

**WASCO COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION / AGENDA WEDNESDAY, SEPTEMBER 21, 2016**  
**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 from three 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. If you require an interpreter, please contact the Commission Office at least 7 days in advance. **Las reuniones son ADA accesibles.** Por tipo de alojamiento especiales, por favor póngase en contacto con la Oficina de la Comisión de antemano, (541) 506-2520. TDD 1-800-735-2900.

Si necesita un intérprete por favor, póngase en contacto con la Oficina de la Comisión por lo menos siete días de antelación.

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
- [Discussion Items](#) (Items of general Commission discussion, not otherwise listed on the Agenda: [Museum Appointment](#); [STF Appointments](#); [Discharging Firearms – A Discussion](#); [Happiness Month](#); [Spanish Class Contract](#))
- [Consent Agenda](#) (Items of a routine nature: minutes, documents, items previously discussed.): [Minutes- 9.7.2016 Regular Session](#)

9:30 a.m.      [Public Hearing Transferring Roads Jurisdiction](#) – Arthur Smith

9:45 a.m.      [Economic Development Commission Quarterly Report](#) – Carrie Pipinich

10:00 a.m.      [ORMAP Grant Project](#) – Tycho Granville/Dan Boldt

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



WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
SEPTEMBER 21, 2016

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

At 9:00 a.m. Chair Runyon opened the Regular Session of the Board of Commissioners with the Pledge of Allegiance.

**Discussion List – Museum Appointment**

Trish Neal, outgoing Museum Commission Chair, said that she is leaving at a good time; the Museum will be in good hands. She stated that the last 18 months with a new Museum Director has seen amazing changes and improvements; volunteer efforts are key to the success. She said that she has appreciated the County and City support; she has done what she wanted to do and it is time for someone else to take over.

Commissioner Kramer observed that Ms. Neal had come in during a time of upheaval and had shown great leadership. He thanked her for turning things around.

Commissioner Hege stated that volunteers are at the core of what happens in the County – Ms. Neal is a good example of that.

Chair Runyon presented Ms. Neal with a plaque commemorating her service to the Community through her work at the Fort Dalles Museum and Anderson Homestead.



Chair Runyon noted that the applicant to complete Ms. Neal's term on the Museum Commission is Elizabeth Wallis who has volunteered at the Museum.

**{{{Commissioner Hege moved to approve Order 16-061 appointing Elizabeth Wallis to the Wasco County/The Dalles Museum Commission. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**Discussion List – Special Transportation Funds Advisory Committee**

MCCOG Transportation Director Rich Eberle stated that there are two applicants for two open positions on the Committee. He said that both applicants have lived in the community for many years and will add diversity to the Committee.

**{{{Commissioner Hege moved to approve Order 16-059 appointing Kris Boler to the Special Transportation Fund Advisory Committee. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**{{{Commissioner Kramer moved to approve Order 16-060 appointing Maria Pena to the Special Transportation Fund Advisory Committee. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**Discussion List – Discharging Firearms**

Anna Nolan provided a handout (attached) to the Board offering a recommendation for a response to ongoing threats from the discharge of firearms. She stated that for a number of years she has dealt with the lack of public safety during goose hunting season. She reviewed the handout, highlighting some posted signs that state "No Discharge of Firearms," noting that the County accepted and approved the plaques. She said that she would like an ordinance in place for enforcement.

Some discussion ensued regarding the logistics of firearm discharges in the area. Ms. Nolan described it as a "hail of pellets," and went on to say that she had observed people jumping out of boats, dropping to the ground and children running in response to the discharge activity. She listed a number of government officials she has contacted asking for relief, including Oregon Fish and Wildlife, Oregon State Patrol and the Wasco County Sheriff's Department.

Commissioner Hege asked what the Sheriff's response has been. Ms. Nolan replied that he had suggested she confront the perpetrators. Commissioner Hege asked if the Sheriff had indicated that the activity is illegal. Ms. Nolan responded that she would think it would be illegal. She added that Sheriff Magill had pointed out that goose



WASCO COUNTY BOARD OF COMMISSIONERS  
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hunting has gone on in the area for many years. She observed that there used to be a sign on the frontage road that said "Hunting Safety Zone – No Discharge of Firearms;" the shooting escalated when the sign was removed. She stated that the ODFW's hunting zones are accessible on line – Pine Hollow Reservoir is surrounded by privately-owned land.

Georgia Murray provided the Board with a handout (attached) and commented that Ms. Nolan's property is on the flight path for migrating geese; when geese are being shot, it is often over their house. She suggested that Wasco County might be able to use the resource protection ordinance to resolve this issue. She added that Deschutes County has passed an ordinance, noting that she has provided contact information in the documents provided to the Board. She suggested that they may be a way to bypass the state requirement for a signed petition by accessing the covenants of the property owners. She concluded by saying that the 10-foot easement around the lake is being used by tourists to hunt.

Chair Runyon stated that there is work to be done; there will be a process to move this forward.

Commissioner Kramer asked Ms. Nolan to whom she was referring when she used the term "us" in her documents. Ms. Nolan replied that she was referring to Jack Archer and herself. Commissioner Kramer asked who it was that told her it was "not their job" when she called. Ms. Nolan was unable to identify anyone by name, saying that she has talked to many people.

ODFW Wildlife Biologist Jeremy Thompson stated that ODFW along with OSP and the Sheriff have been working on this for years – there have been meetings in an effort to create an enforcement plan. He said that they have tried to be proactive and have provided Ms. Nolan with their cell phone numbers – he said that he has only received one call from her and it was two years ago; when he received the call, he responded immediately. Mr. Thompson went on to say that they have made this issue a priority during goose season and had a trooper on site every day to curtail any negative shooting behaviors.

Commissioner Kramer suggested placing the issue on a future agenda to give the Board some time for exploration.

Kathleen Cantrell thanked the Board for taking the time to hear this proposal for a solution.



OSP Officer Kipper echoed Mr. Thompson's statement adding that he has dedicated people to this issue – while there have been contacts resulting in citations, none were related to this issue. He stated that he has talked to some hunters pointing out their responsibility to be cognizant of residences – all seemed to be aware and were being cautious. He said that based on the last two years, OSP does not see any safety concerns. He pointed out that the September goose hunt is five days long.

Chair Runyon stated that this issue would go to County Counsel along with other County staff and then come back before the Board.

#### **Discussion List – Happiness Month**

County Clerk Lisa Gambee explained that she along with Kathy White and Arthur Smith had looked at the October Happiness Month materials and thought it would fit well into the County Culture and efforts to create a wellness program for staff. She said that she would like to see the County be a partner in this initiative and is seeking Board support. She said she would like to use the County logo to promote participation.

Emily Reed with Open Intelligence Agency announced that One Community Health is putting together a Happiness Month based on the science of happiness. She stated that 50% of individual happiness is genetic, 10% is environmental and 40% is in our control. Studies show that the three habits that boost happiness are:

1. Gratitudes – Finding time each day to list three things for which you are thankful.
2. Acts of Kindness – This can be as easy as smiling at a cashier, saying thank you to a co-worker or complimenting a stranger.
3. Moments of Silence – Just sitting silently for five minutes per day.

**\*\*\*The Board was in consensus to support the Gorge Happiness Month initiative and allow the County logo to be used for that purpose.\*\*\***

#### **Discussion List – Spanish Classes**

Human Resources Manager Nichole Biechler announced that everything is in place to begin a second round of beginner Spanish classes; two classes are scheduled with a total of 12 students.

Commissioner Hege asked how many were in the last class. Ms. White replied that there had been some attrition at that class but she thinks that it ended up with 8 students who all reported that it was a valuable class. Commissioner Hege stated that he would like



some feedback from this round of classes.

{{{Commissioner Kramer moved to approve the Columbia Gorge Community College Customized & Workforce Training, Business, Industry and Governmental Educational Services Contract. Commissioner Hege seconded the motion which passed unanimously.}}}

<b>Agenda Item – Public Hearing for the Transfer of Roads</b>
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Chair Runyon opened a public hearing to consider the transfer of jurisdiction over roads and/or portions of roads to the City of The Dalles. He explained that those wishing to speak should sign up and would be heard in order; all persons would be given the opportunity to speak whether or not they signed up. He went on to explain the process – first would be a staff presentation followed by public testimony, questions from the Board and deliberation.

Public Works Director Arthur Smith reported that for many years the County has struggled in managing the County-owned roads located within the urban growth boundaries of the City of The Dalles; these roads have different parameters for maintenance than rural county roads which calls for different equipment and a different skill set. That challenge was further complicated by a reduction of funding and downsizing of the roads workforce. He stated that through cooperative negotiations between the City of The Dalles and County officials, an agreement was reached to transfer jurisdiction of those roads to the City of The Dalles once all were brought up to a minimum standard.

Mr. Smith went on to say that over the last two summers the City and County crews have worked cooperatively to perform preservation work on those streets. Work on all roads being transferred, with the exception of two, has been completed; the work on those two roads has been deferred until planned infrastructure work has been done. He stated that once the underground work is done on those two streets, his crew will work with the City crew to bring those roads up to the minimum standard established in the agreement between the City and County.

City of The Dalles Public Works Director Dave Anderson said that he is glad that a solution has been found for an issue that has been hanging out there for both City and County residents for many years. He said that he appreciates the County assistance with labor and equipment; it has been an equitable solution and increases total road miles for the City by 22%.



Chair Runyon stated that although bringing the roads up to a minimum standard has been an investment, it will be a savings to the County of approximately \$60,000 per year in maintenance costs. He said that this has been a shared opportunity and he is glad to see it come to a conclusion.

Mr. Smith commented that enough cannot be said about how well the two government entities have worked together to make this happen; it has been a good partnership that has uncovered ways in which the City and County will be able to work cooperatively in the future for the good of all citizens.

COMMENTS/QUESTIONS

Rodger Nichols commented that he is delighted to see the intergovernmental cooperation; this is a great positive story.

Chair Runyon closed the public hearing and opened deliberations.

**{{{Commissioner Kramer moved to approve Order 16-062 tendering a formal offer under ORS 373.270 and ORS 373.260 to transfer to the City of The Dalles jurisdiction over portions of roads located in or near the City of The Dalles, to the City of The Dalles at the request of the City. Commissioner Hege seconded the motion which passed unanimously.}}}**

Commissioner Hege observed that this is a monumental day – an example of how we can and will work together for the greater good!

**Agenda Item – EDC Quarterly Report**

Wasco County Economic Development Coordinator Carrie Pipinich reviewed the report included in the Board Packet. EDC Chair Kathy Ursprung stated that the idea of visioning is to help communities prioritize their projects and get them moving for funding – it helps them organize and create focus.

Commissioner Hege said he would like to hear more about the business guides and online presence. Ms. Pipinich replied that they have added photos to their website as well as the Port of The Dalles home page. She said they will be putting together printed copies of the guides and distributing them to staff that are most likely to have contact with prospective businesses.

Ms. Ursprung reported that there is an issue in Maupin with a fishery on the Deschutes



that has experienced some negative impacts from a fishery that has been established by PGE up river from Maupin; a volunteer group is working toward a resolution of the issue. Commissioner Hege stated that the Oregon Department of Fish and Wildlife has more information and is heavily monitoring it. He suggested that there are two sides to the issue and everyone needs to hear both.

Ms. Ursprung continued by saying that Imperial Ranch has been working with national and international retailers and bringing more revenue into the southern part of the County and inspiring cottage industry. She said that they are restoring the sheep industry which is about 7% of what it was in the 1990's.

Ms. Ursprung said that unemployment is down from 5.5% to 5.1% and they are hearing that more people are getting back into the job market; it is encouraging.

Ms. Pipinich stated that they continue to update the Community Enhancement process and are planning to incorporate some of that upfront this year. She said she is excited about the direction. She stated that the last time they updated their strategic plan was 4 years ago and they are looking at updating that plan this year which will play into the Community Enhancement process. They hope to complete the update by June of 2017.

Ms. Ursprung said that she would like to thank the Board for encouraging this more proactive role for the EDC – it is productive and fun. Chair Runyon replied that the EDC is an arm of the Board of County Commissioners and does great work.

Ms. Pipinich concluded by saying that the MCEDD will be doing regional strategy planning and would like the Board's participation as it will set their strategic direction for the next five years. Chair Runyon asked that she send a schedule of those meetings to the Board.

#### **Agenda Item – ORMAP Grant Application**

GIS Coordinator Tycho Granville stated that he is seeking the Commissioner's permission to apply for an ORMAP grant. This is the 2<sup>nd</sup> grant that we have applied for within this program. He reminded the Board that six months ago the Board approved the first grant request for this program; the funds were received and are being applied to the work. Through this project we can apply for a new grant every 6 months, which we hope to do. Based on the capacity and workload of both our surveyors and Lane County, who is our remapping vendor, we expect this project take at least 6 years.

Mr. Granville reminded the Board that this project is to remap all of the tax lots in the



county. This remapping will bring the tax lot maps into better alignment with their actual location in the real world. He pointed out that maps in the Packet illustrate that lots in The Dallas area, when overlaid with aerial imagery, look fairly close to their correct locations; however, in the Tygh Valley area you can see that trying to use the tax maps for anything is impossible. The overall goal of the ORMAP project is to bring tax lot maps in the entire county to within 1 foot of their actual location on the ground.

Mr. Granville went on to say that the majority of this work is being done by our County surveyors and Lane County who already contracts with us for tax lot and assessor database maintenance. With this first grant cycle we hired temporary staff over the summer but do not expect to hire any temporary employees this winter.

Mr. Granville handed out a map (attached) and explained that it shows the area where we are currently working, indicated by green hash marks - this area is approximately from Rowena down to the freeway exit by Dairy Queen. He noted that since costs were lower than expected, we will be able to survey the area around Tygh Valley with the current grant money.

Mr. Granville concluded by saying that the grant he is seeking approval for is the 2<sup>nd</sup> cycle and is for the area outlined in red hash marks on the map; this includes the remainder of the west end of The Dalles down to about where Mill Creek Road and Orchard Road split.

Commissioner Hege noted that the biggest problem area is not The Dalles and asked if the work is being done in a deliberate progression. Mr. Granville replied that the initial area of work provided a good test run for the program and allowed them to understand the work and the timeline for both rural and urban mapping. He said they will come back to finish The Dalles. He added that the weather is also a determining factor for the work. He noted that the areas that take them the least amount of time for data gathering take Lane County the most amount of time for mapping, the reverse is true of the areas that take us the most time to gather data.

County Surveyor Dan Boldt said that although the grant requires a match from the County - that is all through staff time and equipment; we have no problem in meeting the match requirement. He displayed the work map they have been using, explaining that as the temps completed data gathering for an area, they would return to the office and color in that area on the map. He said that as they move into the more urban areas, the tax lots become smaller but each still needs four points of data so the progress of coloring slows. He said that the map has been a good graphic for tracking progress. The



initial area for work was selected because it is a good mix of rural and urban parcels.

Commissioner Hege thanked them, stating that this work is very important for the community – he uses the information weekly if not daily; it is one of the most robust information systems we have. Mr. Boldt agreed, saying that this project is for the Assessor but for all of us that use the mapping this will be of great benefit – it will finally match reality.

**{{{Commissioner Hege moved to approve the ORMAP Grant Application. Commissioner Kramer seconded the motion which passed unanimously.}}}**

#### **Consent Agenda – 9.7.2016 Minutes**

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

#### **Commission Call**

Commissioner Kramer pointed out the picture on the front page of the 9.20.2016 edition of The Dalles Chronicle (attached) that it is a photograph of County-owned property. He said that he would like to have consensus to move forward to harvest timber on that property for forest health and public safety. He reported that five neighboring landowners are starting a logging project; the County has an opportunity to piggy-back on that work to get it harvested as loggers will likely not be interested in logging the County's 9-acre parcel independently.

**\*\*\*The Board was in consensus to move forward on a project to selectively harvest timber on County-owned property for forest health and public safety.\*\*\***

Chair Runyon adjourned the session at 10:27 a.m.

#### **Summary of Actions**

##### **Motions Passed**

- To approve Order 16-061 appointing Elizabeth Wallis to the Wasco County/The Dalles Museum Commission.
- To approve Order 16-059 appointing Kris Boler to the Special Transportation Fund Advisory Committee.
- To approve Order 16-060 appointing Maria Pena to the Special



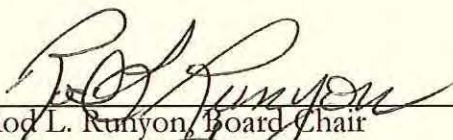
**Transportation Fund Advisory Committee.**

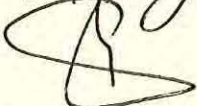
- To approve the Columbia Gorge Community College Customized & Workforce Training, Business, Industry and Governmental Educational Services Contract.
- To approve Order 16-062 tendering a formal offer under ORS 373.270 and ORS 373.260 to transfer to the City of The Dalles jurisdiction over portions of roads located in or near the City of The Dalles, to the City of The Dalles at the request of the City.
- To approve the ORMAP Grant Application.
- To approve the Consent Agenda – 9.7.2016 Regular Session Minute.


**Consensus**

- To support the Gorge Happiness Month initiative and allow the County logo to be used for that purpose.
- To move forward on a project to selectively harvest timber on County-owned property for forest health and public safety

Wasco County  
Board of Commissioners

  
Rod L. Runyon, Board Chair

  
Scott C. Hege, County Commissioner

  
Steven D. Kramer, County Commissioner

**WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
SEPTEMBER 21, 2016**

**DISCUSSION LIST**

**ACTION AND DISCUSSION ITEMS:**

1.     [Museum Appointment](#) – Trish Neal
2.     [STF Appointments](#) – Rich Eberle
3.     [Discharging Firearms](#) – Anna Nolan
4.     [Happiness Month](#) – Lisa Gambec/Emily Reed
5.     [Spanish Classes Contract](#) – Nichole Biechler



**Discussion Item**  
**Fort Dalles Museum Commission Appointments**

- [Letter of Resignation - Trish Neal](#)
- [Elizabeth Wallis Application](#)
- [Order 16-61 Appointing Elizabeth Wallis to the  
Fort Dalles Museum Commission](#)

# PATRICIA A. NEAL

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1002 Union Street □ The Dalles, Oregon 97058 541-404-0724 TrishaNeal@hotmail.com

September 13, 2016

Wasco County/City of The Dalles Museum Commission  
500 W. 15<sup>th</sup> Street  
The Dalles, Oregon 97058

To Whom It May Concern:

I am submitting my resignation from the Wasco County/City of The Dalles Museum Commission to be effective on September 14, 2016. This will allow for a new member of the commission to be appointed by Wasco County to fill the vacancy immediately.

I will, of course, be available to assist with the transition of my replacement as well as be available for questions, etc.

Thank you for the honor of serving on the Museum Commission the past few years. I have enjoyed working with everyone and feel that I am stepping off the commission at a good place.

Best wishes for the coming future.

Sincerely,



Patricia A. Neal



**INFORMATION AND QUALIFICATION FORM****WASCO COUNTY MUSEUM COMMISSION**

VOLUNTEER POSITIONS  
REPRESENTATIVE FROM  
WASCO COUNTY, OREGON

**BACKGROUND**

The Ft. Dalles Museum, a department of Wasco County, is a vital economic and cultural asset in our community and is the oldest historical museum in the State of Oregon. Run by Wasco County and the City of The Dalles, the joint Commission is made up of seven members; four members are appointed by Wasco County and three are appointed by the City of The Dalles for three-year terms. The Commission meets once each month; members are encouraged to volunteer for ongoing projects.

**APPLICATION**

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

Name: ELIZABETH WALLIS

Address: [REDACTED] THE DALLES OR 97058

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

E-mail address: [REDACTED]

Signature: Elizabeth Wallis DR

Date: Aug 19, 2016 Number of years as a Wasco County resident: 6

Your objectives/goals? Desired contributions and accomplishments? \_\_\_\_\_

CONTINUE FORT DALLES MUSEUM AND ANDERSON HOMESTEAD'S  
PLACE IN OUR COMMUNITY AS A VITAL HISTORICAL PRESENCE  
AND HELP SHAPE ITS FUTURE.

Approximate hours/week available for this commitment? 4 plus

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

NEW HAMPSHIRE COLLEGE Date(s): 1994  
\_\_\_\_\_  
Date(s): \_\_\_\_\_  
\_\_\_\_\_  
Date(s): \_\_\_\_\_  
\_\_\_\_\_  
Date(s): \_\_\_\_\_

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

PLEASE SEE RESUME Date(s): \_\_\_\_\_  
\_\_\_\_\_  
Date(s): \_\_\_\_\_  
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Date(s): \_\_\_\_\_  
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Date(s): \_\_\_\_\_

Vocational/professional licenses, awards, recognition, etc.)

