account number or both, and will itemize all expenses for which reimbursement is claimed. Under no conditions shall State's obligations exceed \$256,582, including all expenses. Travel expenses will not be reimbursed.
- j. Agency shall, at its own expense, maintain and operate the Project upon completion at a minimum level that is consistent with normal depreciation and service demand.
- k. All employers, including Agency, that employ subject workers in the State of Oregon shall comply with ORS [656.017](#) and provide the required Workers' Compensation coverage unless such employers are exempt under ORS [656.126](#). Employers Liability insurance with coverage limits of not less than \$500,000 must be included. Agency shall ensure that each of its subcontractors complies with these requirements.
- l. This Agreement may be terminated by either party upon thirty (30) days' notice, in writing and delivered by certified mail or in person.
 - i. State may terminate this Agreement effective upon delivery of written notice to Agency, or at such later date as may be established by State, under any of the following conditions:
 - A. If Agency fails to provide services called for by this Agreement within the time specified herein or any extension thereof.
 - B. If Agency fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice from State fails to correct such failures within ten (10) days or such longer period as State may authorize.

- ii. Either Party may terminate this Agreement effective upon delivery of written notice to the other Party, or at such later date as may be established by the terminating Party, under any of the following conditions:
 - A. If either Party fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow either Party, in the exercise of their reasonable administrative discretion, to continue to make payments for performance of this Agreement.
 - B. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or either Party is prohibited from paying for such work from the planned funding source.
 - iii. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.
 - m. State and Agency agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.
7. Agency acknowledges and agrees that State, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives shall have access to the books, documents, papers, and records of Agency which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of six (6) years after final payment. Copies of applicable records shall be made available upon request. Payment for costs of copies is reimbursable by State.
8. Agency certifies and represents that the individual(s) signing this Agreement has been authorized to enter into and execute this Agreement on behalf of Agency, under the direction or approval of its governing body, commission, board, officers, members or representatives, and to legally bind Agency.
9. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.
10. This Agreement and attached exhibits constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either Party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be

effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

The funding for this Fund Exchange program was approved by the Oregon Transportation Commission on May 20, 2015, as a part of the 2015-2018 Statewide Transportation Improvement Program (STIP).

The Program and Funding Services Manager approved the Fund Exchange on June 25, 2015.

Signature Page to Follow

WASCO COUNTY, by and through its
elected officials

By _____
Chair, Scott C. Hege

Date September 2, 2015

By _____
Commissioner, Rod L. Runyon

Date September 2, 2015

By _____
Commissioner, Steven D. Kramer

Date September 2, 2015

**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Counsel, Kristen Campbell

Date _____

Agency Contact:

Arthur Smith – Director of Public Works
2705 East 2nd St
The Dalles, OR 97058-4097
(541) 506-2640
arthurs@co.wasco.or.us

State Contact:

Darrell Newton - Local Agency
Programs Coordinator
63055 N. Highway 97, Bldg M
Bend OR, 97701-5765
(541) 388-6272
darrell.r.newton@odot.state.or.us

STATE OF OREGON, by and through
its Department of Transportation

By _____
Region 4 Manager

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By _____
Assistant Attorney General

Date _____

Agenda Item
Settlement & Release Agreement

- [Settlement & Release Agreement between County and Evans](#)

SETTLEMENT AND RELEASE AGREEMENT

This Settlement and Release Agreement (*Agreement*) is entered into by and between Angie Brewer in her capacity as Planning Director for Wasco County, a political subdivision of the State of Oregon (*County*) and Casey Evans and Forrest D. Evans, Jr. (*Evans*), collectively referred to herein as the *Parties*.

RECITALS

- A. On or about February 9, 2015, the Evans filed an application to partition land in Wasco County and an application for a conditional use permit to site a single family residence ("Land Use Applications").
- B. The Land Use Applications were deemed complete on March 8, 2015.
- C. On August 6, 2015, prior to a decision by County to approve or deny the Land Use Applications, the Evans filed a Petition for Writ of Mandamus with the Wasco County Circuit Court, Case Number CC15-201 ("*Petition*").
- D. The Parties have reached a resolution in this matter, as reflected in this Agreement.

AGREEMENT

The Parties have agreed to resolve this matter on the following terms:

1. DISMISSAL. County has agreed to refund the Evans an amount of \$3,193.00, which is the total amount paid by the Evans in application fees for the Land Use Applications. In addition, County has agreed to pay the Evans an amount capped at \$1,500.00 for attorney fees incurred in filing the Petition. The total amount of \$4,693.00 will be submitted via a check made payable to Casey Evans and Forrest D. Evans and mailed to attorney William Sumerfied at P.O. Box 758, Hood River, Oregon, 97031 on or before September, 1, 2015. Upon receipt of the check, the Parties shall execute and submit a Stipulation and Order of Dismissal, without prejudice, and without costs to any party. Upon filing of the Stipulation and Order of Dismissal, County shall finalize its decisions on the Land Use Applications, which shall be issued no later than September 18, 2015.