PLEASE SEE RESUME Date(s): \_\_\_\_\_  
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General Comments: \_\_\_\_\_  
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Send completed form to:

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



Elizabeth Wallis

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## OBJECTIVE

The opportunity to join the Fort Dalles Museum Commission.

## PROFESSIONAL EXPERIENCE

### *Caterer*

*Four C's Catering (seasonal, November 2014-current)*

*The Dalles, Oregon*

Carol Malcolm, owner of Four C's, was catering a wedding at Fort Dalles Museum when I was coordinating. We immediately impressed each other, and she understood me to be a professional. I bring a long career of professional pride, attention to detail, and thoroughness to each opportunity.

### *Docent, Event Coordinator*

*Fort Dalles Museum (seasonal, June 2012-2014)*

*The Dalles, Oregon*

I was delighted to discover my familial ties to the Columbia River Gorge after moving to Oregon in 2006. My grandfather James Dinsmore was born in Bridal Veil, and my great-grandfather Rufus Wallis founded the town of Rufus. I worked at Fort Dalles Museum initially as a docent, invigorated by my connection to the region. Driven by a concern for the building and its history, I strove to become the event co-ordinator. I worked hard developing and implementing event rental policies, renter contracts, procedures for deposits, and insurance requirements collaboratively with the board and commissioners to protect the museum, its history, and the county. I was one of the first staff in decades to include the Fire Marshall and the City Police in knowledge of events at the Fort.

### *Event Assistant*

*Hood River County Chamber of Commerce (July-December, 2012)*

*Hood River, Oregon*

In my capacity as event assistant, our team worked on four public events: the Cross-Channel Swim, Hops Fest, Harvest Fest and Hood River Holidays. I managed many aspects of each, including registration, signage, event venue layout, swag and staff. I facilitated communication between public organizations including the OLCC, the RIAA, and the Port of Hood River. Programs utilized include Active.com, Publisher, Excel, Outlook, Constant Contact and Wordpress.

### *Self-employed*

*On Point Planning, Inc., (2007-2010)*

*Moro, Oregon*

I independently managed technology-sector events that brought together high-profile bloggers and members of the media face to face with representatives from HP, Microsoft, Ivy Worldwide, AMD, and others. Events included Bloghaus 2008 and CntrStg 2009.

*4 H Program Coordinator (2009-2010)*

*Sherman County, Oregon*

Successes included managing a diverse group of volunteers, youths, and other professionals for a wide range of events, fundraisers, and educational opportunities. Collaborated with statewide colleagues to form a social media advisory group, providing guidance to new users and 4-H nationally. Wrote and was awarded a \$5,000 grant to form a 4-H Robotics Club, bringing technology and engineering to rural youth.

*Logistics Analyst (2007-2009)*

*Crothall Services, Menlo Worldwide-Contracted by Google*

*The Dalles, Oregon*

Reviewed, verified, and triaged incoming shipments based on need and space constraints. Located parts, created and tracked shipments timed to meet fluctuating deployment dates for foreign countries. Spearheaded an overhaul of documentation that clarified part identification and life cycle status. Worked closely with other logistics staff to increase visibility of company-wide parts failures, purge those items and coordinate emergency replacements. Implemented reverse logistics (RMA) practices that informed purchasing forecasting. Identified, documented, and worked to resolve process gaps for internal and external customers. Teamed with management to reclaim highest-value assets and reduce technicians' logistical pain-points. After one year of service, was awarded a 25% salary adjustment and title change commensurate with demonstrated ability.

*Event Manager (2004-2007)*

*Boustead Event Services, Seattle, WA-Contracted by Microsoft*

*Redmond WA*

Led cross-functional teams of over 50 people both real-time and virtually including vendors and independent contractors for nationwide Tier I, II, and III events including TechEd 2004-2006, CES 2005-2007, Road Show 2004, Key Cities Road Show 2007, WinHec 2005, Blogger Lounge 2006-2007, TAP, ISV Road Show, CTO Summit, Envision, ERA, Vista Beta Labs.

*Marketing Coordinator*

*Columbia Gorge Winegrowers Association (summer 2007)*

*Assistant Project Manager*

*Mid-Columbia Economic Development District (summer 2007)*

*The Dalles, Oregon*

Worked with multiple local, civic, and business leaders to execute business-promoting events and managed marketing including graphics and press releases.

*Guest Coordinator (2000-2001)*

*Lake Ranch*

*Hulett, Wyoming*

Managed a working guest ranch in rural Wyoming that specialized in international guests.

**Other professional experience**

My background in the restaurant industry has instilled an enduring sense of ownership and pride in my work that is continuously rewarded. I was awarded Employee of the Month at Applebee's and Employee of the Year at the Washington Athletic Club.

*Supreme, Seattle, WA - Bartender and Assistant Manager (2003-2004)*

*Hiram's at the Locks, Seattle, WA - Bartender (2002-2003)*

*Applebee's, Spearfish, SD - Bar Lead (2000-2001)*



*Washington Athletic Club, Seattle, WA - Bartender and Assistant Manager (1994-1996)*

*Wedgwood Broiler, Seattle, WA - Waitress, Hostess (1989-1992)*

## EDUCATION

Hampshire College, Amherst, MA (1992-1993)

## *References*

Matt Buckley [REDACTED] Associate at Google

Sue Mabe [REDACTED] - Admin with 4H

Ken Patchett [REDACTED] - Associate at Google

Trish Neal [REDACTED] - President of Fort Dalles Museum Commission

IN THE COUNTY BOARD OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF )  
ELIZABETH WALLIS TO THE WASCO COUNTY/ ) ORDER  
THE DALLES MUSEUM COMMISSION. ) #16-061

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

IT APPEARING TO THE BOARD: That Trish Neal has resigned from  
the Wasco County/Fort Dalles Museum Commission effective September 14,  
2016; and

IT FURTHER APPEARING TO THE BOARD: That Trish Neal's  
appointment will not expire until December 31, 2016; and



IT FURTHER APPEARING TO THE BOARD: That Elizabeth Wallis is willing and is qualified to be appointed to the Wasco County/The Dalles Museum Commission to complete Trish Neal's term.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Elizabeth Wallis be and is hereby appointed to the Wasco County/The Dalles Museum Commission; said term to expire on December 31, 2016.

DATED this 21<sup>st</sup> day of September, 2016.

WASCO COUNTY  
BOARD OF COMMISSIONERS

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Rod L. Runyon, Commission Chair

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Scott C. Hege, County Commissioner

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Steven D. Kramer, County Commissioner

APPROVED AS TO FORM:

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Kristen Campbell  
Wasco County Counsel

**Discussion Item**  
**Special Transportation Fund Advisory**  
**Committee Appointments**

- [Kris Boler Application](#)
- [Order 16-59 Appointing Kris Boler to STF](#)
- [Maria Pena Application](#)
- [Order 16-60 Appointing Maria Pena to STF](#)

**INFORMATION AND QUALIFICATION FORM****WASCO COUNTY SPECIAL TRANSPORTATION FUND (STF) ADVISORY COMMITTEE  
VOLUNTEER POSITIONS  
REPRESENTATIVE FROM  
WASCO COUNTY, OREGON****BACKGROUND**

The STF Advisory Committee is an essential component of a successful STF Program. The purpose of the committee is to represent the people who are served by the STF Program. The advisory committee considers how STF funds should be spent and provides the governing body with information about their community's special transportation needs. The Committee is intended to provide advice to the County in the selection of projects to ensure that the projects will benefit seniors and persons with disabilities. The Wasco County Special Transportation Funds Advisory Committee reviews grant applications requests and updates on the required Human Service Transportation Coordination Plan: [http://www.gorgetranslink.com/documents/Wasco Transport Plan 2009 Final sigs.pdf](http://www.gorgetranslink.com/documents/Wasco_Transport_Plan_2009_Final_sigs.pdf).

**APPLICATION**

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

Name:

Kris Boler

Address:

[REDACTED]

Phone (home)

[REDACTED]

Phone (work)

[REDACTED]

E-mail address:

[REDACTED]

Signature:

[Signature]

Date:

9/7/2016Number of years as a Wasco County resident: 10<sup>+</sup>

Your objectives/goals? Desired contributions and accomplishments? To ensure that the senior & disabled populations are served. I have worked with this population on a systems level for 35 years and understand the transportation issues they face.

Approximate hours/week available for this commitment? 2

Comments:



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

USC DAVIS Fundamentals of Gerontology <sup>certificate</sup> Date(s): [redacted]  
MBA - Illinois State University Date(s): [redacted]  
Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_

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

Order Adult Behavioral Health Manager Date(s): current  
APD Innovator Agent Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_

Vocational/professional licenses, awards, recognition, etc.)

Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_

General Comments: Thank you for your consideration  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Send completed form to:

Mid-Columbia Council of Governments  
Transportation Network  
1113 Kelly Ave  
The Dalles OR 97058  
(541) 296-7595  
fax (541) 296-5674

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF	)	
KRIS BOLER TO THE WASCO	)	ORDER
SPECIAL TRANSPORTATION FUNDS	)	#16-059
ADVISORY 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 County Commissioners being present; and

IT APPEARING TO THE BOARD: That there is a vacancy on the Special Transportation Advisory Committee; and

IT FURTHER APPEARING TO THE BOARD: That Kris Boler is willing and is qualified to be appointed to the Wasco County Special Transportation Funds Advisory Committee.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Kris Boler be  
and is hereby appointed to the Wasco County Special Transportation Funds  
Advisory Committee; said term to expire on December 31, 2018.

DATED this 21<sup>st</sup> day of September, 2016.

WASCO COUNTY BOARD OF  
COUNTY COMMISSIONERS

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Rod L. Runyon, Commission Chair

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Scott C. Hege, County Commissioner

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Steven D. Kramer, County Commissioner

APPROVED AS TO FORM:

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Kristen Campbell  
Wasco County Counsel



## INFORMATION AND QUALIFICATION FORM

### WASCO COUNTY SPECIAL TRANSPORTATION FUND (STF) ADVISORY COMMITTEE VOLUNTEER POSITIONS REPRESENTATIVE FROM WASCO COUNTY, OREGON

#### BACKGROUND

The STF Advisory Committee is an essential component of a successful STF Program. The purpose of the committee is to represent the people who are served by the STF Program. The advisory committee considers how STF funds should be spent and provides the governing body with information about their community's special transportation needs. The Committee is intended to provide advice to the County in the selection of projects to ensure that the projects will benefit seniors and persons with disabilities. The Wasco County Special Transportation Funds Advisory Committee reviews grant applications requests and updates on the required Human Service Transportation Coordination Plan:

[http://www.gorgetranslink.com/documents/Wasco\\_Transport\\_Plan\\_2009\\_Final\\_sigs.pdf](http://www.gorgetranslink.com/documents/Wasco_Transport_Plan_2009_Final_sigs.pdf).

#### APPLICATION

Provide personal qualifications for the specific volunteer position.

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

Name: Maria A Peña  
Address: [REDACTED] the Dalles Oregon 97058  
Phone (home): [REDACTED] Phone (work): [REDACTED]  
E-mail address: [REDACTED]  
Signature: Maria A Peña  
Date: 9-7-16 Number of years as a Wasco County resident: 35

Your objectives/goals? Desired contributions and accomplishments? \_\_\_\_\_

I been working with this community for the last 23 years, as a Community health worker and I have a great relationship and reputation with my clients.

Approximate hours/week available for this commitment? ?

Comments: would love to joining this group so that I will be able to voice concerns, but also like to feel like I can be heard. I also would love to hear what you all have been doing and future plans.

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

High School (TO) Date(s): [REDACTED]  
lots of Community experience Date(s): 93-present  
Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_

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

Youthlink board member Date(s): 4 years - current  
MRC member Date(s): 6 months - current  
OCH board member Date(s): 2 years - past  
ORCHWA Date(s): current

Vocational/professional licenses, awards, recognition, etc.)

C. CHW Date(s): current  
Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_

General Comments: Love to see how can I be part of  
a solution.

Mpeña

Send completed form to:

Mid-Columbia Council of Governments  
Transportation Network  
1113 Kelly Ave  
The Dalles OR 97058  
(541) 296-7595  
fax (541) 296-5674

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

IN THE MATTER OF THE APPOINTMENT OF )  
MARIA PENA TO THE WASCO ) ORDER  
SPECIAL TRANSPORTATION FUNDS ) #16-060  
ADVISORY 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 County Commissioners being  
present; and

IT APPEARING TO THE BOARD: That there is a vacancy on the  
Special Transportation Advisory Committee; and

IT FURTHER APPEARING TO THE BOARD: That Maria Pena is  
willing and is qualified to be appointed to the Wasco County Special  
Transportation Funds Advisory Committee.



NOW, THEREFORE, IT IS HEREBY ORDERED: That Maria Pena be  
and is hereby appointed to the Wasco County Special Transportation Funds  
Advisory Committee; said term to expire on December 31, 2018.

DATED this 21<sup>st</sup> day of September, 2016.

WASCO COUNTY BOARD OF  
COUNTY COMMISSIONERS

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Rod L. Runyon, Commission Chair

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Scott C. Hege, County Commissioner

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Steven D. Kramer, County Commissioner

APPROVED AS TO FORM:

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Kristen Campbell  
Wasco County Counsel

**Discussion Item**  
**Discharging Firearms**

- [No documents have been submitted for this item](#)  
[– Return to Agenda](#)

**Discussion Item**  
**Happiness Month**

- [Happiness Flyer](#)
- [Happiness Calendar](#)





# GORGE HAPPINESS MONTH OCTOBER 2016

## ■ Happiness is good for your health.

- A review of hundreds of studies has found compelling evidence that happier people have better overall health and live longer than their less happy peers.

## ■ 40% of our happiness can be helped through habits.

- 50% of our happiness is genetic, 10% is environmental, but the rest is in our control.

## ■ So to celebrate their 30<sup>th</sup> Anniversary, One Community Health is hosting a month of activities based on the science of happiness, designed to make our community healthier.

## ■ Individuals simply take the Happiness Index Survey at the start of the month; do things in October that make them happy; then take the survey again at the end of the month.

### Five Ways for ORGANIZATIONS & BUSINESSES to participate:

#### Join a Kick-Off Event

During the first week of October we will host events in The Dalles, Hood River, Stevenson, and Goldendale to sign people up, hand out calendars, eat Ice cream and do the Meet a Future Friend project. To participate, simply offer something at the event that helps make people happy: *a hair salon can give short head massages, non-profits can give a list of easy ways to volunteer, a real estate company can give tips for making your home happier, etc*

#### Host an Event in October

Offer something that helps make people happy and we can add it to the calendar. For example: *a cooking class with fresh foods, a workshop by a life coach, a social event to meet new people, a free yoga or workout class, a workshop on decluttering, etc.*

#### Host a Happiness Group

Meet once a week with people who are participating. Groups are given a simple structure to follow. For example: people set goals, report how they are doing and then do one new exercise together. You will be sent a weekly guide.

#### Simply Help Spread the Word

The more people we sign up, the merrier – literally. *Send an email to your staff or customers. Sign up to our Facebook page and re-post happiness month posts. Create your own happiness posts for us to share. Add a sign or poster to your office/store, etc.*


#### Donate Something

Anything that makes people happy: *ice cream, gratitude journals, entrance fee to the pool or to a class, random surprise give-aways, a happiness song, etc.*



sample draft poster

To sign up or participate:  
[www.GorgeHappiness.org](http://www.GorgeHappiness.org)  
 Sign up by Sept 15 to add your logo to the poster. Questions? Contact Emily Reed at 503-360-3532  
[emily@openintelligenceagency.com](mailto:emily@openintelligenceagency.com)

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
 <h1>OCTOBER 2016</h1>				<p><i>Daily:</i> Gratitudes Acts of Kindness Moments of Silence</p>		
<p>2</p> <p>Wake up 30 minutes early</p> <p>Kick-off Event Stevenson</p>	<p>3</p> <p>Compliment a stranger</p>	<p>4</p> <p>Introduce two people who could help each other</p>	<p>5</p> <p>Eat a meal in silence</p>	<p>6</p> <p>Call the person you've known the longest</p>	<p>30</p> <p>Take the Happiness Index Survey</p> <p>Kick-off Event Hood River</p>	<p>1</p> <p>Kick-off Event The Dalles</p> <p>Kick-off Event Goldendale</p>
<p>9</p> <p>Take a walk</p>	<p>10</p> <p>Have a conversation where you purposely listen more than you talk</p>	<p>11</p> <p>Complete one small irritating task</p>	<p>12</p> <p>Tell someone about your favorite movie</p>	<p>13</p> <p>Hide money in the pocket of a coat</p>	<p>14</p> <p>Wear your favorite thing</p>	<p>8</p> <p>Visit the farmers' market + eat 1 veggie</p>
<p>16</p> <p>Say yes</p>	<p>17</p> <p>Stop and count the number of things you can hear right now</p>	<p>18</p> <p>Donate (extra clothes, food, money or time)</p>	<p>19</p> <p>Have lunch with or write to a friend</p>	<p>20</p> <p>Send a thank you to an old teacher, boss, or coach</p>	<p>21</p> <p>Let someone go in line in front of you</p>	<p>22</p> <p>Listen to different music (turn the channel or trade play lists with a friend)</p>
<p>23</p> <p>Stop and listen until the end of the song</p>	<p>24</p> <p>In your gratitudes, list 3 things you like about yourself</p>	<p>25</p> <p>Smile at someone you don't know</p>	<p>26</p> <p>Walk or drive a different route</p>	<p>27</p> <p>Try to get someone to really laugh</p>	<p>28</p> <p>Spend 15 minutes decluttering</p>	<p>29</p> <p>Invite someone to join you</p>
<p>30</p> <p>Tell someone about one of your gratitudes</p>	<p>31</p> <p>Re-take the Happiness Index Survey &amp; tell us what you learned</p>	<p><i>A month of activities based on the science of happiness, designed to make our community healthier.</i></p> <p>To sign up, take the Happiness Index Survey, join a weekly group for the month, or to find more information, visit:</p> <p><a href="http://www.GorgeHappiness.org">www.GorgeHappiness.org</a></p>				

## **Discussion Item**

### **Spanish Classes**

- [Staff Memo](#)
- [CGCC Contract for Spanish Classes](#)

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**MEMORANDUM**

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**TO:** BOARD OF COUNTY COMMISSIONERS  
**FROM:** KATHY WHITE  
**SUBJECT:** CGCC SPANISH CLASSES  
**DATE:** 9/19/2016

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**BACKGROUND INFORMATION**

In the spring of 2016, CGCC offered beginning classes in Spanish with a focus on the customer service needs of the County's various departments. This initial "trial run" was successful and well-received. Wasco County's Management Team would like to move forward with a second round of classes. The contract in your packet is virtually identical to the contract for the spring classes – dates have changed.





**Columbia Gorge Community College Customized & Workforce Training  
Business, Industry, and Governmental  
Educational Services Contract**

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This agreement is entered into by and between Columbia Gorge Community College, hereinafter referred to as The College and Wasco County hereinafter referred to as Contractor.

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Whereas, the Contractor desires to engage The College to render specific educational services, therefore the parties agree as follows:

1. The College will provide the following:
  - A. Spanish, Level I, to employees of Wasco County.

**Dates:** Once per week on Thursdays for 12 weeks beginning September 22, 2016.  
**Time:** 2:00-3:30 pm, and 4:00-5:30.  
**Location:** Wasco County Courthouse  
**Instructor:** Pilli Garcia  
**Instructional Materials:** Each participant receives 2 textbooks at a cost of \$32 per participant. Spanish Now! Level 1, 8<sup>th</sup> edition, Ruth Silverstein (\$25). Pobre Ana, Blaine Ray (\$7).  
**Cost:** \$165 per participant inclusive of instructional materials, with a minimum of 10 participants, and a maximum of 12. Instructor will participate at four one hour brown bag sessions for language practice. Dates to be determined.  
**Contingency:** If curriculum development is necessary, an additional \$35 per development hour will be billed. All parties must agree to the need for additional content, and the number of hours to develop the content.
2. The staff assigned to develop, coordinate and conduct the education service(s) as stated in 1-A of this contract, will have the appropriate documented experience and credentials that are acceptable to Contractor.
3. Neither party may deviate from the terms of the contract, relative to meeting times, dates, and/or location, without prior approval of assigned Contractor and College Project Coordinator.
4. The College will be compensated for all services rendered and expenses incurred to conduct the educational service(s) as described in #1.
5. The College will bill the Contractor for the educational service(s) rendered upon signatures of this agreement.
6. If the Contractor wishes to cancel for any reason, this contract authorizes the College to bill the Contractor for all instructional costs incurred prior to date of cancellation, to be determined at the time of cancellation by the College.

7. Students in this program are employees of Wasco County and will be accepted and assigned work without regard to their age, handicap, national origin, race, marital status, parental status, religion or sex.
8. Information on a student's academic progress, attendance and grades is confidential and protected under the Family Educational Rights and Privacy Act of 1974. This information cannot be released without written consent of the student.
9. The College agrees that The College, its agents and employees shall maintain the confidentiality of any client identifying information, written or otherwise, with which they may come in contact, in accordance with all applicable provisions of state and federal statutes, rules and regulations and shall comply with the same in the event of requests for information by any person or federal, state or local agency.
10. This contract will become effective September 22, 2016 and shall terminate June 30, 2017.

**College**

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Name

---

Date

---

Title**Contractor**

---

9.21.2016

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Name: Rod L. Runyon

---

Date

---

Chair, Wasco County Board of Commissioners  
Title

Contractor designates as contact person

---

Human Resources Manager Nichole Biechler  
541.506.2774 nicholeb@co.wasco.or.us

Prepared by Suzanne Burd, Workforce Training Coordinator  
Columbia Gorge Community College  
400 East Scenic Drive  
The Dalles OR 97058  
(541) 506-6123  
sburd@cgcc.edu

APPROVED AS TO FORM:

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Kristen Campbell  
County Counsel

**WASCO COUNTY BOARD OF COMMISSIONERS  
SPECIAL SESSION  
SEPTEMBER 21, 2016**

**CONSENT AGENDA**

1. [Minutes: 9.7.2016](#)



WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
SEPTEMBER 7, 2016

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

At 9:00 a.m. Chair Runyon opened the Regular Session of the Board of Commissioners with the Pledge of Allegiance.

**Discussion List – ODOT IGA**

Public Works Director Arthur Smith explained that this is a renewal of an existing agreement allowing the State to process and issue single use permits on behalf of Wasco County. He stated that it is a good system that works seamlessly and takes the burden of permitting off of the county.

Commissioner Hege asked how many are issued and if there is revenue attached to the program. Mr. Smith replied that thousands are issued throughout the state annually – several hundred within Wasco County. He stated that the revenue from the program is collected by the State and distributed to the counties based on the roads formula. The funding helps repair road damage caused by oversized vehicles.

**{{{Commissioner Hege moved to approve ODOT IGA 31516 for Single Trip Permit Authorization in Wasco County. Commissioner Kramer seconded the motion which passed unanimously.}}}**



**Discussion List – Order for Public Hearing**

Mr. Smith explained that this order is the culmination of the work between the County and the City of The Dalles to transfer a little more than 15 miles of County-owned roads located within The City of the Dalles and its Urban Growth Boundary to City jurisdiction. The City and County have worked cooperatively to bring the roads up to an agreed upon standard. He went on to say that two sections have not been completed in order to allow scheduled infrastructure work to be completed; those sections will be finished next spring.

**{{{Commissioner Hege moved to approve Order 16-058 initiating the process under ORS 373.270 and 373.260 to transfer to the City of The Dalles jurisdiction over portions of roads and scheduling a public hearing for September 21, 2016. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**Discussion List – Location Contract**

Facilities Manager Fred Davis stated that MSNBC is interested in using courtroom 301 to film an interview on the Rajneesh salmonella poisoning events that occurred in the 1980s. He explained that it will be a minimal amount of effort for the County; the filming will occur after 5:00 p.m. and they have agreed to pay for staff time to be on-site during the filming. He said that County Counsel and their attorney are working out the details.

County Counsel Kristen Campbell reported that 95% of the contract is fine; there have been some timing issues that have slowed progress but they have given every indication that the remaining two provisions of the contract can be worked out. She stated that she wants to better define the time period during which they can use the facility and tighten up the indemnification provision.

Ms. White added that they estimate 5 hours for filming. She said she has raised the issue of the County being reimbursed for legal costs as part of the agreement.

Commissioner Kramer said that they should pay for our legal costs associated with the contract negotiations. He asked what the chances are that they would need to return. Mr. Davis replied that the hope is that they complete it in one visit but they are not concerned about working after hours and could choose a subsequent evening to complete filming.

**{{{Commissioner Hege moved to approve the Location Use Contract with**

**Left/Right LLC contingent upon County Counsel resolving any outstanding issues to the County's satisfaction. Commissioner Kramer seconded the motion which passed unanimously.}}**

**Discussion List – Dept. of Administrative Services IGA**

County Assessor Jill Amery stated that this is the renewal of an annual contract with no changes in terms but some cost increases. She said that she estimates the additional costs will amount to a \$400 increase for Wasco County. She said that the State does a good job.

**{{{Commissioner Kramer moved to approve the Department of Administrative Services Agreement #264-16 for document publishing, processing and delivery. Commissioner Hege seconded the motion which passed unanimously.}}}**

**Discussion List – Consulting Services Contract**

Community Corrections Manager Fritz Osborne said that this agreement is related to the Cognitive Behavioral Program. He reported that Ron Webber has been their service provider since 2007; he is great with inmates and gets positive results. He stated that this program helps initiate change in behaviors; there is money in the budget that is specifically for this program. He commented that this contract meets our current contracting standards and allows us to branch out for other treatment options. He said we will now be able to offer more classes and can target treatment to specific needs rather than just offering a one-size-fits-all program.

Chair Runyon asked where the classes are held. Mr. Osborne replied that they use the Community Corrections basement conference room; most classes are held after-hours – Mr. Webber has a key. He said that they may start offering day sessions but nothing that would interfere with usual use of the facility.

Chair Runyon asked if this program conflicts in any way with NORCOR programs. Mr. Osborne replied that it does not; they have the CAP program which is a step program – you cannot miss any step. He said that works well when the students are captive but would not work for post-incarceration classes. The Community Corrections classes are drop-in type classes. He said that although all of the classes being held at NORCOR are evidence-based, not all have been approved to graduate to Community Corrections for credit which means some of the work has to be repeated. Once the Department of Corrections approves those programs, Community Corrections will re-assess as there may not be a need to apply some of the programs.

Commissioner Hege asked if there are any issues with Mr. Webber teaching the female classes. Mr. Osborne replied that for the trauma informed classes it is recommended to not have a male there alone; in those cases a female Parole Officer is assigned to attend. We currently have one female Parole Officer and expect to have a second in the near future. He added that Mr. Webber is really good and Community Corrections has a lot of trust in him.

**{{{Commissioner Hege moved to approve the Cognitive Behavioral Therapy Program Consulting Services Contract with Ron Webber. Commissioner Kramer seconded the motion which passed unanimously.}}}**

<b>Agenda Item – Fee Schedule Ordinance Hearing</b>
---

At 9:30 a.m. Chair Runyon opened a Hearing for the Wasco County Amended Fee Schedule Ordinance. He explained the order of the procedure would be to have a staff presentation, receive public testimony and allow the Board to ask questions. At the end of the question period the Chair will close the hearing and the Board will enter deliberations to take action, schedule the matter for later deliberation or postpone the matter for additional staff work.

County Clerk Lisa Gambie reminded the Board that at the first hearing she had presented the background for the Fee Schedule which is an annual process. She summarized, saying that this year the team had updated and reorganized the schedule to be more user friendly for both staff and the public. She went on to say that since the last hearing, they have found that some of the previously cash-required fees can now be also be paid by check or credit card; revisions have been made to the schedule to reflect that change. In addition, more ORS references have been added to the schedule. She noted that she and Finance Director Mike Middleton have had conversations with Wayne Lease to address some of his concerns.

Commissioner Hege noted that there have been discussions at previous meetings regarding the Road Rally fee; he asked if it is covering the County's costs for processing that application. Mr. Smith replied that it is currently covering those costs.

The Board commended the team on the work they did to update and revise the Fee Schedule Ordinance.

Chair Runyon opened the floor for public comment. Mr. Lease stated that there is a connection between MCCOG and the County fees – the constituency is the same. He stated that Wasco County's representatives on the MCCOG Board may have been

outvoted but are still accountable. He asked how fees are established, noting that Wasco County charges a good deal more for lot line adjustments than does Klickitat County, Washington. He concluded by saying that he believes that the public should be involved in the process and he would like to see how the fees are being used.

Ms. Gambie stated that Mr. Lease had been to her office and she had shown him her process for entering fees into the County's financial system. Each day all the fees that have been collected are entered; the system is set up to place those fees into the appropriate fund for accountability. Mr. Lease said that this is what they should be doing at MCCOG.

Information Systems Director Paul Ferguson pointed out that transparency is one of the County's strategic goals. He reported that we are working to bring more information on line to allow people to access it for themselves – that is the goal.

Commissioner Hege commented that a few years ago, former Planning Director John Roberts did an in-depth analysis of our Planning fees and the cost relative to the fees. He discovered that we are only covering a portion of the actual costs to the county; we always lose money. He said it would be good to revisit that process.

Commissioner Kramer said that this has been well thought-out; staff has done a great job. He observed that this is a working document that can be changed if we find flaws.

Chair Runyon closed the public hearing at 9:56 a.m.

**{{{Commissioner Kramer moved to approve Ordinance 16-002 amending Wasco County's Uniform Fee Schedule for Various County Departments with any necessary changes. Commissioner Hege seconded the motion which passed unanimously.}}}**

At 10:00 a.m. Chair Runyon recessed the meeting to open Service District meetings.

Chair Runyon reconvened the session at 10:24 a.m.

#### **Agenda Item – Wasco County Audit Report**

Auditor Carol Friend reviewed the Wasco County 2014-2015 Fiscal Year Audit Report included in the Board Packet. She noted that changes to GASB rules mean that additional information has been added to the audit regarding pensions.



WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
SEPTEMBER 7, 2016  
PAGE 6

Ms. Friend noted that the County has no debt and that there were no findings related to Federal dollars. She went on to say that there were six financial statement findings. She added that because the audit was filed late, the audit report will review a larger portion of federal dollars for the next audit. She added that the findings were not a surprise to the County as they have been aware of the challenging circumstances of the last 18 months.

Chair Runyon observed that a lot of work has been done by staff to bring us into compliance following a bad situation. Ms. Friend agreed and went on to review the findings and responses included in the Audit Report.

Mr. Stone commented that this is exactly what we expected to see given that we have been without a Treasurer and had an interim Finance Director for nearly a year. He reported that a lot of time was spent redoing all the reconciliations to make sure they were complete and accurate – that was a year's worth of work that had to be done before we could complete the audit process.

Mr. Stone went on to say that we have been paying a treasurer for over a year but have not seen or heard from that person in that time. He stated that the Finance department is completing those duties and sending documents to the Treasurer for approval but has not received any response; it has been difficult. He stated that we are glad to have a permanent Financial Director.

Ms. Friend reported that she has been working with Mr. Middleton and expect to have the audit done on time this year. She also expect to find some things in the next audit related to the circumstances of the last 18 months.

Mr. Stone reminded everyone that when our auditor found issues, the County brought in a second auditor for a more focused exploration of the issues and then hired a consultant to address the issues; during that period the County lost their Financial Director and the consultant stayed on as Interim Director – she is still working through the transition period with our new Financial Director. He continued by saying that the County has added and hired for the position of Financial Manager with a higher skill level to be the backup person so we do not find ourselves in this situation in the future. He said that although he would have liked to have responded more quickly, he is confident that we have responded; with the challenges of the last 18 months, we have done well.

Chair Runyon asked if we can expect a clean audit next year. Ms. Friend said that while possible, there is likely to be some overlap issues in the next audit. She said that there

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have been a lot of changes and there are more to come. She reported that in response to the new GASB rules, a lot of her clients have moved to modified cash accounting as they feel that the new rules are onerous and do not provide any valuable information. She said that through their normal budget process, Wasco County can consider that as well.

Chair Runyon asked if a lot of other counties are doing that. Ms. Friend replied that there are a number of smaller municipalities that are doing that but she is not aware of any counties; it is just something to consider.

Mr. Middleton said that he would not be in favor of that move. He said he wants to work to provide more timely information to the Board and Management Team for managerial decisions. He said his office is working to rebuild the structure in Eden to be better able to do that.

Commissioner Hege noted that several of the material weaknesses suggest that they are the result of the Treasurer not performing his duties. He asked Ms. Friend if she would agree with that statement. Ms. Friend responded that the audit does not address that – those observations are in the response to the findings. She said she would say that the Treasurer did not do a lot of things that should have been done.

Commissioner Hege observed that we should have a new Treasurer in 2017 and asked if that will help. Ms. Friend replied that her personal opinion is that the Treasurer's office should not be doing day to day reconciliation or other day-to-day functions; those pieces should be done by non-elected officials and have now been appropriately placed in the Finance Department. She stated that she believes the Treasurer should have oversight only.

Mr. Middleton agreed saying that paid staff that is here on a more consistent, long-term basis, should be doing the day-to-day work and the Treasurer should provide oversight.

Commissioner Hege asked if we should expect more changes to the GASB rules. Ms. Friend replied that there will be more changes – more notes, balance sheet changes and expense reporting.

**{{{Commissioner Hege moved to accept the Wasco County 2014-2015 Audit Report as presented. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**Discussion List – Vehicle Purchase/Budget Adjustment**

Sheriff Lane Magill said that he had gone out for quotes for the vehicle purchase and the bid amounts came back over the budgeted amount. He said that he recommends Ray Schultens Motors which is \$5,400 over the budgeted amount. He reported that he had talked with Mr. Middleton about from where the money would come; he was able to take it out of his personnel budget as he had had an empty position and therefore would not be expending all those funds. One of the vehicles is a truck which could eventually roll down to the Facilities Department. He said that he recommends supporting local business although it is a little higher cost.

Chair Runyon stated that he would think some of the extra expense would be offset by not having to drive into Gresham for scheduled maintenance. Sheriff Magill said that it would offset it some but not entirely. He added that next year they will look at the budgeting process a little more closely as they have been over budget for the last two years; the goal will be to arrive at more accurate predictions of cost.

**{{{Commissioner Kramer moved to approve Resolution #16-019 in the matter of transferring appropriations within a fund. Commissioner Hege seconded the motion which passed unanimously.}}}**

**Agenda Item – Jefferson Health Information Exchange Contracts**

Juvenile Services Director Molly Rogers explained that JHIE is the hub for the network of electronic health records; it converts the computer data coming into the system to a language that can be understood by the members' software. She stated that Juvenile Services staff will not be able to see patient records but will be able to place a referral into the system and track the follow-up – did the client get an appointment; did they attend; did they reschedule; were they a no-show? She said it will also help with metrics for reporting statistics. She pointed out that they have already been collaborating with providers for this information but it is cumbersome and not secure – this will be faster and more secure. She said that Mr. Ferguson will help with the installation of the program; every staff member will have their own username/password and will have to adhere to JHIE protocol.

Chair Runyon asked if there are other CCO member counties doing this. Ms. Rogers replied that we are unique along with Hood River Juvenile Justice. She said that she believes it is important to support progress for our clients. She added that the CCO values this technology and had committed to it – they are paying for the interface until 2018 with a high level of commitment to continue.

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Mr. Stone said that he had some concerns about accessing this information but it is just for scheduling and follow-up information. He said he wants to make sure that the information is exempt from public disclosure. Ms. Rogers replied that it is exempt – it falls under HIPPA and PHI as protected information.

Mr. Stone stated that he also wants to make sure staff has received HIPPA and PHI training. Ms. Rogers responded that they have received that training and will get more. Mr. Stone asked that there is follow-up for annual training.

Commissioner Kramer asked for an explanation of the differences between the two agreements. Ms. Rogers replied that the Business Associate agreement is the foundational agreement and starts the process; the User Agreement is the next layer and each user will be required to sign one.

Chair Runyon noted that he would have liked to have had more information included in the Board Packet – a memo outlining what these agreements are for.

**{{{Commissioner Kramer moved to approve the Jefferson Health Care Information Exchange Business Associate Agreement. Commissioner Hege seconded the motion which passed unanimously.}}}**

**{{{Commissioner Kramer moved to approve the Jefferson Health Care Information Exchange User Agreement. Commissioner Hege seconded the motion which passed unanimously.}}}**

<b>Agenda Item – Property Redemption Request</b>
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Ms. Amery said that Cheryl Gufstason has requested to redeem her property on which the County foreclosed. Ms. Gufstason has explained that there were extenuating circumstances which no longer exist. She added that because the property was owned by the County on July 1<sup>st</sup> it became exempt from taxes and would remain so for the tax year. So as not to short the district of revenue, Ms. Gufstason has agreed to pay that additional amount for redemption.

Ms. Gufstason stated that she was a care provider; a series of deaths and difficulties collecting payment from the Veterans Administration caused her income to plummet. As a result, she was not able to pay her taxes. She had planned to sell her motor home to meet her tax obligation but it was burned through an act of vandalism. She reported that she will soon have some money coming in from Social Security and has also taken a job outside the home for more reliable income.



Commissioner Hege said that he assumes this is the Assessor's recommendation. Ms. Amery replied that Ms. Gustafson has a check for \$20,000 and will pay the remainder by December 31<sup>st</sup>; the total is \$21,638.24. She said that the County has no interest in owning the property and this is a good solution. She stated that if the Board approves, she will move forward to have the deed drawn and will bring it back to the Board for finalization.

**{{{Commissioner Hege moved to approve the redemption request for the property located at 1121 W. 2<sup>nd</sup> Street, The Dalles, OR; \$20,000 to be paid today and an additional \$1,638.24 due by December 31, 2016. Commissioner Kramer seconded the motion which passed unanimously.}}}**

#### **Consent Agenda – 8.17.2016 Minutes**

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

#### **Executive Session – ORS 192.660(2)(i) Performance Review**

At 11:05 Chair Runyon opened an executive session pursuant to ORS Per ORS 192.660 (2)(i) To review and evaluate the employment-related performance of the Chief Executive Officer of any public body, a public officer, employee or staff member who does not request an open hearing. He explained that representatives of the news media and designated staff would be allowed to attend the executive session. All other members of the audience were asked to leave the room. Representatives of the news media were specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. He stated that no decision may be made in executive session and at the end of the executive session, the Board would return to open session and welcome the audience back into the room.

The regular session reconvened at 12:36 p.m. and was adjourned.

#### **Summary of Actions**

##### **Motions Passed**

- **To approve ODOT IGA 31516 for Single Trip Permit Authorization in Wasco County.**
- **To approve Order 16-058 initiating the process under ORS 373.270 and**

373.260 to transfer to the City of The Dalles jurisdiction over portions of roads and scheduling a public hearing for September 21, 2016.

- To approve the Location Use Contract with Left/Right LLC contingent upon County Counsel resolving any outstanding issues to the County's satisfaction.
- To approve the Department of Administrative Services Agreement #264-16 for document publishing, processing and delivery.
- To approve the Cognitive Behavioral Therapy Program Consulting Services Contract with Ron Webber.
- To approve Ordinance 16-002 amending Wasco County's Uniform Fee Schedule for Various County Departments with any necessary changes.
- To accept the Wasco County 2014-2015 Audit Report as presented.
- To approve Resolution #16-019 in the matter of transferring appropriations within a fund.
- To approve the Jefferson Health Care Information Exchange Business Associate Agreement.
- To approve the Jefferson Health Care Information Exchange User Agreement.
- To approve the redemption request for the property located at 1121 W. 2<sup>nd</sup> Street, The Dalles, OR; \$20,000 to be paid today and an additional \$1,638.24 due by December 31, 2016.
- To approve the Consent Agenda – 8.17.2016 Regular Session Minutes.