2. MUTUAL RELEASE OF ALL CLAIMS. In consideration of the mutual promises herein, subject to the Oregon Tort Claims Act and Oregon Constitution, the Parties hereby release and discharge each other, and their employees, agents, representatives, successors and assigns, from any and all claims known or unknown and arising on or before the date of this Agreement related to the Land Use Applications and Petition including claims based on tort, contract, local law, statute, Oregon or United States Constitution and common law. Subject to the

foregoing release, if County fails to issue its decisions on the Land Use Applications on or before September 18, 2015, the Evans reserve the right to refile their Petition.

3. INCORPORATION OF RECITALS. The Parties incorporate herein by this reference the recitals listed above and affirm the truth of the same.

4. INDEPENDENT JUDGMENT. The Parties warrant and represent that they have relied upon their own independent judgment, belief, and knowledge in entering into this Agreement, that they have obtained whatever advice and consultation that they deemed necessary in this matter, and that they have not been influenced to any extent whatsoever in entering into this Agreement by any representations or statements made by the Parties being released from any obligation or by any person representing said Parties.

5. COSTS. Unless otherwise stated in this Agreement, each party to this Agreement shall bear their own costs, expenses, and attorney fees incurred in or arising out of the matters in dispute which are the subject of this Agreement.

6. LEGAL COUNSEL. The Parties acknowledge that County is represented by attorney Kristen Campbell of Timmons Law PC. The Evans are represented by William Sumerfield of Phillips Reynier Sumerfield & Cline LLP.

7. ADDITIONAL DOCUMENTS. The Parties agree to cooperate fully and execute any and all supplemental documents which are reasonably necessary and take all additional actions which are reasonably necessary and appropriate to give full force and effect to the terms and intent of this Agreement.

8. CAPTION HEADINGS. Caption headings in this Agreement are for convenience purposes only and are not to be used to define or otherwise interpret the provisions of this Agreement.

9. ENTIRE AGREEMENT. This Agreement contains the entire agreement between the Parties and the terms of this Agreement are contractual and not a mere recital. The terms of this Agreement shall be binding upon heirs, representatives, successors, and assigns of each of the Parties hereto.

10. ATTORNEY FEES. Should any suit or action be filed to enforce the terms of this Agreement or for the breach of the same, the losing party shall pay the prevailing party's attorney fees in an amount to be set by the Court, including any such fees incurred in any appeal.

11. COUNTERPARTS. This Agreement may be signed in one or more counterparts and exchanged by electronic mail or fax. The signed original signature pages shall be sent to the parties' respective attorneys as soon as possible following execution.

12. TIME. Time is of the essence with respect to all dates and time periods in this Agreement.

WE, THE UNDERSIGNED, have read the foregoing Agreement, we fully understand its contents, and we fully understand that no other consideration or payment of any kind other than the aforesaid amounts will be made, and that there is no other agreement, promise, or inducement of any kind for this Agreement other than what is herein expressed.

WE, THE UNDERSIGNED, further agree that this Agreement is intended by us to be a complete and final agreement to settle all claims relating to this dispute, and we execute this Agreement as our free and voluntary act and deed.

Dated Effective _____, 2015

Casey Evans

Forrest D. Evans

Wasco County Board of Commissioners

Wasco County Planning Director

Scott Hege, Chairperson
Wasco County Board of Commissioners

Angie Brewer

Kristen Campbell, OSB No. 135998
Of Attorneys for Wasco County

William H. Sumerfield, OSB No. 891266
Of Attorneys for Casey Evans
and Forrest D. Evans, Jr.

Agenda Item
Wasco County/MCCFL IGA

- [IGA between Mid-Columbia Center for Living and Wasco County Regarding Construction of a Community Mental Treatment Center Using Community Development Block Grant Funds](#)
- [Ordinance 15-002 Ratifying MCCFL IGA](#)
- [MCCFL Regional IGA](#)

**INTERGOVERNMENTAL AGREEMENT
BETWEEN WASCO COUNTY AND MID-COLUMBIA CENTER FOR LIVING
REGARDING CONSTRUCTION OF A
COMMUNITY MENTAL TREATMENT CENTER UTILIZING CDBG FUNDS**

Recitals and Definitions

- This Agreement is entered into by and between Wasco County, Oregon (Wasco), , and Mid-Columbia Center for Living (MCCFL), a community mental health provider established pursuant to ORS 430.610 et seq. and intergovernmental agreement between Wasco County, Hood River County and Sherman County, State of Oregon pursuant to ORS 190.003 et seq.
- The effective date of this Agreement is the date of full execution as indicated below.
- MCCFL owns real property located in Wasco County legally described as Parcel 2 of Partition Plat No. 2012-0002 recorded March 29, 2012 under Microfilm No. 2012001034, Records of Wasco County, State of Oregon (the Property). The Property is owned outright by MCCFL, free of mortgage liens.
- Wasco and MCCFL both desire to locate a community mental health treatment center (Facility) to be constructed by Wasco on the Property. Construction of the Facility on the Property is referred to herein as the Project.
- Wasco intends to apply for an Oregon Community Development Block Grant (CDBG) in the amount of \$2,000,000 for Project design and construction to be administered by the Oregon Business Development Department (OBDD) in compliance with applicable state and federal law.
- MCCFL intends to pay the balance of the cost of construction of the Facility not covered by CDBG funds through a mortgage secured against real property owned by MCCFL located in Hood River County, Oregon and from MCCFL's reserve funds.
- Wasco and MCCFL intend to acknowledge and commit that there shall be no

change in the use of the Facility from a community mental health treatment center nor shall there be disposition of the Property by MCCFL or Wasco within five years after administrative close out of the CDBG (Five Year Period). In order to meet these requirements, MCCFL intends to grant a first trust deed (meaning that the trust deed in favor of Wasco will not be subordinate to any other lien, mortgage or trust deed) against the Property in favor of Wasco which provides that if the Property is not used as a community mental health treatment center during the Five Year Period, the Property will be subject to foreclosure of the trust deed by Wasco which would result in the ownership of the Property transferring from MCCFL to Wasco. Notwithstanding, if Wasco acquires ownership of the Property pursuant to foreclosure of its trust deed against the Property, Wasco will likewise refrain from changing the use of the Facility or Property from a community mental health treatment center during the Five Year Period.

- Following approval of Wasco's CDBG application, MCCFL intends to lease the Property to Wasco for construction of the Facility which lease shall continue in effect until a certificate of occupancy has been issued by the applicable building department upon which event Wasco and MCCFL intend to terminate said lease so that MCCFL may thereafter operate a community mental health treatment center for at least the Five Year Period, which use by MCCFL shall be subject to the aforementioned trust deed.

Agreement

Now, therefore, in consideration of the mutual promises set forth herein and other valuable consideration, the receipt and sufficiency of which are acknowledged, Wasco and MCCFL agree as follows:

1. Wasco agrees to sponsor a CDBG application for MCCFL requesting a grant of \$2,000,000 for construction of the Project. Wasco shall carry out the approved Project activities including administration of the non-CDBG funds secured by MCCFL and complete construction of the Facility within the time authorized by OBDD.

2. The Project shall be under the direct control of Wasco at all times until a certificate of occupancy is issued for the Facility. Consistent therewith, MCCFL agrees to enter into a lease of the Property as lessor with Wasco as lessee effective upon Wasco's execution of a CDBG contract, which lease shall be consistent with all state and federal requirements. The lease shall provide that MCCFL shall bear the cost of course of construction and premises liability insurance on the Project during construction, the cost

of utilities incurred during the construction process, systems development charges, hook up fees and connection charges relating to the Project.

3. Promptly, following the effective date of this Agreement, Wasco agrees to timely submit to OBDD a project notification and intake form. If the proposed Project is determined to qualify for CDBG funding, Wasco, with the assistance of MCCFL, shall proceed to timely submit an application to the OBDD for CDBG funds for construction of the Project to commence four months following the date of CDBG contract execution. The parties acknowledge that the proposed Project must be administratively closed within two years of execution of a CDBG contract.

4. MCCFL is currently making arrangements to obtain a commitment for the balance of the funds needed to construct the Project, via a mortgage against MCCFL's Hood River property. MCCFL shall arrange to have appropriate supplemental funding for the Project in place promptly following Wasco's execution of a CDBG contract for the Project.

5. Neither Wasco nor MCCFL shall cause a change in the use of the Facility from a community mental health treatment center to any other use or permit or cause disposition of the Property during the Five Year Period. Upon execution of a CDBG contract by Wasco, MCCFL agrees to grant Wasco a first trust deed against the Property to secure and assure MCCFL's continued use of the Project as a community mental health treatment center for the requisite Five Year Period. Promptly following completion of the requisite Five Year Period, Wasco shall cause its trust deed against the Property to be reconveyed.

6. During the Five Year Period, MCCFL, upon request of Wasco, will make available to Wasco, all financial records and other relevant documents necessary for the purpose of demonstrating continuation of the use of the Facility as a community mental health treatment center.

7. Wasco agrees to administer the CDBG funds, if awarded to Wasco, in compliance with all applicable state and federal laws and rules and regulations.

8. During the Five Year Period, MCCFL agrees to refrain from using the Property as security for any obligation other than the trust deed in favor of the Wasco, without Wasco's express written consent.