Wasco County  
Board of Commissioners

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Rod L. Runyon, Board Chair

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Scott C. Hege, County Commissioner

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Steven D. Kramer, County Commissioner

**Discussion Item**  
**Public Hearing Transferring Roads**

- [Hearing Notice](#)
- [Order 16-062 Transferring Jurisdiction of certain roads and/or segments of roads to the City of The Dalles](#)

## **NOTICE OF PUBLIC HEARING**

### **(Transfer of Jurisdiction of County Roads In the City of The Dalles, to the City of The Dalles)**

NOTICE IS HEREBY GIVEN that the Wasco County Board of Commissioners will hold a public hearing on Wednesday, September 21, 2016 at 9:30 a.m. in Room 302 of the Wasco County Courthouse, 511 Washington Street, The Dalles, Oregon to consider the following matter under ORS 373.270: Wasco County's transfer of jurisdiction over the following described segments of County roads to the City of The Dalles:

- 1) Fremont Street, from Old Dufur Road to Hwy 197, approximately 0.37 miles
- 2) Hostetler Street, from 2<sup>nd</sup> Street to 10<sup>th</sup> Street, approximately 0.65 miles
- 3) Dry Hollow Road, from East 19<sup>th</sup> Street to East 16<sup>th</sup> Street, approximately 680 feet
- 4) East 2<sup>nd</sup> Street, from Hwy 30 (Big Jim's) to the northerly limits of the city, approximately 1.24 miles
- 5) West 10<sup>th</sup> Street, from Walnut Street to the northerly limits of the city, approximately 1.65 miles
- 6) East 10<sup>th</sup> Street, from Richmond Street westerly, approximately 675 feet
- 7) Cherry heights Road, from West 13<sup>th</sup> Street to the southerly limits of the city, approximately 1000 feet
- 8) Myrtle Street, from West 7<sup>th</sup> Street to West 8<sup>th</sup> Street, approximately 350 feet
- 9) West 8<sup>th</sup> Street, from Walnut Street to Snipes Street, approximately 0.60 miles
- 10) Mill Creek Road, from Sunset Valley Road to the westerly limits of the city, approximately 1150 feet
- 11) Snipes Street, from West 9<sup>th</sup> Place to West 10<sup>th</sup> Street, approximately 630 feet
- 12) West 2<sup>nd</sup> Street, from Hostetler Street to end of the Cul-de-sac, approximately 1300 feet
- 13) Columbia View Drive (Fremont Street), from Summit Ridge Street to 3720 Columbia View Drive, approximately 0.37 miles
- 14) East 16<sup>th</sup> Street, from the East line of Sun Ridge Subdivision to East 15<sup>th</sup> Street, approximately 1320 feet
- 15) Richmond Street, from Old Dufur Road to East 12<sup>th</sup> Street, approximately 1200 feet
- 16) Chenowith Loop Road, from West 7<sup>th</sup> Street to West 10<sup>th</sup> Street, approximately 0.44 miles
- 17) Pomona Street, from West 7<sup>th</sup> to West 10<sup>th</sup> Street, approximately 0.31 miles
- 18) West 14<sup>th</sup> Street, from Kingsley Street to Elberta Street, approximately 940 feet
- 19) River Road, from Bargeway Road to the easterly right-of-way of I-84 (ODOT), approximately 1.65 miles
- 20) Kingsley Street, from West 13<sup>th</sup> Street to West 16<sup>th</sup> Street, approximately 600 feet
- 21) Snipes Street, from West 6<sup>th</sup> Street to West 9<sup>th</sup> Place, approximately 0.39 miles

- 22) West 7<sup>th</sup> Street, from Hostetler Street to Snipes Street, approximately 0.41 miles
- 23) West 8<sup>th</sup> Street, from Hostetler Street to Chenoweth Loop Road, approximately 1000 feet
- 24) Cascade Street, from West 8<sup>th</sup> Street to West 8<sup>th</sup> Street, approximately 615 feet
- 25) Cascade Court, from West 8<sup>th</sup> Street to Cul-de-sac, approximately 180 feet
- 26) Verdant Street, from West 10<sup>th</sup> Street to West 13<sup>th</sup> Street, approximately 630 feet
- 27) Elberta Street, from West 13<sup>th</sup> Street to West 14<sup>th</sup> Street, approximately 200 feet
- 28) Walnut Street, from West 10<sup>th</sup> Street northeasterly for approximately 920 feet
- 29) Walnut Street, from West 10<sup>th</sup> Street to West 13<sup>th</sup> Street, approximately 600 feet
- 30) Old Dufur Road, from Richmond Street to Lambert Street, approximately 1200 feet
- 31) Bret Clodfelter Way, from Hwy 197 easterly for approximately 0.68 miles
- 32) Lambert Street, from Old Dufur Road to southerly limits of the city, approximately 200 feet
- 33) Viewpoint Road, from Lower Eight-mile Road to northeasterly limits of the city, approximately 0.25 miles
- 34) Morton Street, from East 15<sup>th</sup> Street to East 18<sup>th</sup> Street, approximately 700 feet
- 35) West 13<sup>th</sup> Street, from Cherry Heights Road to Verdant Street, approximately 1.15 miles
- 36) Sandy Street, from West 10<sup>th</sup> Street to Walnut Street, approximately 600 feet
- 37) West 2<sup>nd</sup> Street, from Snipes Street to Hostetler Street, approximately 1700 feet
- 38) East 18<sup>th</sup> Street, from Thompson Street to Morton Street, approximately 1760 feet
- 39) Snipes Street, from West 2<sup>nd</sup> Street easterly for approximately 300 feet
- 40) Emerson Street, from West 10<sup>th</sup> Street to westerly limits of the city, approximately 270 feet
- 41) East 16<sup>th</sup> Street, from East 15<sup>th</sup> Street easterly for approximately 450 feet
- 42) Columbia View Drive (Fremont Street), from Hwy 197 to East Knoll Drive, approximately 1150 feet
- 43) Skyline Road, from Mt Hood Street to southerly limit of the city, approximately 750 feet

An order setting the public hearing was adopted on September 7, 2016.

Interested persons may attend the public hearing and offer oral or written testimony to assist the Board in making a decision. No transfer of jurisdiction will be effective until City Council of the City of The Dalles adopts appropriate municipal legislation to accept jurisdiction. Questions can be addressed to Arthur Smith, Public Works Director, at 541-506-2645.

Publication: In accordance with ORS 373.270(2)(a), this notice is being posted in at least three places in Wasco County, including more than one location within the city limits of the City of The Dalles.

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

IN THE MATTER OF AN ORDER TENDERING A )  
FORMAL OFFER UNDER ORS 373.270 AND ) ORDER  
ORS 373.260 TO TRANSFER TO THE CITY OF ) #16-062  
THE DALLES JURISDICTION OVER PORTIONS )  
OF ROADS LOCATED IN OR NEAR THE CITY )  
OF THE DALLES, TO THE CITY OF THE DALLES)  
AT THE REQUEST OF THE CITY. )

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

THE BOARD MAKES THE FOLLOWING FINDINGS:

- A. On June 29, 2015, an agreement between the City of The Dalles and  
Wasco County was filed with the Wasco County Clerk; and
- B. That in said agreement, Wasco County, at the request of the City of The  
Dalles, agreed to initiate the process for transfer jurisdiction of the  
following roads or segments of roads located within the County and/or  
wholly or partially within the City of The Dalles:



<b>Street Name/Segment</b>	<b>County Road</b>	<b>Length (miles)</b>
Fremont Street - Old Dufur Road to Hwy 197	152	0.37
Hostetler Street - 6 <sup>th</sup> Street to 10 <sup>th</sup> Street	528	0.58
Dry Hollow Road - Remaining area in City Limits	106	0.10
East 2 <sup>nd</sup> Street - Big Jim's to City Limits	182	1.17
West 10 <sup>th</sup> Street - Walnut Street to City Limits	503	1.69
East 10 <sup>th</sup> Street - Richmond Street to City Limits	109	0.11
Cherry Heights Road - West 13 <sup>th</sup> Street to City Limits	504	0.17
Myrtle Street - West 7 <sup>th</sup> Street to West 8 <sup>th</sup> Street	520	0.08
West 8 <sup>th</sup> Street - Walnut Street to Snipes Street	521	0.64
Mill Creek Road - Sunset Valley Road to "Local Access"	3	0.19
Snipes Street - 9 <sup>th</sup> Place to 10 <sup>th</sup> Street	508	0.19
West 2 <sup>nd</sup> Street - Hostetler Street to Cul-de-sac	591	0.30
Columbia View Drive (Fremont) Summit Ridge to 3720 Columbia View	152	0.32
East 16 <sup>th</sup> Street - E of Golden Way toward E 15th	108	0.31
Richmond Street - Old Dufur Road to East 12 <sup>th</sup> Street	189	0.24
Chenowith Loop Road - West 7 <sup>th</sup> Street to West 10 <sup>th</sup> Street	512	0.44
Pomona Street - West 7 <sup>th</sup> Street to West 10 <sup>th</sup>	526	0.32
West 14 <sup>th</sup> Street - Kingsley Street to Elberta Street	590	0.18
River Road - Bargeway Road to ODOT ROW	514	1.65
Kingsley Street - West 13 <sup>th</sup> Street to West 16 <sup>th</sup> Street	540	0.12
Snipes Street - West 6 <sup>th</sup> to West 9 <sup>th</sup> Place	508	0.39
West 7 <sup>th</sup> Street - Hostetler Street to Snipes Street	536	0.42
West 8 <sup>th</sup> Street - Hostetler St to Chenowith Loop	521	0.21
Cascade Street - All	539	0.12
Cascade Court - All	538	0.03
Verdant Street - West 10 <sup>th</sup> Street to West 13 <sup>th</sup> Street	524	0.14
Elberta Street - West 13 <sup>th</sup> Street to West 14 <sup>th</sup> Street	584	0.05
Walnut Street - West 10 <sup>th</sup> Street to Griffith Motors	518	0.18
Walnut Street - West 13 <sup>th</sup> to West 10 <sup>th</sup> Street	518	0.13
Old Dufur Road - Richmond Street to Lambert Street	142	0.21
Bret Clodfelter Way - Hwy 197 to gate	155	0.68
Lambert Street - Old Dufur Road to City Limits	184	0.04
Viewpoint Road - Lower Eightmile Road to City Limits	187	0.25
Morton Street - East 15 <sup>th</sup> Street to East 18 <sup>th</sup> Street	188	0.14
West 13 <sup>th</sup> Street - Cherry Heights Road to Verdant Street	501	1.11
Sandy Street - West 10 <sup>th</sup> Street to Walnut Street	581	0.11
West 2 <sup>nd</sup> Street - Snipes Street to Hostetler Street	591	0.34
East 18 <sup>th</sup> Street - Between Thompson and Morton Streets	185	0.33
Snipes - West 2 <sup>nd</sup> to Dead End	508	0.06
Emerson Street - West 10 <sup>th</sup> to City Limits	543	0.06
East 16 <sup>th</sup> - East from East 15 <sup>th</sup>	108	0.10
Columbia View Drive (Fremont) - Hwy 197 to East Knoll	152	0.23
Skyline Road - Mt. Hood Street to City Limits	151	0.14

C. In accordance with ORS 373.270, on September 7<sup>th</sup>, notice of a proposed hearing on this matter was posted at 18 locations in the County, at least 3 of which are located within the City of The Dalles.

D. Based upon the record of the public hearing and the request of the City of The Dalles, the Board finds that the transfer of jurisdiction over the above described roads and road segments is in the best interest of the County.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. Wasco County hereby offers to transfer to the City of The Dalles, jurisdiction over the following portions of Wasco County roads:

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<b>Street Name/Segment</b>	<b>County Road</b>	<b>Length (miles)</b>
Fremont Street - Old Dufur Road to Hwy 197	152	0.37
Hostetler Street - 6 <sup>th</sup> Street to 10 <sup>th</sup> Street	528	0.58
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West 8 <sup>th</sup> Street - Walnut Street to Snipes Street	521	0.64
Mill Creek Road - Sunset Valley Road to "Local Access"	3	0.19
Snipes Street - 9 <sup>th</sup> Place to 10 <sup>th</sup> Street	508	0.19
West 2 <sup>nd</sup> Street - Hostetler Street to Cul-de-sac	591	0.30
Columbia View Drive (Fremont) Summit Ridge to 3720 Columbia View	152	0.32
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Columbia View Drive (Fremont) - Hwy 197 to East Knoll	152	0.23
Skyline Road - Mt. Hood Street to City Limits	151	0.14

2. Upon the City of The Dalles enactment of appropriate municipal legislations accepting the County's offer to transfer jurisdiction, and in accordance with ORS 373.270(7), the offer shall be deemed accepted with the following effect:
  - a. The jurisdiction of the County over the subject portions of road for their improvement, construction or repair shall cease;
  - b. The full and absolute jurisdiction over the subject portions of road for all purposes of repair, construction, improvement and the levying and collection of assessments therefore shall vest in the City of The Dalles; and
  - c. The City of The Dalles shall have the same jurisdiction over the subject portions of road as by its charter and the laws of the state are given or granted it over any of the public streets and alleys of the City.

This transfer of jurisdiction over roads and road segments, including segments outside the city limits of the City of The Dalles, if any, does not effect a change to the city limits, nor does the County's action purport to grant authority to the City over properties adjacent to such roads and road segments that are not located within the City of The Dalles, if any.

3. Upon the City's enactment of appropriate municipal legislation described in numbered paragraph 2 under which the County will relinquish jurisdiction of the subject road segments, the City will assume responsibility for any and all construction, improvement or maintenance of those portions of the above specified roads or road segments that are outside the city limits of the City as the City deems necessary.

DATED this 21<sup>st</sup> day of September, 2016.

WASCO COUNTY  
BOARD OF COMMISSIONERS

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Rod L. Runyon, Commission Chair

ATTEST:

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Scott C. Hege, County Commissioner

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Kathy White  
Executive Assistant

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Steven D. Kramer, County Commissioner

APPROVED AS TO FORM:

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Kristen Campbell  
Wasco County Counsel

**Discussion Item**  
**Wasco County Economic Development**  
**Commission Quarterly Report**

- [Staff Report](#)



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

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September, 2016

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

**Wamic Water System Committee**

EDC Commissioners Joan Silver, Stan Kelsay and staff have been working with the Wamic Water & Sanitary Authority to address their upcoming system needs. Staff and WWSA met with HBH Engineering at the WWSA September Board meeting to provide additional details about the current system and future needs. The resulting report will be presented to WWSA's board in October for final input and then provided to the community as well as other key stakeholders. The process is planned to finish in December, and staff will continue to work closely with WWSA to support moving the study forward as well as seeking additional resources for identified work.

**Dufur Committee**

The Dufur Committee is focused on Dufur's water system needs, supporting the Parks & Recreation district in its restroom project, and business development opportunities. EDC Commissioners Mary Kramer and Kathy Ursprung are working closely with staff to support the community. Progress has occurred in several areas:

- The grant submitted to the Oregon State Parks Local Government Grant Program (LGGP) for approximately \$30,000 to support replacement of the West Side Restroom at Dufur City Park has been recommended by LGGP staff for funding to the OSP Commission. Matching these funds with the Immediate Opportunity funds from the Enterprise Zone will allow this project to move forward shortly.
- Staff worked closely with Dufur City Recorder and the City's engineering firm to submit additional applications for funding to USDA, RD and Business Oregon's Infrastructure Finance Authority to support development of a water system master plan (WSMP) and a waste water system improvement plan (WWIP). Thus far these grants have brought in \$50,000 in funding for the estimated \$64,000 WWIP and \$20,000 for the estimated \$65,000 WSMP.
- The EDC Committee has also begun planning for the Dufur Community Visioning process with the Dufur Chamber of Commerce. Chamber representatives will visit various community groups to gather initial feedback during September and early October. The group will then convene a community meeting for public input on October 27, 2016 at the Dufur School to develop a community vision.

**Mosier Infrastructure Committee**

This effort is spearheaded by EDC Commissioners Terry Moore and Gary Grossman. EDC Commissioner Moore is actively engaged in conversations to support addressing the community's recovery after the oil train derailment in early June. Terry will be leading the collaborative group consisting of the Mosier School, Mosier Fire District, and City of Mosier focused on both immediate and long term recovery. Staff supported this group through working with City staff to draft an Encore Fellow application focused on bringing in additional staff support during this recovery process as well as further incorporate resiliency into the community's other planning efforts underway. These additional planning efforts include their Transportation System Plan update, the site

planning for the downtown parcel being considered for a joint City Hall-Fire Station project, and water system planning and investment efforts.

### **Broadband Committee**

One of the strategic priorities for the EDC has been supporting expansion of broadband in our rural communities and promoting adoption of those services for businesses and residents. The Broadband Committee includes Stan Kelsay and Frank Kay.

- Q-Life and the City of Maupin continue to move down the path toward building the proposed fiber project in Maupin. Staff continues to engage with both entities to support as needed to continue this progress.
- Through the federal E-Rate program, the Columbia Gorge ESD awarded contracts to provide fiber fed service to both the Dufur and South Wasco County Schools. The South Wasco service will occur in conjunction with the Maupin fiber build. Staff and partners are in conversations about opportunities to leverage the Dufur Schools connection to support better service in the community overall.
- Staff worked closely with Q-Life Board Members and their consultants to host a meeting with CenturyLink engineers and public affairs representatives to discuss the Connect America Fund II plans for the coming months. The group discussed potential projects that will impact the County and opportunities for collaboration. There will be a follow up meeting in the winter to get updates from CenturyLink on needs in this area.

**Open for Business Committee:** The Open for Business Committee includes EDC Commissioners Daniel Hunter, Nan Wimmers, Fred Justesen and Kathy Ursprung. This conversation has centered on providing tools to create a more robust online presence for communities around the County, developing a strategy for promoting the business siting guides, and enhancing coordination. The group has finalized updates to the Business Siting Guides for unincorporated Wasco County, City of The Dalles, and the City of Dufur. The City of Maupin Guide is still in progress. The group developed an outreach strategy that will incorporate enhancing the online presence and visibility of the guides as well as taking physical copies to key locations along with an overview sheet to present to front-line staff as they are assisting businesses through these processes. The Open for Business Committee is also working closely with county staff as they begin their website update process. The Open for Business Committee is recommending that the EDC's portion of the website be more outwardly focused to allow better access to resources for businesses and partners.

### **Community Enhancement Projects**

Staff began conversation with the EDC regarding the 2017 Community Enhancement Project Process at the September EDC meeting. The EDC will formally update its process and prioritization efforts to focus on the purposes for the CEP process outlined during the 2016 conversations. These will include:

- Recognizing that, at the most basic level, economic development is incredibly challenging without developable land with adequate infrastructure.
- Highlighting projects key to Wasco County's long term economic development opportunities and strategies.
- Prioritizing and focusing EDC resources on projects with significant economic development impacts over those with community development impacts
- Focusing on projects with community support as expressed through either financial or human resources committed.

- Acknowledging the CEP list as a tool highlighting priorities both to funders and with congressional and state legislative delegations.

#### Updates on additional Community Enhancement Projects:

- Staff has begun outreach and trainings on the Agora Investment Platform for community groups, including the South Wasco Alliance and the South Wasco Parks and Recreation District, to prepare them for the 2017 Community Enhancement Project process as well as provide them with additional information on the resources available to promote their priority projects.
- The Uplifting Elevator Project received \$50,000 in funds from the Immediate Opportunity Projects fund consisting of dollars provided through the initial Enterprise Zone Agreement with Google on their most recent project. As a result of this influx of funding, the Senior Center has been able to begin their project with continued fundraising efforts to cover the final portion.
- The City of Mosier also received \$15,000 from the Immediate Opportunity fund to do further design and development work on their Bike Hub. This funding will likely be leveraged to bring in additional grant resources to support the project as well.
- The City of Maupin has made significant progress on their Civic Center Project. The City officially agreed to move forward with plans for a combined City Hall/Library facility and hired an architecture firm to refine designs. Their local fundraising drive for the project was also completed this summer after raising approximately \$125,000 from the community to serve as matching funds for their grant writing campaign.
- Staff also provided information to several project owners in the County related to potential resources including the City of Mosier related to infrastructure improvements, Wasco County related to the old armory site, and Dufur related to the old Methodist Church for use as a community center. Staff also met with MCMC to discuss expansion plans in September and is working to support connections with federal funding sources where appropriate.
- MCEDD is working closely with the City of The Dalles, Klickitat County, and the Regional Airport to support utilization of the EDA grant they received to build out flex space that will support Life Flight's continued location at the airport as well as provide space for business growth and location.

#### **EDC Strategic Action Plan Update**

The EDC annually updates its work plan, but it last conducted a major overhaul of its Strategic Action Plan in 2013. In the three years since this process occurred, there have been significant changes that impact the utility of the current plan for staff and the EDC as we conduct our work to support strong communities throughout Wasco County. This process will also further develop the EDC's approach to its new role, longer term economic development strategies and target our limited resources to increase their impact in Wasco County. Further review of the CEP process will also occur during the strategic planning efforts. The process will occur within EDC meetings between now and June 2017, and the EDC welcomes engagement from the BOCC throughout the process.