9. Wasco is under no obligation to provide funding or security of any form in

excess of the CDBG funds received by Wasco for the Project.

10. MCCFL shall bear the cost of administering the requirements of the CDBG and provide staffing for administration of the CDBG, at the sole expense of MCCFL.

11. MCCFL shall be actively involved in the design of the Project, but Wasco shall make the final determination as to all aspects of design and construction of the Project, after considering MCCFL's needs and preferences.

12. If any term or provision of this Agreement or the application thereof is deemed invalid or unenforceable, the remainder of this Agreement and the application of such term or provision other than to the extent held invalid or unenforceable shall not be affected thereby, and each term or provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13. In the event a dispute occurs regarding the operation or interpretation of this Agreement, or the need for amendment, and the parties come to an impasse regarding the dispute, the governing body of either MCCFL or Wasco may refer the dispute to a resolution committee. The committee shall immediately proceed with mediation with the goal of reaching a binding agreement. In the event that litigation is necessary, venue for any suit or action shall be the Wasco County Circuit Court.

14. This Agreement shall terminate upon the end of the Five Year Period simultaneously with Wasco's reconveyance of the trust deed provided for herein.

15. The recitals and definitions are incorporated by reference as substantive provisions of this Agreement.

Approved by the Wasco County Board of Commissioners on the ____ day of _____, 2015

By: _____
Scott Hege, Commissioner

By: _____
Steve Kramer, Commissioner

By: _____
Rod Runyon, Commissioner

Approved by the Mid-Columbia Center for Living Board of Directors on the ____
day of _____, 2015

By: _____
_____, Director

By: _____
_____, Director

By: _____
_____, Director

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

IN THE MATTER OF AN ORDINANCE)	
RATIFYING AN INTERGOVERNMENTAL)	
AGREEMENT CREATING THE MID-COLUMBIA	)	ORDINANCE
CENTER FOR LIVING (MCCFL) AND REVISED	)	#15-002
INTERGOVERNMENTAL AGREEMENT FOR)	
THE CONTINUED OPERATION OF MCCFL)	

WHEREAS, ORS 190.010 authorizes governmental entities such as counties to enter into written agreements for the performance of any or all functions and activities that any single county, or its officers or agencies, has the authority to perform on its own; and

WHEREAS, Mid-Columbia Center for Living (MCCFL), governed by the Tri-County Mental Health Board (Board), was created via intergovernmental agreement dated March 1, 1983 by and between Wasco, Hood River and Sherman Counties for joint operation of a community mental health program pursuant to ORS 190.010 and ORS 430.620; and

WHEREAS, via intergovernmental agreement dated January 12, 1994, Gilliam County joined MCCFL; and

WHEREAS, Gilliam County has terminated its obligations under the 1994 agreement; and

WHEREAS, Wasco, Hood River and Sherman counties desire to ratify a new intergovernmental agreement providing for the continued operation of MCCFL, and setting forth the terms of MCCFL's governance, authority and responsibility.

NOW, THEREFORE, THE WASCO COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

SECTION 1: Pursuant to ORS 190.085, the Wasco County Board of Commissioners hereby ratifies the creation of MCCFL and the continued operation of MCCFL, via the Intergovernmental Agreement by and between Wasco, Hood River and Sherman counties attached hereto and incorporated herein as it fully set forth.

SECTION 2: The effective date of the Intergovernmental Agreement shall be the last date upon which the respective Board of Commissioners of Wasco, Hood River and Sherman counties approve the agreement.

SECTION 3: The purpose of the Intergovernmental Agreement is to:

- A. Ratify the continued existence of MCCFL;
- B. Jointly provide for the continued operation of the community health program;
- C. Jointly provide for the terms of MCCFL's governance, authority and responsibility.

SECTION 4: Pursuant to ORS 190.080(1), MCCFL is vested with all powers, rights and duties of an intergovernmental entity.

SECTION 5: Pursuant to ORS 190.030, the Board is vested with all powers, rights and duties to operate a community mental health program to serve the residents of Wasco,

Hood River and Sherman counties in conformity with ORS 430.610-695 and the applicable regulations of the Oregon Health Authority.

SECTION 6: The Board is further vested with the authority to hire and fire and executive director of MCCFL, which director shall have authority over all employees and general management of MCCFL.

SECTION 7: Pursuant to ORS 190.080(3) and (4), the debts, liabilities and obligations of MCCFL are solely the obligations of MCCFL and not the obligation of Wasco, Hood River or Sherman counties, unless one of the signatory counties specifically agrees in writing otherwise.

SECTION 8: The Intergovernmental Agreement shall continue in existence unless dissolved by majority vote of the governing bodies of each of the counties or unanimous vote of the full Board.

Regularly passed and adopted by the Board of Commissioners of the County of Wasco, State of Oregon, by a ____ to ____ vote on this 2nd day of September, 2015.