#### **General EDC Activities:**

EDC staff provided the following support services:

- **Quarterly EDC Meeting:** The EDC hosted its fall quarterly meeting in Maupin at the Imperial River Company, and heard from City of Maupin Mayor Lynn Ewing and Chamber President Allison Bechtol about current projects and business climate in Maupin. Key needs included challenges with affordable housing for both seasonal and year round employees, concerns about river health and management as these

issues impact tourism, and increasing the busy season to better support year round businesses. The EDC also discussed committee updates, strategic planning, and the Community Enhancement Project process.

- **The Dalles Main Street Business Retention and Expansion:** Staff is working with The Dalles Main Street, the SBDC, the City of The Dalles, the Port of The Dalles and Rural Development Initiatives to begin implementation of a focused business retention and expansion program. The initial data has been returned from 33 interviews with downtown businesses and organizations. This report was discussed further with a group of downtown businesses on August 25<sup>th</sup> to narrow the focus and develop collaborative strategies to address these challenges. Coming out of this meeting, a focus on working to ensure the downtown is a destination for locals and visitors alike. This will be further refined by the leadership committee, but will likely include focus on the physical environment, business support, and promotion.
- Staff met with the City of Maupin to discuss upcoming projects and needs. This conversation centered on the fiber project, the joint City Hall/Library plans, updates to Kaiser Park and the Maupin Legion Hall in downtown Maupin, and the need for affordable housing for both seasonal and year round employees.
- **Columbia Gorge Bi-State Renewable Energy Zone:** CGBREZ met over the summer to discuss current projects. The group has continued to engage a government affairs specialist to support Gorge access into the California wind energy markets in particular, and has seen some recent success. Additionally, Washington Department of Commerce Director Brian Bonlender will be in the region to tour the pumped storage project site September 16<sup>th</sup>.
- Staff participated in the **Columbia Gorge Economic Summit** on July 14. This meeting focused on the demographic and economic trends for the five-county region (Hood River, Wasco, and Sherman counties in Oregon and Klickitat and Skamania counties in Washington). Highlights include very low unemployment rates throughout the region along with growing overall employment, and an overall regional trend toward increasing manufacturing, professional and business services, and education/health services employment. The presentations be found on the MCEDD webpage: <http://www.mcedd.org/services/symposium.htm>.
- **Regional Comprehensive Economic Development Strategy Update:** MCEDD is beginning the process for its five-year major overhaul of the region's Comprehensive Economic Development Strategy (CEDS). The kick off for this process began at the Economic Summit, and will incorporate monthly meetings focused on analysis of strengths and challenges, development of a regional vision, supporting strategies, and specific actions for economic development partners throughout the region. Staff encourages County Commission and relevant staff to participate in this process as possible. The schedule of monthly meetings between September and February is attached.
- **Coastal Economic Summit:** Staff attended the Coastal Economic Summit along with two Wasco County Commissioners. The Summit gathers leaders in economic development around Oregon to discuss rural economic development issues and strategies. Staff made some positive contacts and learned about strategies other communities are taking as they move to diversify their local economies.

### **By The Numbers**

*Source: Oregon Employment Department*

- Unemployment rate (seasonally adjusted)

	<b>July 2016</b>	<b>June 2016</b>	<b>July 2015</b>
<b>Oregon</b>	5.2%	5.8%	5.8%
<b>Wasco County</b>	5.0%	5.5%	5.5%

- Total Nonfarm Payroll Employment (Not Seasonally Adjusted)

	<b>July 2016</b>	<b>June 2016</b>	<b>July 2015</b>
<b>Oregon</b>	1,831,000	1,850,900	1,775,300
<b>Wasco County</b>	10,570	10,720	10,350

# Mid-Columbia/Columbia Gorge Economic Development Strategy

Visit [www.mcedd.org/CEDS.htm](http://www.mcedd.org/CEDS.htm)

## Sessions rotate around the region:

- SWOT Analysis: September 15, 2016  
Cascade Locks, Oregon
- Vision and Goals: October 27, 2016  
Skamania County, Washington
- Sector Focus: November 17, 2016  
Sherman County, Oregon
- Strategies: December 8, 2016  
Wasco County, Oregon
- Measuring Success: January 19, 2017  
Klickitat County, Washington
- Strategy and Project Prioritization:  
February 16, 2017  
Hood River County, Oregon

**RSVP to attend: Contact Sherry at  
[sbohn@mcedd.org](mailto:sbohn@mcedd.org) or 541-296-2266**

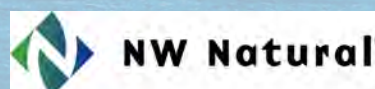
Join us in  
planning for our  
region's  
economic future!

**Time:** Optional  
networking at 8:30  
am. Sessions begin  
at 9:00 a.m.

**Tour:** All sessions  
will be followed by  
a community tour

Mid-Columbia Economic  
Development District  
develops a long-range  
**regional economic  
development strategy**, with  
participation from local  
communities to create jobs,  
raise income levels, diversify  
the economy, and improve  
the quality of life, while  
protecting the environment.

*Hosted by Mid-Columbia Economic Development District  
Thank you to our sponsors:*





## **Discussion Item**

### **ORMAP Grants**

- [Introductory Email](#)
- [ORMAP Grant Application](#)

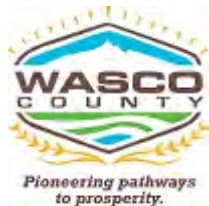
I am applying for the next round of the ORMAP project. The first grant (which we are running currently) was approved by you guys and signed off by the BOC back in June. The grant runs for one year, but we can apply for new ones every 6 months. I will be sending the draft out technical review later today, and have an appointment before the BOC on the 21st. (The grant paperwork is due to the State on the 23rd, if approved we can start work on January 1)

As you may recall from the last time, this project is using the surveyor and a remapping vendor (Lane County, who we use for all of our Assessor-related stuff) to increase the spatial accuracy of our tax lots. The County match for the project is staff time (mostly mine and Jaime's) and the Surveyor's equipment. The Surveyor's time is reimbursed by the grant. As the tax lots actually belong to the Assessor, Jill's signature is needed on the grant application in addition to Tyler's (as the fiscal officer), HR (for some stock form) and the BOC. As with our current grant I'm trying to reduce the time you guys have to spend on it to signing off on a form.

Let me know if you have any questions, and sorry for the short notice.

Thanks,

Tycho



Tycho Granville, GISP | GIS Coordinator  
**INFORMATION SERVICES**

[tychog@co.wasco.or.us](mailto:tychog@co.wasco.or.us) | [www.co.wasco.or.us](http://www.co.wasco.or.us)

541-506-2658 | Fax 541-506-2641

2705 E. 2nd St. | The Dalles, OR 97058

# ORMAP Grant Application Draft v2

Section I. County and Grant Information			
A. County: Wasco		B. Funding Cycle: Fall 2016	
C. Project will help meet ORMAP Goal(s): 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 X 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/>		D. Fund Request: \$54,240	
Section II. Summary of Project			Department Assessment
A. Brief Overview of the Request			<input type="checkbox"/> Pass <input type="checkbox"/> Fail
Wasco County is seeking \$54,240 remap 1200 taxlot polygons and capture 102 control points to continue the conversion of Wasco County tax maps to meet ORMAP technical specifications. This is the 2nd phase of a multi-year project.			
Scope and Deliverables			
Check	Deliverables	Brief description of the deliverables	
X	Tax Lot Conversion	1200 polygons in 2N 13E	
X	Tax Map Conversion	Index maps in 2N 13E containing 1500 polygons	
X	Control Points	102 control points collected by the Surveyor in preparation for County remapping of 1N 13E Sections 4 - 8	
<input type="checkbox"/>	Development		
<input type="checkbox"/>	Other Assistance		
<input type="checkbox"/>	Other Deliverable		
<input type="checkbox"/>	Hardware/Software		
B. Projected Project Completion Date (projects should not exceed one year)			
June 30, 2017			
C. Total Costs of Project (add lines as necessary)			
Deliverable	Number of Items	Cost per Item	Total Cost
Control Points	102	\$120	\$12,240
Tax lot remapping	1,200	\$35	\$42,000
D. Partnerships and Contributions (add lines as necessary)			
Partner	Contribution		
Wasco County Surveyor	GPS equipment, computers, vehicle with gear		
Wasco County Assessor & GIS staff, map research and review	\$6000		
Total Match	\$6000		
A. Assessor's Signature & Date:			
F. Fiscal Coordinator – Name & Contact Number:	Tyler Stone, County Administrator 541.506.2520		

<b>G. Project Coordinator – Name &amp; Title:</b>	Tycho Granville GIS Coordinator
<b>E-mail address:</b>	tychog@co.wasco.or.us
<b>Phone Number:</b>	541.506.2658
<b>Mailing Address:</b>	2705 E 2 <sup>nd</sup> St The Dalles, OR 97058

### **Section III. Detail Project Information –Answer all questions**

#### **A. Overview**

**1. Describe what the project is trying to accomplish.**

This project will be used to remap 1500 polygons (using control points captured with the last grant) and collect an additional 102 control points in preparation for continuing the remapping in follow-on grants. At the completion of the entire project Wasco County tax lots will meet ORMAP technical specifications consistent with Goal 6.

**2. What part(s) of the county does this project cover (Township, Range, and Sections, if applicable)?**

Remapping of 2N 13E - 1500 of 2198 polygons with their associated index maps (76 maps in total, number to be determined by Lane County and Wasco County surveyor. The final 698 polygons and associated index maps will be remapped in a subsequent grant.

Capture of 102 control points in 1N 13E Sections 4 - 8 (enough for all 34 index maps and 1712 polygons)

**3. What is the status/outcome of all previously funded ORMAP projects? (Please include funding cycles and a “status map” of your county.)**

Contract: #2484: Purchased plotter for Assessor's department. 100% complete.

Contract #3543-16: Current project, expected completion date June 2017.

All of Wasco County is currently at goal 2 (see attached map)

**4. Describe, in detail, your technical approach to the project (such as, mapping methodology).**

- A. Review existing documents
- B. The Surveyor will research control points in the office.
- C. The technicians will find corners in the field and collect coordinates for control points, working under the direct supervision of the surveyor, to sub- foot accuracy using real-time GPS. The County maintains survey grade GPS equipment. Providing this equipment to the project is an additional cost match.

**5. Describe the project deliverables.**

Tax maps containing 1200 polygons meeting ORMAP technical specifications and Oregon Department of Revenue cartographic specifications.

102 Control Points with Sub-Foot Accuracy. GPS data file will contain similar to the following information for each point: Northing, Easting, Reference Survey Number, Observation Date, Observation Id, Township, Range, Section, Corner (< 1' accuracy, ddd – mm - 000 coordinate format, WGS84)

**6. Who will be doing the work (county staff, contractor, or DOR staff)? Please define their roles.**

Wasco County Surveyor will collect the control points.

Lane County Information Services will perform the tax lot remapping.

Wasco County GIS and Assessor staff will provide assistance with locating general location of preferred points and QC on final products.

**7. How will the county cartographer integrate the deliverables into the County's maintenance plan?**

Lane County Information Services maintains the tax lot maps for Wasco County. This project will have no impact on maintenance

**8. Provide a project timeline with milestones or completion dates.**

Control point collection and remapping of tax lots will begin in January 2017 with completion in June 2017.

**9. Does this project have any partnerships? If yes, please identify them.**

No.

**10. Describe any innovations utilized by this project.**

The results of this project are intended to utilize the ESRI Parcel Fabric technology to improve relative and positional accuracy of data maintained in the ORMAP ESRI data schema format. The new GPS points will be conveyed to BLM for possible input and update of calculated CadNSDI data.

**11. Detail Costs (who is paying for what).**

Wasco County Assessor & GIS Staff - \$6000 (Wasco County)

County Surveyor - \$12,240 (Grant)

Lane County remapping - \$42,000 (Grant)

## **B. Quality Control**

**1. Who will be responsible for quality control (QC)?**

Wasco County Surveyor

**2. Will county cartography staff review the deliverables?**

No. Deliverables will be reviewed by Lane County Information Services

**3. Will there be a review by Department of Revenue's cartography staff?**

If requested

**4. Describe QC procedures.**

Survey control points will meet County survey specifications for mapping.

County staff will review each map is provided by Lane County information services by visually inspecting the map. The new product will be compared to previous maps and inconsistencies will be investigated.

## **C. Project Detail**

**1. Is this project an "edge matching project"? If so, how much of the county boundary will be in a and No.**

**2. Is this project part of an ongoing or multi-phased remapping project?**

Yes. This is the 2nd phase of a planned multi-year project.

**3. What percentage of the county tax lots and tax maps meet the ORMAP technical specifications?**

	<b>Total Countywide</b>	<b>Meet Tech Specs</b>	<b>Percent Complete</b>
<b>Tax Lots</b>	<b>15119</b>	<b>Unknown</b>	<b>Unknown</b>
<b>Tax Maps</b>	<b>662</b>	<b>Unknown</b>	<b>Unknown</b>

There is no documentation listing which index maps meet the ORMAP technical specifications. Review by the Department of Revenue and Lane County Information Services staff state many of the maps are "fairly close".

**4. Upon completion of this project will your county meet goal 6 (100% of tax maps meeting technical specification)?**

No. This is the second part of a planned multiyear project.

**5. Is this project part of a multi-county effort? If so, please explain.**

No.

**6. Will the project cost be affected if it is not fully funding this cycle?**

Possibly. If labor costs increase so will the amounts requested in follow-on grants.

#### **D. Data Availability**

**1. Does the county have a data sharing agreement with the State?**

Yes -

GIS Framework Data License - signed 2005

GIS Cadastral Data Sharing License Agreement v1.3 - signed 2009

Wasco County GIS Cadastral Data Sharing License Agreement v3.0 – signed 2016

**2. Identify any data restrictions or licensing issues.**

There are no data restrictions or licenses required. Data is shared with other public partners at no cost and is sold to anyone else.

#### **E. Background Information**

**Any other information that you feel may help support the project.**

This project continues Wasco County on the path to having all of its tax lots meet ORMAP specifications. It is expected to take at least 6 years depending on funding from ORMAP and our in-house capacity (see below).

The outline of our plan is to have the surveyors get one funding cycle "ahead" of Lane County Information Services in their collection of control points. Then Lane County Information Services will not be held up by any issues with the collection of additional control points. Also, the surveyors will have some capacity if there are a few additional points that need to be captured to help the current cycle of remapping.

The original collection area was such chosen for being both close to the surveyor's office and having a mix of urban and rural areas. This allowed us to get a clearer picture of the actual costs and time involved with the surveyor's portion of the remapping. As it turned out, the surveyors were able to collect points at a (somewhat) lesser price than originally estimated. We are using the extra funding to collect control points for 4S 13E (per an addendum sent out in September 2016)

With this grant, the surveyors will collect control points for 5 Sections within the 1N 13E Township. This encompasses an additional area of The Dalles adjacent to and south of our Spring 2016 project area. This will also be somewhat of a pilot project in that our vendor (Lane County) will begin the actual remapping of the tax lots. This will give us a chance for Lane County and our surveyors to work directly together and iron out any issues that may appear in this project. This will give us a better idea



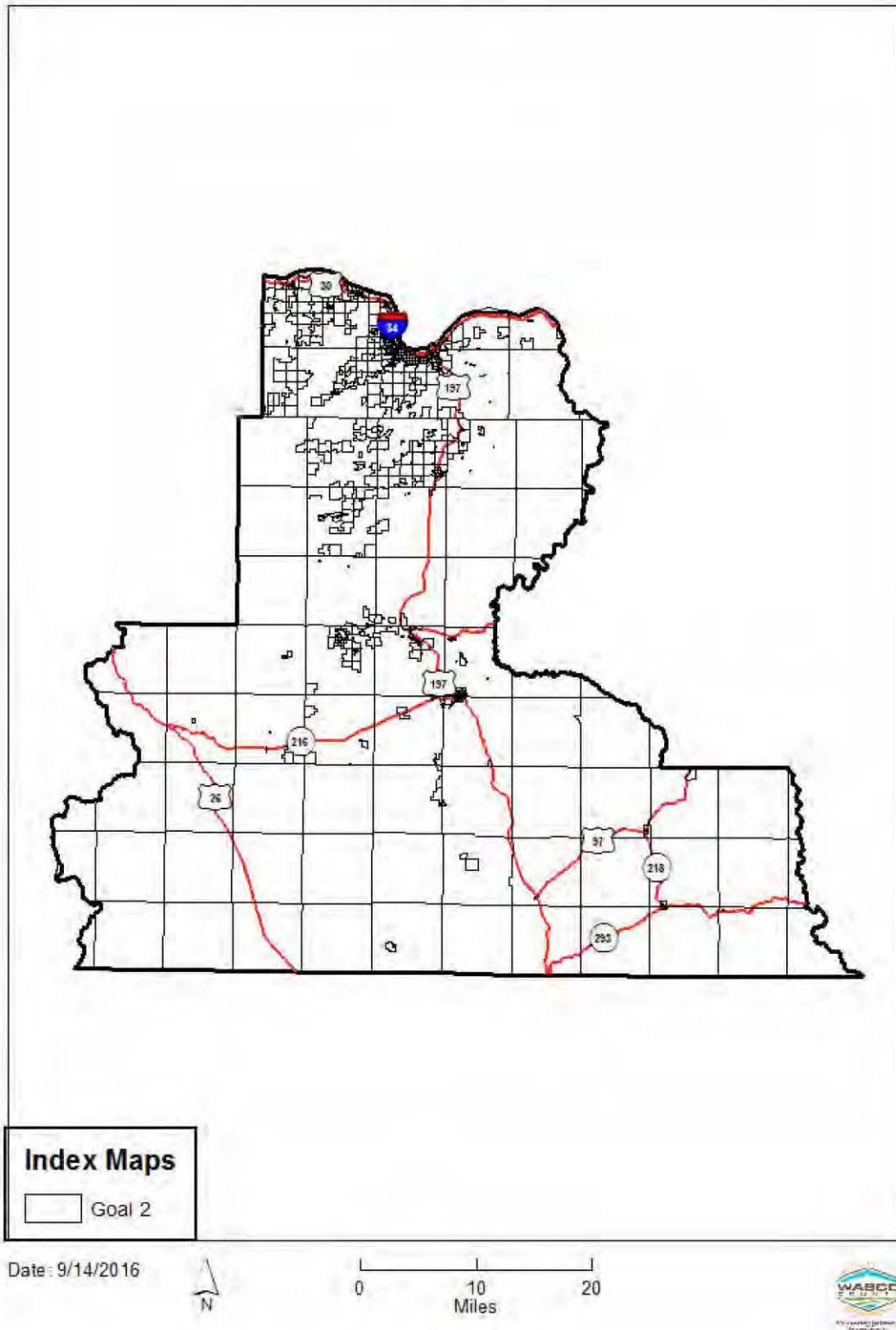
of the actual workload for each entity and determine if we have the capacity to remap a greater number of tax lots per grant cycle.

The Surveyor plans to collect all control points with urban accuracy (sub foot) regardless of their location in the county. Positional accuracy of less than that makes the final product of little value for the surveying community.

**F. Other Issues - Please identify.**

None.

Wasco County  
ORMAP Goal Status



## G. Racial and Ethnic Impact Statement

### RACIAL AND ETHNIC IMPACT STATEMENT

**This form is used for informational purposes only and must be included with the grant application.**

Chapter 600 of the 2013 Oregon Laws require applicants to include with each grant application a racial and ethnic impact statement. The statement provides information as to the disproportionate or unique impact the proposed policies or programs may have on minority persons<sup>1</sup> in the State of Oregon if the grant is awarded to a corporation or other legal entity other than natural persons.

1. ☐ The proposed grant project policies or programs could have a disproportionate or unique positive impact on the following minority persons:

Indicate all that apply:

\_\_\_\_\_ Women  
\_\_\_\_\_ Persons with Disabilities  
\_\_\_\_\_ African-Americans  
\_\_\_\_\_ Hispanics  
\_\_\_\_\_ Asians or Pacific Islanders  
\_\_\_\_\_ American Indians  
\_\_\_\_\_ Alaskan Natives

2. ☐ The proposed grant project policies or programs could have a disproportionate or unique negative impact on the following minority persons:

Indicate all that apply:

\_\_\_\_\_ Women  
\_\_\_\_\_ Persons with Disabilities  
\_\_\_\_\_ African-Americans  
\_\_\_\_\_ Hispanics  
\_\_\_\_\_ Asians or Pacific Islanders  
\_\_\_\_\_ American Indians  
\_\_\_\_\_ Alaskan Natives

3. The proposed grant project policies or programs will have no disproportionate or unique impact on minority persons.

If you checked numbers 1 or 2 above, on a separate sheet of paper, provide the rationale for the existence of policies or programs having a disproportionate or unique impact on minority persons in this state. Further provide evidence of consultation with representative(s) of the affected minority persons.