ATTEST:

WASCO COUNTY
BOARD OF COMMISSIONERS

Kathy White
Executive Assistant

Scott C. Hege, Commission Chair

APPROVED AS TO FORM:

Rod L. Runyon, County Commissioner

Kristen Campbell
Wasco County Counsel

Steven D. Kramer, County Commissioner

INTERGOVERNMENTAL AGREEMENT

This Agreement is entered into by and between Wasco, Hood River and Sherman counties (the Counties) pursuant to ORS 430.260(c), (d) and (e) and ORS 190.010(5) to ratify the continued existence of the intergovernmental entity known as Mid-Columbia Center for Living (MCCFL), governed by an independent board known as the Tri-County Mental Health Board (the Board) and to provide for the terms of MCCFL's governance, authority and responsibility.

RECITALS

Whereas, MCCFL was created via intergovernmental agreement dated March 1, 1983 by and between Wasco, Hood River and Sherman counties for joint operation of a of a community mental health program. Via intergovernmental agreement dated January 12, 1994, the members of the MCCFL Quadri-County Mental Health Board signed a virtually identical agreement except of the addition of Gilliam County.

Whereas, Gilliam County has terminated its obligations under the 1994 agreement. Wasco County, Hood River County and Sherman County now desire to enter into an intergovernmental agreement consistent with their conduct to jointly provide for the continued operation of the community mental health program known as MCCFL.

Section 1.

PROGRAM AUTHORITY and RESPONSIBILITY

- 1.1 Pursuant to ORS 190.030, the Board is vested with all powers, rights and duties to operate a community mental health program to serve the residents of Wasco, Hood River and Sherman counties in conformity with ORS 430.610 – 695 and the applicable regulations of the Oregon Health Authority.
- 1.2 The Board is authorized to accept, use and expend property or monies from any public or private source for purposes of operating a community mental health program in conformance with Oregon budget law. ORS 430.620(1)(e).
- 1.3 All officers and agencies of each signatory county, upon request, shall cooperate insofar as possible with the Board in conducting the community mental health programs and carrying on and coordinating activities incidental thereto, subject to availability of funds. ORS 430.620(2).
- 1.4 The Board is vested with the authority to hire and fire an executive director of MCCFL, which executive director shall have authority over all employees of MCCFL

as well as the general management of MCCFL, consistent with policies and directives of the Board.

- 1.5 MCCFL is vested with all powers and duties of an intergovernmental entity created by intergovernmental agreement pursuant to ORS 190.080(1).
- 1.6 The debts, liabilities and obligations of MCCFL are solely the obligations of MCCFL and not the obligation of Wasco County, Hood River County, or Sherman County, unless one of the signatory counties specifically agrees in writing otherwise, in which case that county may assume responsibility for specific debts, liabilities or obligations of MCCFL. ORS 190.080(3) and (4).
- 1.7 MCCFL is authorized to purchase real property through installment purchase or lease with option to purchase provided that the period of time allowed for payment does not exceed twenty years. MCCFL is also authorized to mortgage or encumber its real property upon terms and conditions approved by the Board.
- 1.8 Any monies collected by or credited to MCCFL shall not accrue to the benefit of private persons.
- 1.9 Upon dissolution of MCCFL, title to real property shall vest to the county where the real property is located, subject to any outstanding indebtedness secured against the real property. MCCFL's other assets shall vest in Wasco, Hood River and Sherman counties in the manner designated by the Board with liabilities allocated in the same proportion. ORS 190.080(5)(a) and (b).
- 1.10 MCCFL may be dissolved at any time by majority vote of the governing bodies of each of the counties or unanimous vote of the full Board.

Section 2.

MEMBERSHIP OF TRI-COUNTY MENTAL HEALTH BOARD

The Board shall consist of three members, each of whom shall be a county commissioner appointed by the governing body of one of the counties to this Agreement. Each Board member shall serve at the pleasure of the county governing body he/she represents. Non-voting members may be appointed by the Board, each of whom shall serve for the term designated by the Board and at the pleasure of the Board.

Section 3.

ORGANIZATION OF TRI-COUNTY MENTAL HEALTH BOARD

- 3.1 The Board shall meet at least once each quarter for short and long range planning, review and approval of program plans, operation and general review of MCCFL business and operations.
- 3.2 At its first meeting each calendar year, the Board shall appoint one of its members to serve as chairperson until the first regular meeting of the subsequent year.

- 3.3 Additional meetings may be called by the chairperson or upon request to the chairperson by any Board member.
- 3.4 The presence of two voting Board members at a meeting shall be necessary to constitute a quorum. Decisions of the Board shall be by at least two votes of Board members.
- 3.5 The chairperson shall sign documents and represent the interests of the Board as authorized and directed by the Board to ensure the efficient and continued operation of MCCFL.