I HEREBY CERTIFY on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the information contained on this form and any attachment is complete and accurate to the best of my knowledge.

Signature: \_\_\_\_\_

Printed Name: Rod L. Runyon Title: Chair, Wasco County Board of Commissioners

<sup>1</sup>“Minority persons” are defined in SB 463 (2013 Regular Session) as women, persons with disabilities (as defined in ORS 174.107), African-Americans, Hispanics, Asians or Pacific Islanders, American Indians and Alaskan Natives.

**Submit completed forms to:**

Mail	Contact Information
ORMAP Project Coordinator Oregon Department of Revenue Property Tax Division 955 Center St. NE Salem OR 97301-2555	Tel: 503-586-8128 Fax: 503-945-8737 <a href="mailto:or.map@state.or.us">or.map@state.or.us</a>

## ***Additional Forms***

# ORMAP Grant Application Addendum – Alternate Funding Request

<b>Section I. County and Grant Information</b>	
a. County: Wasco	b. Funding Cycle (Spring or Fall / Year): Spring 2016
c. Original Grant Request: \$ 54240	
Reduction percentage and award amount to be filled in by Department of Revenue	
d. Reduction Percentage:	e. Awarded Amount: \$
Please provide the following additional information to help us understand the impact of reductions in varying amounts to your original grant request if there are insufficient funds available funds to provide 100% funding. Please note at what point the reduction requested would make the project impossible to undertake.	
<b>Section II. Reduction Options – Additional Information as Requested</b>	
<b>If you received a reduced grant amount how would it affect the following:</b>	

1. What will your deliverables be with this reduction (that is, the number of tax lots, tax maps, or control points)?  
Fewer control points will be collected
2. How will this reduction affect your current methodology, if at all?  
Methodology would not change
3. How will this reduction affect your county's remapping completion date?  
It will push the completion date back.

Mail	Contact Information
ORMAP Project Coordinator Oregon Department of Revenue Property Tax Division 955 Center St. NE Salem OR 97301-2555	503-586-8128 Fax: 503-945-8737 <a href="mailto:or.map@state.or.us">or.map@state.or.us</a>

# ORMAP Grant Application Addendum– Request for Additional Information

Complete only if requested by ORMAP Technical Group

Section IV. County and Grant Information	
a. County:	b. Funding Cycle:
	c. Fund Request \$
Section V. Project – Additional Information as Requested	
1.	
2.	
3.	
4.	



## ORMAP Example #1 - The Dalles



Date: 6/14/2016

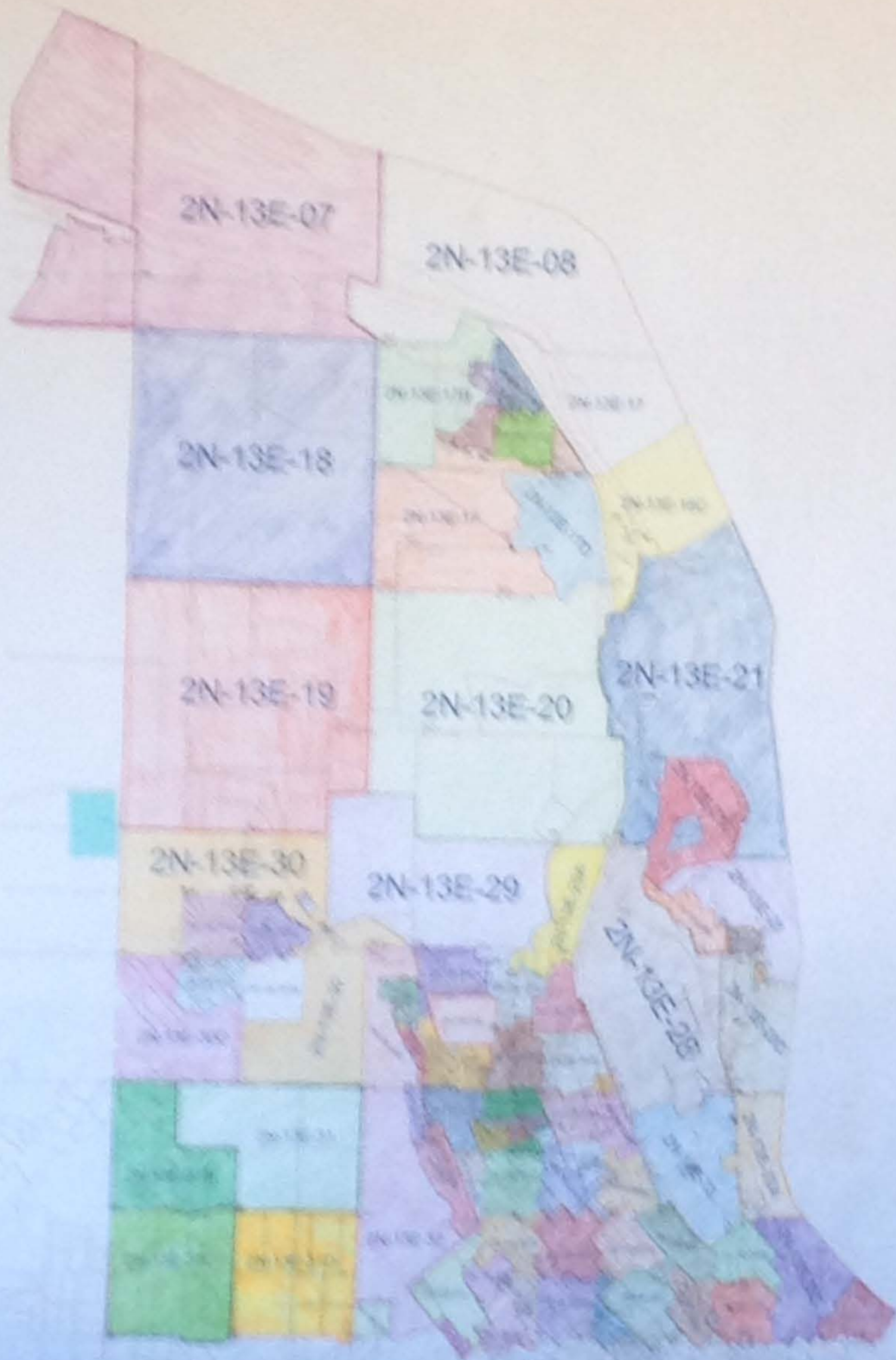


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This product is for informational purposes and has not been prepared for, or is suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the utility of the information.









## ORMAP Example #2 - Tygh Valley



Date: 6/14/2016



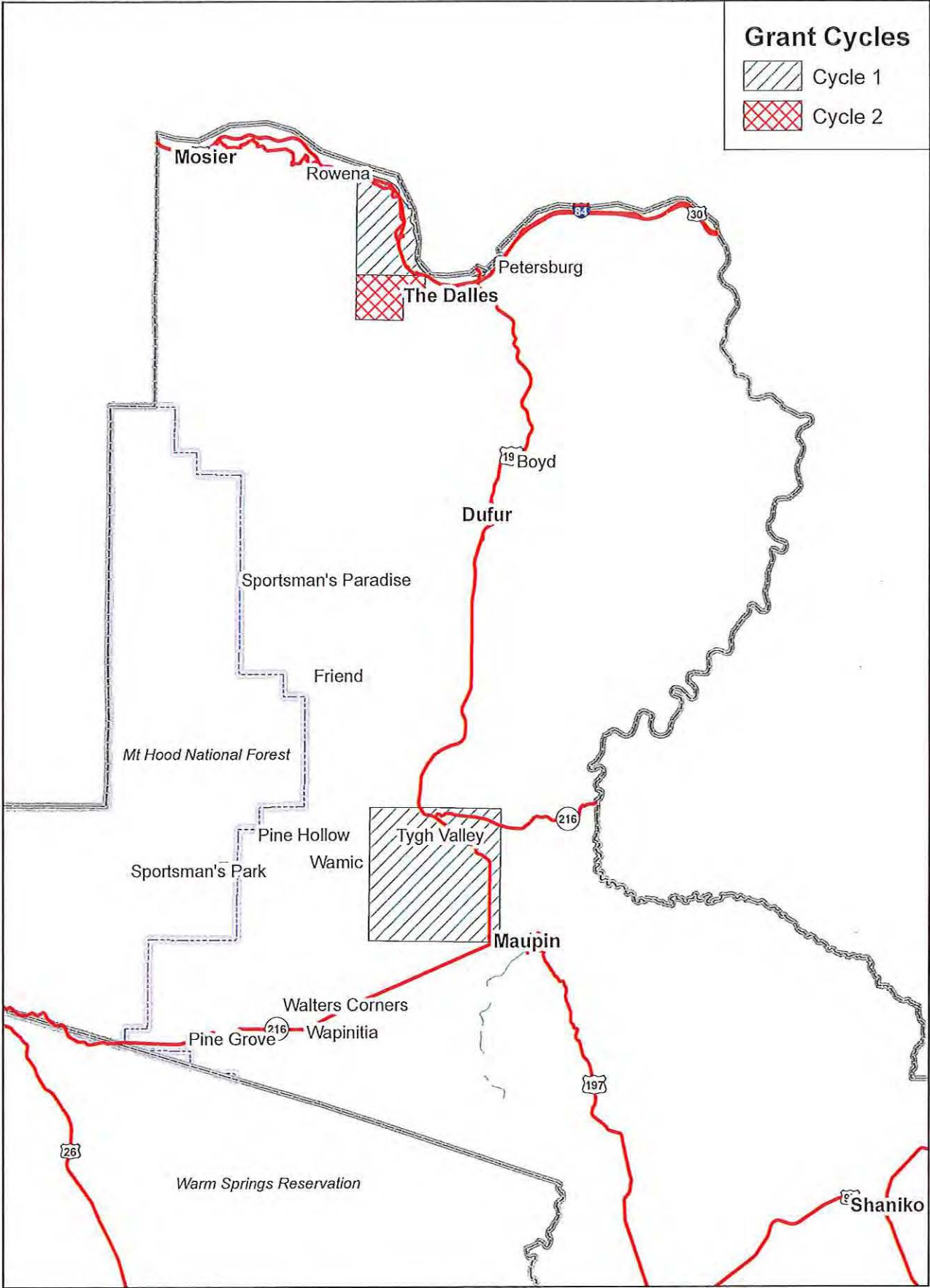
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This product is for informational purposes and has not been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.





ORMAP Project



Date: 9/20/2016



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This product is for informational purposes and has not been prepared for, or is suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



### **"No Discharge of Firearms"**

We are offering a recommendation to remedy the on-going threats against us from the discharge of firearms at Pine Hollow Reservoir.

In the past several years we have spoken to you regarding this violent trespass against us at Pine Hollow Reservoir. Are any of you unaware of the on-going lack of safety in regard to goose hunting on Pine Hollow Reservoir?

"No Discharge of Firearms" is clearly recorded on all plats of each section of Pine Hollow Recreation Development and was accepted by Wasco County. In your packet you will find;

Exhibit #1, Subdivision Plat of Pine Hollow Recreation Development, East Shore Lots, Third Addition,  
which is only one of many plats within this development.

In your Packet you also have,

Exhibit #2-A, Pine Hollow Development Corp Protective Covenants, and  
Exhibit #2-B, Pine Hollow Recreation Development, South Shore Lots, Third  
Addition

all of which states, "No Discharge of Firearms."

Pine Hollow Recreation District has no homeowner's association, nor enforcement of "No Discharge of Firearms." Wasco County accepted and approved the plat therefore enforcement is Wasco County's duty.

As a remedy we are asking Wasco County to create an ordinance for the enforcement of "No Discharge of Firearms" in Pine Hollow Recreation Development. In your packet you have;

Exhibit #3, Chapter 9.08 Discharge of Firearms.

Deschutes County has already successfully created just such an ordinance so you do not have to re-invent the wheel to provide a remedy.

We would like follow up information and a time line on your progress.



Subscribed and sworn before me this 19<sup>th</sup> day  
of April 1977.

Notary Public for the State of Texas  
My commission expires March 9, 1981

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Peter H Crawford*  
OREGON  
JANUARY 8, 1949  
P. H. Crawford  
60

We, E.A. Wood, Assessor, and John B. Neffitt, Sheriff, of Wasco County, Oregon hereby certify that we have examined the conveyer plat of Pine Hollow Recreation Development, East Shore, Third Addition, Subdivision in Wasco County, Oregon and that the same depicted for said plat is a proper name and not included in any other subdivision in Wasco County, Oregon and further certify that all taxes and assessments due or will become due thereon during the calendar year have been fully paid as required by law and we hereby approve said plat.

County Assessor John D. Hagler County Clerk John D. Hagler

The assessed plot of the Hollow Mountain Development, East Shore, Third Addition, Subdivision was examined and approved this 28 day of May, 1977.

Worcester County Judge  
James C. Mendenhall

The attached plot of Pine Hollow Recreation Development, East Shore, Third Addition, Subdivision was examined and observed this 9th day of May 1977.

The annexed set of Pine Hollow Recreation Development, East Shore, Third Addition, Subdivision was examined and approved this 10<sup>th</sup> day of May 1977.

The unseared plot of Pine Hollow Recreation Development, East Shore, Third Addition, Subdivision was examined and approved this 22 day of Nov 1977.

**NOTE:** ALL PROPERTY CORNERS AT ROAD INTERSECTIONS  
ROUNDED WITH A 10 FOOT RADIUS CURVE.

EAST SHORE LOTS  
THIRD ADDITION

TWP. 4 S. RANGE 12 E. WM.

SECTION 3  
WASCO COUNTY, OREGON

SCALE: 1"=100'



### Springer Notes on Solar Observation

## DEDICATION

We, Irl Davis, Jr and Orlene M. Davis, husband and wife, as owners in fee simple of the land shown on the annexed plat, hereby dedicate to the public forever all roads, lanes, easements and parts as shown on such plat and that we declare the annexed plat to be a correct plat of Pine Hollow Recreation Development, East Shore, Third Addition, Subdivision, in Wasco County, Oregon.

Isabel Davis Jr. Gilene M. Davis  
Isabel Davis, Jr. Gilene M. Davis

On this 25th day of April 1977, before me a Notary Public for the State of Oregon personally appeared Irvin Davis, Jr and Grissie M. Davis, husband and wife known to me, who first being duly sworn, declared that their above instrument is their free and voluntary act.

J. J. Jones

Notary Public for the State of Oregon. March 9, 1981  
My commission expires \_\_\_\_\_

### DEVELOPERS GUARANTEE

The developer guarantees that suitable domestic water is available in adequate quantities in the immediate

area of the Pine Hollow Recreation Development,  
Col. David G. D...

## PROTECTIVE COVENANTS:

1. The purchasers agree that they will not use the premises for commercial enterprise and shall it to be used for commercial enterprise.
2. It is agreed that the purchasers shall have no lease or hedge over the site in height.
3. There will be no motorcycle parking on the site.
4. The purchasers agree that all building and cover disposal be constructed to meet State and County codes and standards.
5. There will be no gas storage or flammable liquid storage on the premises.
6. The purchasers agree to build and maintain a fence and building construction to meet the developer's approval.
7. The purchasers agree to participate in the proposed construction of a wastewater disposal system if necessary, and to pay for the same for a 10 year time waiting secondary treatment to prevent odors and pests to the maximum high water stage (slip).
8. The site must be used only for the purposes stated above.
9. The purchasers agree that there will be no permanent residential on their land.

T4S..R.12E.W.M.

The undersigned, being all of the members of the Board of Directors of BADGER IMPROVEMENT DISTRICT IRRIGATION DISTRICT, acknowledge that the subdivision plat of Pine Hollow Recreation Development East Shore Lots Third Addition, Township 4 South, Range 12, EWM, Section 3, Wasco County, Oregon, was submitted to the Board of Directors of the district and was examined by the directors and has been and is approved by the directors of the district, and that the approval shall be and is endorsed on said plat by allonge, this document.

**FILED**

JUN 15 1977

*Lee A. Parry*

COUNTY  
CLERK

*Guizy Malouf*  
*Guy Brittain*  
*W. W. Ross*



RECEIVED

JUN 1 - 1998

WASCO COUNTY ASSESSOR

PINE HOLLOW DEVELOPMENT CORP  
PROTECTIVE COVENANTS

PURCHASERS SHOULD CHECK RECORDED PLATS WITH WASCO COUNTY CLERK'S OFFICE.  
EACH SUBDIVISION HAS ITS OWN COVENANTS. THESE ARE BASIC COVENANTS FOR ALL LOTS.

1. THE PURCHASER AGREES THAT THEY WILL NOT USE THE PREMISES FOR COMMERCIAL ENTERPRISES OR SELL IT TO BE USED FOR THE AFORESAID.

IT IS AGREED THAT THE PURCHASERS SHALL HAVE NO FENCE OR HEDGE OVER SIX IN HEIGHT.

3. THERE WILL BE NO RIDING OF UNLICENSED MOTORCYCLES OR UNLICENSED ATV'S IN THE AREA.

4. THE PURCHASERS AGREE THAT ALL BUILDINGS AND SEWER DISPOSAL BE CONSTRUCTED TO MEET STATE AND COUNTY CODES AND STANDARDS.

5. THERE WILL BE NO DISCHARGE OF FIREARMS.

6. ALL BUILDINGS AND CONTRACTORS MUST MEET WITH THE SUBDIVIDER'S APPROVAL

ONE FAMILY UNITS ONLY.

8. THE PURCHASERS AGREE THAT THERE WILL BE NO PERMANENT LIVE STOCK ON THEIR LOTS.

THERE WILL BE NO JUNK CARS OR TRAILERS ON THE PROPERTY AT ANY TIME.

- THE PURCHASERS AGREE THAT THERE IS NO ACCESS OF LOTS 11 THRU 14 ONTO DODSON ROAD EXCEPT BY WAY OF WAYNE ROAD AND MARY B ROAD.

THE PURCHASERS AGREE THAT ALL HOMES WILL BE STICK BUILT OR MODULAR.

12. THE PURCHASERS REALIZE THAT A 10' WALKING EASEMENT EXIST FROM HIGH WATER MARK ON ALL SHORE LINE LOTS.

PINE HOLLOW RECREATION DEVELOPMENT  
South Shore Lots  
Third Addition

Conditions, restrictions, limitations, minimum building set back restrictions and easements as shown on the original plat records, executed by Irl Davis, Jr. et ux filed January 12, 1971, in Book 7, Page 16B, Plat Records for Wasco County, Oregon.

1. The purchasers agree they will not use the premises for commercial enterprises, organizations, associations or groups or resell it to be used for the same.
2. The purchasers agree there will be no permanent livestock on their lots.
3. It is agreed that the purchaser shall have no fence or hedge over six feet in height on his premises.
4. There will be no motorcycle riding in the area. This includes trailbikes.
5. The purchasers agree that all building and sewer disposal be constructed to meet State and County code.
6. The purchasers realize that a 10 foot walking easement exists between high water and shore property line.
7. There will be no discharge of firearms in the subdivision.
8. All buildings and building contractors must meet with the developer's approval.



## **Chapter 9.08. DISCHARGE OF FIREARMS**

- 9.08.010. Definitions.**
- 9.08.020. Definition-Board.**
- 9.08.025. Definition-Restricted Area.**
- 9.08.026. Definition-River Miles.**
- 9.08.030. Discharge of Firearms Prohibited.**
- 9.08.040. Exemptions to Chapter Applicability.**
- 9.08.050. Restricted Areas.**
- 9.08.060. Petitions-Requirements.**
- 9.08.070. Petitions-Time Limit for Securing Signatures.**
- 9.08.080. Petitions-Hearing-Notice.**
- 9.08.090. Petitions-Formation of Restricted Areas.**
- 9.08.100. Deschutes River Corridor Restricted Area.**
- 9.08.110. Violation-Penalty.**

### **9.08.010. Definitions.**

For the purposes of DCC 9.08, unless otherwise apparent from the context, certain words and phrases used in DCC 9.08 are defined as set forth in DCC 9.08.020 through DCC 9.08.026.

(Ord. 95-033 §1, 1995; Ord. 93-050 §1, 1993; Ord. 90-040 §1, 1990; Ord. 203-5 §3, 1975)

### **9.08.020. Definition-Board.**

"Board" means the Board of County Commissioners of Deschutes County, Oregon.

(Ord. 93-050 §1, 1993; Ord 90-040 §1, 1990; Ord. 203.5 §3, 1975)

### **9.08.025. Definition-Restricted Area.**

"Restricted area" means an area restricted pursuant to the provisions of DCC 9.08 or an area designated as restricted in DCC 9.08.