Section 4.
DURATION OF AGREEMENT, TERMINATION AND NOTICE

- 4.1 A signatory county to this Agreement may terminate its rights and obligations hereunder via 120 days' advance written notice to the other parties to this Agreement and the Board, in which case this Agreement shall continue in effect as to the remaining signatory counties.
- 4.2 If a party has provided notice of termination of its rights and obligations under this Agreement consistent with Section 4.1, title to all assets and responsibility for debts and liabilities shall remain with MCCFL, unless a county has already assumed responsibility for specific debts, liabilities or obligations per Section 1.6 in which case such county shall continue to be responsible therefor following notice of termination.
- 4.3 **Notices.** Any notice under this Agreement must be in writing and given by certified or registered mail, return receipt requested, with postage prepaid. All notices must be addressed to the parties and Board at the following addresses or at such other addresses as the parties may from time to time designate via notice. Any notice will be deemed to have been given three business days after deposit at any post office in the United States of America.

Hood River County
601 State Street
Hood River, OR 97031

Wasco County
511 Washington Street
The Dalles, OR 97058

Sherman County
500 Court Street
Moro, OR 97039

The Board
Mid-Columbia Center for Living
419 E. 7th Street, Suite 207
The Dalles, OR 97058

Section 5.
COUNTERPART SIGNATURES

This Agreement may be executed in counterparts, which taken together shall constitute one instrument, notwithstanding the fact that all signatures are not contained on the same copy. Facsimile or electronic signatures of this Agreement shall be binding on the parties in lieu of the original signature.

This Agreement was approved by the **WASCO COUNTY BOARD OF COMMISSIONERS** on the 18th day of August, 2015 by ordinance number 15-002.

APPROVED AS TO FORM:

By: _____
Scott C. Hege, Wasco County Commission Chair

Kristen Campbell

Wasco County Counsel.

This Agreement was approved by the **HOOD RIVER COUNTY BOARD OF COMMISSIONERS** on the _____ day of _____, 2015 by ordinance number _____.

By: _____
_____, Hood River County Commissioner

This Agreement was approved by the **SHERMAN COUNTY BOARD OF COMMISSIONERS** on the _____ day of _____, 2015 by ordinance number _____.

By: _____
_____, Sherman County Commissioner

BOARD OF COMMISSIONERS PRESENTATION: September 2, 2015
PLAQJR-15-02-0001, Mike & Laila Davis; Randy Cox

Thank you and Good Morning. For the record my name is Dawn Baird and I am an Associate Planner for the Wasco County Planning Department. I am going to present the background information in this case.

1. **Request:** As the Chair indicated, today we will be discussing a request by Mike & Laila Davis to rezone two properties in Tygh Valley.
 - a. 4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial. Proposed uses are intended to support economic development activities in Tygh Valley.
 - b. 4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential. Property will continue to be used for residential use.

The Planning Commission held a public hearing on August 4, 2015, and on a vote of 5-0, are forwarding a recommendation of approval with conditions, to the Board of Commissioners for the Zone Change.

2. **Location:** (Show location map)
 - a. 4S 13E 3CC 3400: The subject property is located on the northeast corner of Leonard Avenue/Second Street, approximately 150' east of Wamic Market Road, in the community of Tygh Valley, Oregon. It is 0.92 acre in size.
 - b. 4S 13E 3CC 4300: The subject property is located north of Wamic Market Road, approximately 100' south of the intersection of Leonard Avenue, in the community of Tygh Valley, Oregon. It is approximately 0.50 acre in size.

3. **PC Recommendation:** The full PC Recommendation was provided to the BOC on August 26, 2015, one week prior to this hearing. It was made available to the public in the BOC and Planning Department one week prior to this hearing, and it is considered a part of the record.

4. **Let's discuss why the request is before the Board...**

Chapter 2, Development Approval Procedures, Section 2.060.B., Application/Completeness, subsection B.2. requires the Planning Commission to make a recommendation to the County Governing Body, the Board of Commissioners, on any Zone Change application. The PC issued their final recommendation on August 5, 2015, and forwarded the request to the BOC.

5. **Stage in the Process:**

Irl (Mike) & Carolyn (Laila) Davis purchased the former Tygh Valley Methodist Church (Deed 2014-001260, recorded April 24, 2014). The application was determined to be complete and was scheduled for a public hearing before the Planning Commission today, August 4, 2015. At that hearing, the PC voted 5-0 to recommend approval of the Zone Change, with two conditions of approval, and findings in the final PC staff report. The final hearing before the Board of Commissioners was scheduled and noticed for today, September 2, 2015.

All required public notice has been given for the BOC hearing – notice was published in The Dalles Chronicle on August 11, 2015, and mailed to affected property owners and agencies on the same

date. The Planning Commission Recommendation, with findings, conditions and conclusions, was issued on August 5, 2015, and has been provided to the Board of Commissioners. If the Board feels they have all the necessary information to make a **decision**, they will vote to do so today.