(Ord. 93-050 §1, 1993; Ord. 90-040 §1, 1990; Ord. 203.5 §3, 1975)

### **9.08.026. Definition-River Miles.**

"River miles" refers to mileage measured along the river, with reference to river mile designations shown on 1981 photo revised USGS quadrangle maps of the areas in question.

(Ord. 93-050 §1, 1993)

### **9.08.030. Discharge of Firearms Prohibited.**

No person shall fire or discharge any weapon which acts by force of explosive, except as provided in DCC 9.08.040, within an area designated as a restricted area pursuant to DCC 9.08.090 or designated as a restricted area in DCC 9.08.

(Ord. 95-033 §1, 1995; Ord. 93-050 §1, 1993; Ord. 203.5 §1, 1975)

### **9.08.040. Exemptions to Chapter Applicability.**

A. DCC 9.08.030 shall not apply to:

1. A person acting in defense or protection of his or her property or of an individual.

2. A peace officer acting in the course of his or her duty.
  3. A lawfully established firing range.
  4. An employee or agent of the Oregon Department of Fish and Wildlife acting in the course of his or her official duties.
  5. A person acting under the authority of a wildlife damage control permit issued by the Oregon Department of Fish and Wildlife.
  6. A person slaughtering his or her farm animals or acting under the direction of the owner of the farm animals in the ordinary course and scope of farming practices.
- (Ord. 98-006 §1, 1998; Ord. 95-033 §1, 1995; Ord. 93-050 §1, 1993; Ord. 90-040 §1, 1990; Ord. 203.5 §2, 1975)

**9.08.050. Restricted Areas.**

- A. This provision shall apply to restricted areas formed through the petition process. A restricted area formed by petition may be formed in the following areas, subject to petition and signature requirements set forth in DCC 9.08.060, provided that the properties within a single proposed district are contiguous:
    1. Recorded subdivisions or town plats; or
    2. Individual lots outside of recorded subdivisions or town plats, where such lots are contiguous to a subdivision or town plat in an existing or proposed restricted area or are contiguous to other lots included within an existing or proposed restricted area; or
    3. Any combination thereof.
  - B. No subdivision or town plat shall be eligible for such designation unless 60 percent of the registered voters within such subdivision or combination of subdivisions sign the petition proposing such district.
  - C. No individual lot not covered by a town plat or recorded subdivision plat shall be eligible for inclusion in a proposed restricted area unless the owner of such lot signs a petition requesting such designation. Determination of ownership shall be made using the most recent property tax assessment roll. Recent purchasers must provide a certified copy of a deed.
  - D. Except as set forth in DCC 9.08.050(B), no individual lots owned by a political subdivision of the State of Oregon or special district shall be eligible for inclusion in a proposed restricted area unless such governmental entity or quasi-governmental entity shall have passed an ordinance consistent with the provisions of DCC 9.08 restricting the discharge of firearms on such property.
  - E. Any area eligible to be included in a restricted area under DCC 9.08.050 may annex onto an existing firearms district by following the formation procedures set forth in DCC 9.08.
- (Ord. 95-033 §1, 1995; Ord. 93-050 §1, 1993; Ord. 91-048 §1, 1991; Ord. 90-040 §1, 1990; Amendment to Ord. 203.5 passed 12/1/76; Ord. 203.5 §4, 1975)

**9.08.060. Petitions-Requirements.**

- A. Except for restricted areas designated outright in DCC 9.08, a proposal for formation of a restricted area shall be made by petition. The petition, which may consist of a single instrument or separate counterparts, shall contain the following:
  1. A description of the boundaries of the proposed restricted area;
  2. A statement that the area is proposed to be restricted pursuant to the provisions of DCC 9.08;
  3. At least one, and as many as three, chief petitioners, setting forth their names and mailing addresses;
  4. The signatures of not less than 60 percent of the registered voters of subdivisions included within the proposed restricted area;
  5. The signature of each owner, or authorized representative thereof, of any individual lot outside of a recorded subdivision plat or town plat entitled to be included in a proposed restricted area; and



6. A certified true copy of any ordinance of a municipal corporation or special district with property included within the proposed boundaries designating the area to be a restricted area consistent with the provisions of DCC 9.08.
  - B. Each person signing a petition shall, besides signing the petition, also print his name after his signature and shall add after his signature his place of residence, giving street and number or designation sufficient to enable the place or residence to be readily ascertained.
  - C. After a petition has been offered for filing a person may not withdraw his name there from.
- (Ord. 95-033 §1, 1995; Ord. 93-050 §1, 1993; Ord. 91-048 §1, 1991; Ord. 90-040 §1, 1990; Ord. 203.5 §5, 1975)

**9.08.070. Petitions-Time Limit for Securing Signatures.**

- A. A petition shall not be accepted for filing unless the signatures thereon have been secured within six months of the date on which the first signature on the petition was affixed. The petition shall be filed with the County Clerk.
- B. The petition shall be accompanied by a sum of money determined by the Board as sufficient to cover the expenses of the formation of the district.
- C. Within 10 days after the date the petition is offered for filing, the County Clerk shall examine the petition and determine whether it is signed by the requisite number of qualified signers. If the requisite number of qualified signers have signed the petition, the Clerk shall forward the petition to the Board. If the requisite number have not signed the petition the Clerk shall notify the chief petitioners and may return the petition to the petitioners.
- D. A petition shall not be filed unless the certificate of the County Clerk is attached thereto certifying that he has compared the signatures of the signers with the appropriate records; that he has ascertained therefrom the number of qualified signers appearing on the petition and that the petition is signed by the requisite number of qualified signers.

(Ord. 95-033 §1, 1995; Ord. 93-050 §1, 1993; Ord. 203.5 §6, 1975)

**9.08.080. Petitions-Hearing-Notice.**

- A. Following receipt of the petition from the County Clerk, the Board shall set a date for hearing not less than 15 days nor more than 45 days after the date the petition is received by the Board.
- B. The Board shall cause notice of the hearing to be posted in at least three public places within the proposed restricted area and published once by insertion in a newspaper of general circulation in the restricted area not less than seven nor more than 14 days prior to the date set for hearing. The notice shall state:
  1. The purpose for which the district is being formed;
  2. The boundaries for the proposed district;
  3. The time and place set for hearing; and
  4. That all interested parties may appear and be heard and that notice be given to the non-appearing registered voters within the area omitted. The hearing may not be continued for more than 15 days.

(Ord. 95-033 §1, 1995; Ord. 93-050 §1, 1993; Ord. 90-040 §1, 1990; Ord. 203.5 §7, 1975)

**9.08.090. Petitions-Formation of Restricted Areas.**

If after hearing the petition the Board determines that the area would benefit by the restrictions of DCC 9.08, it may enter an order stating that the area petitioned to be restricted, and as may be amended, shall be subject to the provisions of DCC 9.08. The order shall take effect immediately upon passage.

(Ord. 95-033 §1, 1995; Ord. 93-050 §1, 1993; Ord. 90-040 §1, 1990; Ord. 203.5 §8, 1975)

#### **9.08.100. Deschutes River Corridor Restricted Area.**

- A. For the purposes of DCC 9.08, the Deschutes River Corridor restricted area, as described in DCC 9.08.100, shall be a restricted area. The boundaries of the Deschutes River Corridor restricted area shall extend from the northern boundary of Sunriver, located at the SW 1/4 of section 20, Township 19 S., Range 11 E.W.M. (river mile 185.45) to the southern edge of the area platted as First Addition River Forest Acres subdivision, located in the SW 1/4 of Section 35, Township 20 S., Range 10 E.W.M. (river mile 203.07), except for the following excluded areas:
1. A 2.77-mile segment of the Deschutes River extending between river mile 187.70 through 190.41, more generally described as that segment of the river lying between a point located .77 river miles upstream of Cardinal Bridge and a point located .09 river miles downstream of the confluence with Spring River, which is open to shotguns only from 11/1 to the end of the waterfowl season established by the Oregon Department of Fish and Wildlife.
  2. A .36-mile segment of the Deschutes River extending between river miles 191.52 and 191.88, covering that area extending downstream .21 river miles from where Spring River Road crosses the river at Harper Bridge (located at river mile 191.73) and upstream .15 river miles from Harper Bridge;
  3. A .35-mile segment of the Deschutes River extending between river miles 192.40 and 192.75, covering that area extending .15 river miles downstream of the confluence of the Little Deschutes River (located at river mile 192.55) and .20 river miles upstream of the confluence of the Little Deschutes River;
  4. A .15-mile segment of the Deschutes River upstream of the General Patch Bridge extending between river miles 200.00 and 200.15;
  5. A .61-mile segment of the Deschutes River upstream of the General Patch Bridge extending between river miles 200.60 and 201.21; and
  6. A .27-mile segment of the Deschutes River upstream of the General Patch Bridge extending between river miles 202.41 and 202.68;
- B. The restricted area shall include the beds and banks and surface of the Deschutes River segments described above that fall below the ordinary high water mark, any included islands and those adjacent lands within 150 yards from the ordinary high water mark on each side of the river.
- C. The areas identified herein as excluded areas shall not be restricted by the provisions of DCC 9.08.
- D. This designation shall not affect any other pre-existing designated restricted areas.
- (Ord 2005-043 §1, 2005; Ord. 2002-014 §1, 2002; Ord. 2001-049 §1, 2001; Ord. 95-033 §1, 1995; Ord. 93-050 §1, 1993)

#### **9.08.110. Violation-Penalty.**

Violation of any provision of DCC 9.08 is a Class A infraction.

(Ord. 95-033 §1, 1995; Ord. 90-040 §1, 1990; Ord. 83-014 §1, 1983; Ord. 203-5 §9, 1975)

Public Input by Georgia Murray

09/21/1016

Re: Discharge of Firearms – Pine Hollow Development

1. The property affected by the discharge of firearms is zoned Agricultural 160 acre minimum is under agricultural production. The county would not allow “in season fee hunting” because it does not include lodging and is not part of a larger farm ranch recreation operation. (LUDO Section 3.210). The property affected is not seeking fee hunting; however, it is the victim of game bird hunting, in such a way that it is not being afforded a quiet enjoyment of life because of the threat of being hit by shot gun pellets.
2. The property affected by the discharge of firearms is zoned Agricultural 160 acres could be protected by the Wasco County Resource Use Protection Ordinance. See Section 2 Purpose: “It is the purpose of this Ordinance to protect resource based economically productive activities of Wasco County in order to assure the continued health, safety and prosperity of its residents”. “Wasco County has concluded that persons located on or near resource lands must accept the conditions commonly associated with accepted resource uses”. This Ordinance may be used to stop the bird hunting, as the hunters are shooting birds that are in a fly zone to the property affected.
3. The petition provision in the Deschutes Discharge of Firearms may be able to be set aside because of the “no discharge of firearms” as a “protective covenant” delineated on every subdivision plat in the Pine Hollow Recreation Development. People who purchased and developed their properties were put on notice as far back as 1977, as well as subsequent purchasers.
4. Deschutes County has written a number of no discharge of firearms ordinances, and the most recent one was approximately 5 years ago because of change in population on the east side of Redmond which included public, county and park properties. A contact person in Deschutes County is James Lewis 541-385-1414, County Property Manager. The Chapter 9.08 Discharge of Firearms Ordinance was written 12 to 15 years ago.
5. ORS 166.170 to 166.171 relates to Authority to Regulate Firearms. (See attached).
6. The target practice area West of The Dalles along Highway 30 was shut down some years ago for safety reasons. The Pine Hollow Recreation Development is another safety issue that has to be shut down.
7. From “The Language of Real Estate” by John W. Reilly, 2<sup>nd</sup> Edition, see attached: Covenants Running with the Land, Restriction and Restrictive Covenant. The creation in writing of “no discharge of firearms” was a promise between the grantor and grantee of the properties, therefore, it was the intention to run with the land. The Restriction is allowable in a “subdivision”. Restrictive Covenants “run with the land and binds all subsequent purchasers, their heirs and assigns”. For these reasons, a petition should not be part of the process to develop an Ordinance.



**E. Conditional Uses**

The following uses and activities may be allowed subject to a Type II or Type III Review on a legal parcel designated Exclusive Farm Use subject to Subsection F - Property Development Standards, H - Agricultural Protection, Chapter 5 - Conditional Use Review, Chapter 10 - Fire Safety Standards as well as any other listed, referenced, or applicable standards.

**FARM/FOREST USES**

1. Propagation, cultivation, maintenance, and harvesting of aquatic or insect species that are not under the jurisdiction of the State Fish and Wildlife Commission or insect species. Insect species shall not include any species under quarantine by the State Department of Agriculture or the United States Department of Agriculture. Notice of all applications under this shall be sent to the State Department of Agriculture at least 20 calendar days prior to any administrative decision or initial public hearing on the application.
2. Primary processing of forest products, subject to the following:
  - a. Such facility does not seriously interfere with accepted farming practices and is compatible with farm uses as defined.
  - b. Such facility may be approved for a one-year period which is renewable.
  - c. The facility is intended to be only portable or temporary in nature.
  - d. The primary processing of a forest product, as used in this section, means the use of a portable chipper or stud mill or other similar methods of initial treatment of a forest product in order to enable its shipment to market. Forest products as used in this section means timber grown upon a tract where the primary processing facility is located.

**COMMERCIAL USES RELATED TO FARM USE**

3. Commercial activities in conjunction with farm use as defined in ORS 215.203, including the processing of farm crops into biofuel not otherwise allowed in the definition of farm use or by Section D(4) above, subject to Section J(16), Additional Standards below and the applicable standards of Chapter 20, Site Plan Review.
4. Farm ranch recreation including but not limited to hunting preserves, fishing, fly fishing and tying clinics, trap and skeet range, archery range, ranch skills, horsemanship, equine eventing, habitat improvement, wildlife viewing, and outdoor schools in conjunction with a commercial farming operation subject to Section J(7), Additional Standards below and Sections 20.010 - 20.090 of Chapter 20, Site Plan Review.

→ In season fee hunting shall not be included in Farm Ranch Recreation unless it

P2010-0171/45



includes lodging or is part of a larger farm ranch recreation operation.

## RESIDENTIAL USES

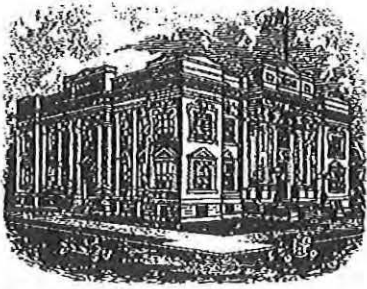
5. Non-Farm Dwelling: One single family dwelling not provided in conjunction with farm use, subject to Section J(1), Additional Standards, below.
6. A temporary medical hardship dwelling for the term of hardship suffered by the existing resident or relative subject to Section 8.070, Temporary Use of a Mobile Home (Family Hardship):
7. Residential home which means a residential treatment or training or adult foster home in an existing dwelling licensed by or under the authority of the department, as defined in ORS 443.400, under ORS 443.400 to 443.825, a residential facility registered under ORS 443.480 to 443.500 or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related (or as further defined in ORS 197.660) subject to the applicable standards of Chapter 20, Site Plan Review.

## ENERGY/UTILITY/SOLID WASTE DISPOSAL FACILITIES

8. Commercial utility facilities (Wind, Hydroelectric or Other) for the purpose of generating power for public use by sale. This use is subject to the applicable provisions of Chapter 19, Standards for Energy Facilities and Commercial Energy Facilities and Chapter 20, Site Plan Review. A wind power generation facility shall also be subject to Section J(17), Additional Standards below
9. Transmission towers greater than 200 feet in height and transmission facilities pursuant to the applicable provisions of Chapter 19, Standards for Energy Facilities and Commercial Energy Facilities.
10. A site for disposal of solid waste approved by a city or county governing body and for which a permit has been granted by the Department of Environmental Quality under ORS 459.245, including the equipment, facilities, and building necessary for its operation, except that such uses are prohibited on high value farmland subject to the applicable provisions of Chapter 20, Site Plan Review.
11. Composting facilities (excluding non-green feedstocks) for which a permit has been granted by DEQ under ORS 459.245 and OAR 340-96-020 subject to Section J(10), Additional Standards below and the applicable provisions of Chapter 20, Site Plan Review.

## MINERAL/AGGREGATE/GEOTHERMAL USES

12. Aggregate: Operations conducted for the mining, crushing or stockpiling of mineral, aggregate and other subsurface resources subject to Section J(9),



# WASCO COUNTY

DISTRICT ATTORNEY

Room 411  
511 WASHINGTON STREET  
THE DALLES, OREGON 97058-2237  
PHONE (503) 296-4611  
FAX (503) 296-3769

BERNARD L. SMITH  
DISTRICT ATTORNEY

EDWIN N. NORTON  
DEPUTY DISTRICT ATTORNEY

MICHELLE I. PAULY  
DEPUTY DISTRICT ATTORNEY

CHILD SUPPORT ENFORCEMENT  
(503) 296-4612

JAN 14 9 44 AM '93  
KAREN  
COUNTY CLERK

VICTIM ASSISTANCE  
(503) 296-6451

January 12, 1993

The Honorable John Mabrey  
Wasco County Judge  
Wasco County Courthouse  
The Dalles, Oregon 97058

RE: WASCO COUNTY RESOURCE USE PROTECTION ORDINANCE

Dear Judge Mabrey:

Your office brought to my attention that a typographic error appears on Page 3, Section 7(a) of the above referenced Ordinance. The word of was typed as or. For the purpose of editorial revision, I believe it appropriate that the Ordinance be corrected to reflect the actual word intended by the Court.

I would suggest that a corrected copy of the Ordinance be filed with a copy of this letter.

Yours very truly,

Bernard L. Smith  
WASCO COUNTY DISTRICT ATTORNEY

BLS:kam

P93-0043 (7)



IN THE COUNTY COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

FILED WASCO CTY

THE CLERK

1 IN THE MATTER OF THE ADOPTION OF )  
2 AN ORDINANCE PROTECTING ACCEPTED )  
3 RESOURCE USES. )

031 7 2 27 PM '92  
ORDINANCE

KAREN R. LEE  
COUNTY CLERK

THE WASCO COUNTY COURT ORDAINS AS FOLLOWS:

4 Section 1 SHORT TITLE. This Ordinance may be cited as the Wasco  
5 County Resource Use Protection Ordinance.

6 Section 2. PURPOSE.

7 (1) It is the purpose of this Ordinance to protect resource  
8 based economically productive activities of Wasco County in  
9 order to assure the continued health, safety and prosperity of  
10 its residents. Resource uses sometimes offend, annoy, interfere  
11 with or otherwise affect others located on or near resource  
12 lands. Wasco County has concluded that persons located on or  
13 near resource lands must accept the conditions commonly  
14 associated with accepted resource uses.

15 (2) This Ordinance is intended to limit the availability of  
16 remedies based on nuisance or trespass, complaint procedures,  
17 rights of action and claims for relief over which Wasco County  
18 has jurisdiction, when they otherwise would either have an  
19 adverse impact on resource uses which Wasco County seeks to  
20 protect, or would impair full use of the resource base within  
21 Wasco County.

22 Section 3 DEFINITIONS. As used in this Ordinance:

23 (1) "FACILITY" means any real or personal property, including  
24 appurtenances thereto and fixtures thereon, associated with a  
25 given use.

26 /////

1 (2) "FARMING PRACTICE" means the cultivation, growing,  
2 harvesting, processing or selling of plants or animals of any  
3 kind, which lawfully may be grown, possessed and sold, including  
4 but not limited to fish, livestock, poultry, grapes, cherries,  
5 apples, pears, wheat, barley, Christmas trees and nursery stock.

6 (3) "FOREST PRACTICE" has the meaning given that term by  
7 ORS 527.620.

8 (4) "NONRESOURCE USE" means any facility, activity or other use  
9 of land which does not constitute a resource use, including but  
10 not limited to residential use.

11 (5) "RESOURCE USE" means any current or future generally  
12 accepted farming, ranching or forest practice or facility  
13 conducted in compliance with applicable Wasco County Land Use  
14 Ordinances.

15 (6) "GENERALLY ACCEPTED" means either:

16 (a) A practice or facility which is conducted or used in  
17 compliance with applicable federal and state laws; or

18 (b) If there is no applicable federal or state law, a  
19 practice or facility which an average person in Wasco County  
20 who is a grower or producer regularly involved in the same  
21 type of resource use would reasonably expect to occur or  
22 exist in a rural setting. The Wasco County Court may, as it  
23 deems necessary, establish resource user peer review boards  
24 consisting of five (5) persons who regularly are involved in

25 /////

26 /////

2 - ORDINANCE

1 a resource use within the County, three of whom regularly  
2 are involved in the same type of resource use in question,  
3 to advise the Court as to generally accepted practices or  
4 facilities with respect to that resource use.