6. **Criteria:** The applicable standards used to evaluate each request include:

A. Wasco County Land Use & Development Ordinance (LUDO)

1) Chapter 2 – Development Approval Procedures

Section 2.060.B.2.	(Recommendation to the County Governing Body on a Zone Change and/or Ordinance Amendment - Chapter 9)
Section 2.080.A.	(Notice)
Section 2.090	(Contents of Notice)
Section 2.140	(Hearing Procedure)
Section 2.150	(Official Notice)
Section 2.190	(General Conduct of Hearings)

2) Chapter 9 – Zone Change and Ordinance Amendment

Section 9.010	(Application for Zone Change)
Section 9.020	(Criteria for Decision)
Section 9.030	(Transportation Planning Rule Compliance)
Section 9.040	(Conditions Relative to the Approval of a Zone Change)
Section 9.060	(Recommendation on Zone Change or Amendment to the Land Use and Development Ordinance)
Section 9.070	(Notice of Planning Commission Recommendation)
Section 9.080	(Action by County Governing Body)

3) Chapter 4 – Supplemental Provisions

Section 4.140	(Traffic Impact Analysis)
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B. Oregon Statewide Planning Goals

7. **Findings:**

Findings of fact for the request are listed in the final Planning Commission report. Based on these findings, the PC determined that the request for a zone change for each parcel, with recommended conditions, is each consistent with the Wasco County LUDO and Wasco County Comprehensive Plan. If any additional findings, corrections to recommended findings, or new or amended conditions are proposed by the Board, staff will add them to the final decision.

A goal analysis is provided in Attachment F, beginning on page 4/9 of the final Planning Commission report. The proposed zone change is consistent with the 14 applicable Statewide Planning Goals. The requested change would better recognize uses that have existed on each property for over 50 years. The request may provide a much needed economic boost to Tygh Valley, and will provide a venue for the local community to come together for events.

Staff would be glad to go into details on the findings in the report if the Board desires...?

8. **Board of Commissioner Options:** The Board has the following options:

- a. **Approve** the Zone Change (Map Amendment), to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, with the proposed findings and conditions recommended by the Planning Commission; or
- b. **Approve** the Zone Change (Map Amendment), to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, with the amended findings and/or conditions recommended by the Planning Commission; or
- c. **Deny the** Zone Change (Map Amendment) to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, with amended findings; or
- d. Continue this hearing to a date and time certain.

The Planning Commission recommends Option A, Approve the request with the proposed conditions and findings in the Final Planning Commission Staff Report.

Staff is not aware of any reason to continue this public hearing and believes the Board has sufficient information to make a recommendation on this request.

That concludes my presentation and I would be glad to answer any questions you may have.

WASCO COUNTY BOARD OF COMMISSIONERS

HEARING FORMAT & SCRIPT: September 2, 2015

Irl (Mike) & Carolyn (Laila) Davis
Randy Cox

1. The public hearing is now open for the purpose of considering **PLAQJR-15-02-0001**, a request to rezone two properties in Tygh Valley:
 - a. 4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial. Proposed uses are intended to support economic development activities in Tygh Valley
 - b. 4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential. Property will continue to be used for residential use.
2. **The procedure I would like to follow is:**
 - a. Establishment of Party Status
 - b. Reading of the Rules of Evidence
 - c. Disclosure of Ex Parte Contact
 - d. Planning Commission Report presented by Staff
 - e. Applicant's testimony
 - f. Those who wish to speak in favor of the proposal
 - g. Those who wish to speak in opposition of the proposal
 - h. Applicant's rebuttal
 - i. Close the hearing for questions, deliberation, and the decision

Time Limitations

If numerous people in the audience wish to testify, do a show of hands of those who would like to testify either for or against the proposal. If a lot of people want to testify, indicate they will be limited to **5 minutes (or other)** and their testimony will be timed. **Also indicate that their testimony needs to be limited to applicable criteria.**

3. Party Recognition

Anyone can speak for or against the proposal. However, only those who have party status will be able to appeal a decision reached by this Commission.

A party is defined in Section 1.090 as

- a. *The applicant and all owners or contract purchasers of record, as shown in the files of the Wasco County Assessor's Office, of the property which is the subject of the application.*

- b. All property owners of record, as provided in (a) above, within the notification area, as described in section 2.080 A.2., of the property which is the subject of the application.*
- c. A Citizen Advisory Group pursuant to the Citizen Involvement Program approved pursuant to O.R.S. 197.160.*
- d. Any affected unit of local government or public district or state or federal agency.*
- e. Any other person, or his representative, who is specifically, personally or adversely affected in the subject matter, as determined by the Approving Authority. (Revised 1/92)*

4. The Rules of Evidence are as follows:

- a. No person shall present irrelevant, immaterial, or unduly repetitious testimony or evidence.
- b. Evidence received shall be of a quality that reasonable persons rely upon in the conduct of their daily affairs.
- c. Testimony and evidence must be directed toward the criteria applicable to the subject hearing.
- d. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Board of Commissioners and parties an opportunity to respond to the issue precludes further appeal based on that issue.
- e. Any party of record may request that the record remain open for at least seven (7) days prior to the conclusion of the initial evidentiary hearing.

5. Disclosure of Interest of Ex Parte Contact:

- a. Does any Board member wish to disqualify themselves for any personal or financial interest in this matter?
- b. Does any Board member wish to report any significant ex parte or pre-hearing contacts?
- c. Does any member of the audience wish to challenge the right of any Board member to hear this matter?
- d. Is there any member of the audience who wishes to question the jurisdiction of this body to act on behalf of Wasco County in this matter?

6. Will the staff please present their report?

- a. Does the Board have any questions?

7. Does the Applicant or their Representative wish to present anything?

- a. Does the Board have any questions?

8. Are there any persons who wish to speak in favor of the proposal?

- a. Please sign in and state your name and address for the record.
- b. Please limit your comments to criteria that are applicable to the request.

c. Does the Board have any questions?

9. Are there any persons who wish to speak in opposition of the proposal?

- a. Please sign in and state your name and address for the record.
- b. Please limit your comments to criteria that are applicable to the request.
- c. Does the Board have any questions?

10. Does the Applicant or their Representative wish to rebut any of the testimony?

The scope and extent of the rebuttal shall be limited to issues raised during testimony and shall not be used to introduce new evidence.

11. If there is no further testimony, the Public Hearing is closed and the Planning Commission will enter into deliberation.

12. Deliberation

13. Motion

14. Second

15. Discussion

16. Vote

17. Conclusion of the Hearing

State clearly to the audience and particularly to the applicant:

- a. The Decision by the Board of Commissioners.
- b. The Notice of the Board of Commissioners Decision will be forwarded to affected agencies, adjacent property owners, and those awarded party status. Appeal deadlines and procedures will be detailed in the Notice of Decision.

INFORMATION AND QUALIFICATION FORM

Wasco County Forest Collaborative Group Steering Committee VOLUNTEER POSITIONS

BACKGROUND

The Wasco County Forest Collaborative Group represents a broad constituency of stakeholders interested in healthy forest ecosystems, economic vitality and quality of life in the wildland urban interface with Wasco County. We provide the US Forest Service (USFS) with proposals for management of National Forest (NF) lands, and we support the utilization of forest resources and related opportunities to strengthen local communities.

The interest groups represented on the Steering Committee and the numbers of seats that will be available to each group are listed below. Please indicate to which group(s) you belong:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Forest Products Industry | 1 | <input type="checkbox"/> State Agencies | 1 |
| <input type="checkbox"/> Environmental | 1 | <input type="checkbox"/> Recreation & Tourism | 1 |
| <input type="checkbox"/> Community Wildfire Protection | 1 | <input type="checkbox"/> Private Landowners | 1 |
| <input type="checkbox"/> Watershed & Water Resources | 1 | <input type="checkbox"/> Tribal | 1 |
| <input checked="" type="checkbox"/> Local Government | 1 | <input checked="" type="checkbox"/> At Large | 2 |

APPLICATION

Provide personal qualifications for the specific volunteer position.
Supplementary information may be attached. Do not provide confidential information.

Name: Ryan Bessette

Address: [REDACTED]

Phone (home) [REDACTED] Phone (work) [REDACTED]

E-mail address: ryan.bessette@or.nacdn.net

Signature: Ryan Bessette

Date: 9/1/15

Number of years as a Wasco County resident: 46

Your objectives/goals? Desired contributions and accomplishments? Enhance and improve the health of our National Forests in Wasco County.

Approximate hours/month available for this commitment? 10-30 hours/month

Comments: _____

Education (school, college, training, apprenticeships, degrees, etc.)

The Dalles High School Date(s): [REDACTED]

Oregon State University Date(s): [REDACTED]

_____ Date(s): _____

_____ Date(s): _____

Experience (work, volunteering, leadership roles, achievements etc.)

U.S Forest Service - Range Technician Date(s): 1991 - 1996

Wasco Co. SWCD - Technician / NRCS Planner Date(s): 1996 - current

_____ Date(s): _____

_____ Date(s): _____

Vocational/professional licenses, awards, recognition, etc.

NRCS Planner Date(s): 1998 → current

2011 SWCD Employee of the Year - OACD Date(s): 2011

_____ Date(s): _____

_____ Date(s): _____

General Comments

Send completed form to:

Wasco County Board of Commissioners
511 Washington Street
The Dalles OR 97058
(541) 506-2520
fax (541) 506-2551