5 (7) "RESOURCE USE" does not include:

6 (a) The willful growing <sup>of</sup> unlawful, infested, infected or  
7 diseased plants or animals.

8 (b) Trespass which involves actual physical intrusion onto  
9 the property of another by a person or by a person's animals.

10 Section 4 PROTECTING RESOURCE USES OUTSIDE URBAN GROWTH BOUNDARY.

11 (1) No resource use occurring outside an urban growth boundary  
12 (UGB) shall be declared to be a public or private nuisance or  
13 trespass, or support any complaint procedure, or give rise to a  
14 claim for relief in favor of, or to protect the interests of,  
15 nonresource uses or any persons or property associated  
16 therewith, to the extent that such right, proceeding or claim  
17 would arise under an Ordinance or the inherent authority of  
18 Wasco County.

19 (2) This section applies regardless of:

20 (a) The location of the purportedly affected nonresource  
21 use.

22 (b) Whether the nonresource use purportedly affected  
23 existed before or after the occurrence of the resource use.

24 (c) Whether the resource use or nonresource use has  
25 undergone any change or interruption.

26 /////



1 (d) Whether the resource use or nonresource use is located  
2 inside or outside an area designated as secondary resource  
3 lands.

4 Section 5 PROTECTING RESOURCE USES WITHIN URBAN GROWTH BOUNDARY.

5 (1) No resource use occurring within an urban growth boundary  
6 (UGB) shall be declared to be a public or private nuisance or  
7 trespass, or support any complaint procedure, or give rise to a  
8 claim for relief in favor of, or to protect the interests of,  
9 nonresource uses or any persons or property associated  
10 therewith, to the extent that such right, proceeding or claim  
11 would arise under an Ordinance or the inherent authority of  
12 Wasco County.

13 (2) This section applies:

14 (a) Regardless of the location of the purportedly affected  
15 nonresource use.

16 (b) Only if the resource use predated the purportedly  
17 affected nonresource use.

18 (c) Only if the resource use has not significantly  
19 increased in size or intensity after (A) the effective date  
20 of this Ordinance, or (B) the date on which the applicable  
21 urban growth boundary is changed to include the subject  
22 resource use within its limits, whichever date is later.  
23 However, if the change is mandated by law, this section  
24 shall apply.

25 /////

26 /////



1     Section 6 CHANGE IN URBAN GROWTH BOUNDARY. To the extent  
2     permissible under state law, if an urban growth boundary (UGB) is  
3     changed in such a way as to place a resource use either inside or  
4     outside such boundary, Section 4 of this Ordinance applies with  
5     respect to any conflict between a resource use and nonresource use.

6     Section 7 LAND USE DECISIONS. The fact that Wasco County's  
7     Comprehensive Plan, Zoning Ordinances and land use decisions may  
8     allow the siting, development or support of any particular use does  
9     not negate the provisions of this Ordinance intended to protect a  
10    resource use.

11    Section 8 COMPLAINTS BY NONRESOURCE USERS. Any persons engaged  
12    in a nonresource use are deemed on notice that Wasco County will not  
13    act on complaints involving a resource use protected under this  
14    Ordinance, wherever located, so long as such resource use complies  
15    with applicable provisions of federal and state laws and this  
16    Ordinance.

17    Section 9 SEVERABILITY CLAUSE. If any portion of this Ordinance  
18    is held invalid by a court of competent jurisdiction, such decision  
19    shall apply only with respect to the specific portion held invalid by  
20    the decision. It is the intent of Wasco County that the remaining  
21    portions of this Ordinance continue in full force and effect.

22    Section 10 EMERGENCY CLAUSE. This Ordinance being immediately  
23    necessary for the preservation of the public well being, an emergency  
24    is declared to exist and this Ordinance shall take effect immediately.

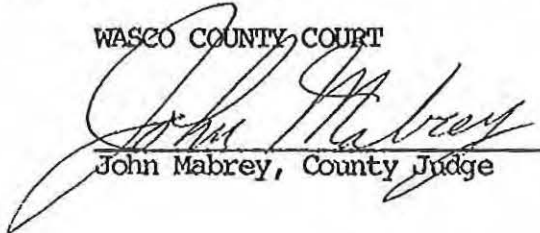
25    /////


26    /////

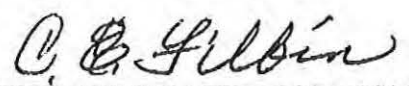
1 Regularly passed and adopted by unanimous vote of all members of  
2 the County Court of the County of Wasco, State of Oregon, present on  
3 this day.

4 DONE AND DATED this 7th day of October, 1992.

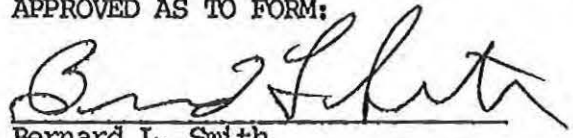
5 WASCO COUNTY COURT

6   
7 John Mabrey, County Judge  
8

9   
10 Scott McKay, County Commissioner

11   
12 C.E. Filbin, County Commissioner

13 APPROVED AS TO FORM:

14   
15 Bernard L. Smith  
16 Wasco County District Attorney  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26



(2) Intimidation in the second degree is a Class A misdemeanor.

(3) For purposes of this section:

(a) "Property" means any tangible personal property or real property.

(b) "Sexual orientation" means heterosexuality, homosexuality or bisexuality. [1981 c.785 §1; 1983 c.521 §1; 1989 c.1029 §1]

166.160 [Repealed by 1971 c.743 §432]

**166.165 Intimidation in the first degree.** (1) Two or more persons acting together commit the crime of intimidation in the first degree, if the persons:

(a)(A) Intentionally, knowingly, or recklessly cause physical injury to another person because of the actors' perception of that person's race, color, religion, national origin or sexual orientation; or

(B) With criminal negligence cause physical injury to another person by means of a deadly weapon because of the actors' perception of that person's race, color, religion, national origin or sexual orientation;

(b) Intentionally, because of the actors' perception of another person's race, color, religion, national origin or sexual orientation, place another person in fear of imminent serious physical injury; or

(c) Commit such acts as would constitute the crime of intimidation in the second degree, if undertaken by one person acting alone.

(2) Intimidation in the first degree is a Class C felony.

(3) "Sexual orientation" has the meaning given that term in ORS 166.155. [1981 c.785 §2; 1983 c.521 §2; 1989 c.1029 §2; 1993 c.332 §1; 1995 c.79 §53]

### **AUTHORITY TO REGULATE FIREARMS**

**166.170 State preemption.** (1) Except as expressly authorized by state statute, the authority to regulate in any matter whatsoever the sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms or any element relating to firearms and components thereof, including ammunition, is vested solely in the Legislative Assembly.

(2) Except as expressly authorized by state statute, no county, city or other municipal corporation or district may enact civil or criminal ordinances, including but not limited to zoning ordinances, to regulate, restrict or prohibit the sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms or any element relating to firearms and components thereof, including ammunition. Ordinances that are contrary to this subsection are void. [1995 s.s. c.1 §1]

**166.171 Authority of county to regulate discharge of firearms.** (1) A county may adopt ordinances to regulate, restrict or prohibit the discharge of firearms within their boundaries.

(2) Ordinances adopted under subsection (1) of this section may not apply to or affect:

(a) A person discharging a firearm in the lawful defense of person or property.

(b) A person discharging a firearm in the course of lawful hunting.

(c) A landowner and guests of the landowner discharging a firearm, when the discharge will not endanger adjacent persons or property.

(d) A person discharging a firearm on a public or private shooting range, shooting gallery or other area designed and built for the purpose of target shooting.

(e) A person discharging a firearm in the course of target shooting on public land that is not inside an urban growth boundary or the boundary of a city, if the discharge will not endanger persons or property. [1995 s.s. c.1 §2]

**166.172 Authority of city to regulate discharge of firearms.** (1) A city may adopt ordinances to regulate, restrict or prohibit the discharge of firearms within the city's boundaries.

(2) Ordinances adopted under subsection (1) of this section may not apply to or affect:

(a) A person discharging a firearm in the lawful defense of person or property.

(b) A person discharging a firearm on a public or private shooting range, shooting gallery or other area designed and built for the purpose of target shooting. [1995 s.s. c.1 §3]

**166.173 Authority of city or county to regulate possession of loaded firearms in public places.** (1) A city or county may adopt ordinances to regulate, restrict or prohibit the possession of loaded firearms in public places as defined in ORS 161.015.

(2) Ordinances adopted under subsection (1) of this section do not apply to or affect:

(a) A law enforcement officer in the performance of official duty.

(b) A member of the military in the performance of official duty.

(c) A person licensed to carry a concealed handgun.

(d) A person authorized to possess a loaded firearm while in or on a public building under ORS 166.370. [1995 s.s. c.1 §4]

**166.174 Authority of city, county, municipal corporation or district to regulate possession or sale of firearms.** Notwith-



## PRINCIPLES

**161.005 Short title.** ORS 161.005 to 161.055, 161.085 to 161.125, 161.150 to 161.175, 161.190 to 161.275, 161.290 to 161.370, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705 to 161.737, 162.005, 162.015 to 162.035, 162.055 to 162.115, 162.135 to 162.205, 162.225 to 162.375, 162.405 to 162.425, 162.465, 163.005, 163.115, 163.125 to 163.145, 163.160 to 163.208, 163.215 to 163.257, 163.275, 163.285, 163.305 to 163.465, 163.505 to 163.575, 163.665 to 163.695, 164.005, 164.015 to 164.135, 164.140, 164.205 to 164.270, 164.305 to 164.377, 164.395 to 164.415, 164.805, 164.877, 165.002 to 165.022, 165.032 to 165.070, 165.075 to 165.109, 165.805, 166.005 to 166.095, 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027, 167.060 to 167.100, 167.117, 167.122 to 167.162, 167.203 to 167.252, 167.310 to 167.340 and 167.350, 167.810 and 167.820, shall be known and may be cited as Oregon Criminal Code of 1971. [1971 c.743 §1; 1979 c.476 §1; 1983 c.740 §25; 1983 c.792 §1; 1985 c.366 §2; 1985 c.557 §9; 1985 c.662 §10; 1985 c.755 §1; 1989 c.982 §3; 1989 c.1003 §5]

**161.010** [Repealed by 1971 c.743 §432]

**161.015 General definitions.** As used in chapter 743, Oregon Laws 1971, and ORS 166.635, unless the context requires otherwise:

(1) "Dangerous weapon" means any weapon, device, instrument, material or substance which under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury.

(2) "Deadly weapon" means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury.

(3) "Deadly physical force" means physical force that under the circumstances in which it is used is readily capable of causing death or serious physical injury.

(4) "Peace officer" means a sheriff, constable, marshal, municipal police officer, member of the Oregon State Police, investigator of the Criminal Justice Division of the Department of Justice or investigator of a district attorney's office and such other persons as may be designated by law.

(5) "Person" means a human being and, where appropriate, a public or private corporation, an unincorporated association, a partnership, a government or a governmental instrumentality.

(6) "Physical force" includes, but is not limited to, the use of an electrical stun gun, tear gas or mace.

(7) "Physical injury" means impairment of physical condition or substantial pain.

(8) "Serious physical injury" means physical injury which creates a substantial risk of death or which causes serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.

(9) "Possess" means to have physical possession or otherwise to exercise dominion or control over property.

(10) "Public place" means a place to which the general public has access and includes, but is not limited to, hallways, lobbies and other parts of apartment houses and hotels not constituting rooms or apartments designed for actual residence, and highways, streets, schools, places of amusement, parks, playgrounds and premises used in connection with public passenger transportation. [1971 c.743 §3; 1973 c.139 §1; 1979 c.656 §3; 1991 c.67 §33; 1993 c.625 §4; 1995 c.651 §5]

Note: Legislative Counsel has substituted "chapter 743, Oregon Laws 1971," for the words "this Act" in sections 2, 3, 4, 5, 6, 7, 19, 20, 21 and 36, chapter 743, Oregon Laws 1971, compiled as 161.015, 161.025, 161.035, 161.045, 161.055, 161.085, 161.195, 161.200, 161.205 and 161.295. Specific ORS references have not been substituted, pursuant to 173.160. These sections may be determined by referring to the 1971 Comparative Section Table located in Volume 15 of ORS.

**161.020** [Amended by 1967 c.372 §9; repealed by 1971 c.743 §432]

**161.025 Purposes; principles of construction.** (1) The general purposes of chapter 743, Oregon Laws 1971, are:

(a) To insure the public safety by preventing the commission of offenses through the deterrent influence of the sentences authorized, the correction and rehabilitation of those convicted, and their confinement when required in the interests of public protection.

(b) To forbid and prevent conduct that unjustifiably and inexcusably inflicts or threatens substantial harm to individual or public interests.

(c) To give fair warning of the nature of the conduct declared to constitute an offense and of the sentences authorized upon conviction.

(d) To define the act or omission and the accompanying mental state that constitute each offense and limit the condemnation of conduct as criminal when it is without fault.

(e) To differentiate on reasonable grounds between serious and minor offenses.

(f) To prescribe penalties which are proportionate to the seriousness of offenses and which permit recognition of differences in rehabilitation possibilities among individual offenders.

(g) To safeguard offenders against excessive, disproportionate or arbitrary punishment.



**COVENANTS AND  
CONDITIONS**

Covenants are unconditional promises contained in contracts, the breach of which would entitle a person to damages. Conditions, on the other hand, are contingencies, qualifications, or occurrences upon which an estate or property right (like a fee simple) would be gained or lost. Covenants are indicated by words such as promise, undertake, agree; conditions are indicated by words such as if, when, unless, and provided. Because they are limitations only and do not create obligations, failure of the condition to occur will not entitle either party to damages against the other party. Conditions may be either precedent or subsequent. A condition precedent is one that must happen or be performed before a right or estate is gained; a condition subsequent is one that will cause a right to be lost or an estate to be terminated, upon its occurrence.

For example, a lease may contain covenants to repair, pay taxes and assessments, or pay rent. If the tenant breaches a covenant, the landlord may sue the tenant for damages. If the lease contains a certain condition and the tenant breaches the condition, then his or her leasehold interest will be terminated. Thus, a commercial lease often contains a condition in a defeasance clause that the tenant will forfeit his or her lease upon the tenant's being declared bankrupt or upon illegal use of the premises.

Promises may be both conditions and covenants. For example, the concurrent conditions found in contracts for sale are also covenants. The delivery of the deed by the seller and the payment of the purchase price by the buyer are concurrent conditions. Also, they are covenants. Thus, the buyer could sue the defaulting seller for damages only after the buyer met the condition of tendering performance (by placing the purchase money into escrow). (See CONTINGENCIES, COVENANT.)

**COVENANTS,  
CONDITIONS AND  
RESTRICTIONS  
(CC&Rs)**

See RESTRICTIONS.

**COVENANTS  
RUNNING  
WITH THE LAND**

Covenants that become part of the property rights and benefit or bind successive owners of the property. In order for the burden of a covenant to run with the land, the covenant must have been created in writing by a promise between a grantor and grantee of the property, it must "touch and concern" the land, it must have been the intention of the original parties that the covenant would run with the land, and subsequent grantees must have notice of the existence of the covenant. An example of a restrictive covenant may be a prohibition contained in a deed against erecting a pigpen on the property. (See RESTRICTIVE COVENANT.)

**CRAM DOWN**

A provision in the federal Bankruptcy Act that permits a settlement of a bankruptcy in certain situations even without the consent of all classes of creditors.

**CREATIVE  
FINANCING**

A generic term used to describe a wide variety of new and innovative financing techniques used to market a property. (See ALTERNATIVE MORTGAGE INSTRUMENTS.)

## RESTRICTION

**RESTRICTION** A limitation on the use of property. Private restrictions are created by means of restrictive covenants ("CC&Rs") written into real property instruments, such as deeds and leases. Well-drafted restrictions have a tendency to stabilize property values. Property owners can be certain as to the permitted uses of the neighboring properties. Such covenants might restrict the number and size of structures to be placed on the land, the cost of structures, fence heights, setbacks, the use of the property for the sale of intoxicating beverages, and the like. Such restrictions can be terminated by a quitclaim deed executed by the necessary parties. It is always best to consult a title company to determine whose signatures are necessary on the deed. Restrictive covenants which discriminate by restricting the conveyance to or use by individuals of a specified race, sex, color, religion, marital status, or ancestry are void.

Private restrictions can be found in deed restrictions, mortgage restrictions, and declarations of restrictions used in developments such as subdivisions, PUDs, shopping centers, and industrial parks. Restrictions are usually enforced by means of court injunction. The restriction language should be precise, as interpretation differences frequently occur.

Public restrictions are created by means of zoning ordinances. Unlike private restrictions, they must tend to promote the public health, welfare, and safety. Restrictive covenants which tend to create a monopoly on any line of commerce or whose effect may be to lessen competition are generally illegal. Thus, a restriction that the grantee cannot conduct any business except a funeral parlor on the deeded property may be in violation of the law. (See *DECLARATION OF RESTRICTIONS, RESTRICTIVE COVENANT*.)

## RESTRICTIVE COVENANT

A private agreement usually contained in a deed or lease, which restricts the use and occupancy of real property. This is sometimes called private zoning. Such a covenant is said to run with the land and binds all subsequent purchasers, their heirs and assigns. It also normally covers such things as lot size, building lines, type of architecture, and uses to which the property may be put.

Restrictive covenants may generally be terminated by obtaining quitclaim deeds from all benefitting owners. However, this may be impractical since the termination must be unanimous, and the consent of the underlying mortgagees may be required as well. The covenants may also be terminated by acquiescence of repeated violators and by merger of the burdened and benefitting properties. Often, subdividers specify that deed restrictions will expire after a set length of time or such expiration may be also specified by state law. This is done to avoid tying up land use needlessly in the distant future. Restrictive covenants are strictly construed against persons seeking to enforce them. All ambiguities, then, are resolved against the restriction and in favor of the person seeking the free and unrestricted use of the property.

## RESUBDIVISION

The act of taking an existing subdivision and either replatting it (that is, changing the lots from the old grid pattern to the more modern irregular lots), or dividing it even further (that is, taking 20-acre lots and dividing them into five-acre parcels). For purposes of county subdivision approval, and state and federal land sales registration, a resubdivision is the same as a new subdivision. (See *SUBDIVISION*.)



# Dying fir, pine trees dot horizon

■ By RaeLynn Ricarte  
The Dalles Chronicle

It is not unusual to see orange, rust and brown foliage dotting the landscape during the fall months, but when evergreens start changing colors, it's indicative of a problem, Oregon Forestry Department officials say.

Chet Behling, stewardship forester for ODF's office in The Dalles, said the agency protects about 148,000 acres from fire in Wasco County. This year, 12,300 acres were mapped as being affected by drought-related stress and/or bark beetles, he said.

That is nearly double the 6,700 acres affected in 2015 and ODF is now asking that landowners with tracts of Douglas fir and Ponderosa pines help fight the problem by removing damaged and dying trees.

"The affected areas vary greatly in severity," said Behling. "Some may have 50 dead trees per acre or more, while others may have only a couple dead trees per acre."

Heightened levels of mortality have been found by aerial surveys from Mosier to the White River, with trees between Eight Mile Creek and Fifteenmile Creek being hit the hardest.

Behling said Oregon has experienced higher than average temperatures and drought conditions during the last three years. Less water and higher heat has weakened the defensive mechanisms in trees, making them vulnerable to invasion by bark beetles.

"While tree mortality from beetles is not uncommon, the number of trees dying is above average for this area," he said.

There are three stages a tree moves through before and after a bark beetle attack, according to an ODF report.

When the tree is green and healthy, it moves water from the soil into the atmosphere. Once the tree is infested with beetles, it dies and moves into the "red phase" where there are still needles, but they don't receive moisture from the soil. At this stage they become fuel for wildfire.

The third and final stage finds the tree losing needles and the trunk decomposing. The tree



The number of dying trees in Wasco County, pictured above, has grown to 12,300 acres in 2016, and Oregon State Forestry Department officials are urging proactive efforts to stop the spread of bark beetles. At right, Chet Behling, state stewardship forester, shows aerial mapping of trees infested with bark beetles and explains the agency's efforts to help landowners fight the problem.

Contributed photo/Mark B. Gibson photo

eventually falls. It takes a few years of drought, and the attendant lack of enough precipitation during the wetter months to overcome damage, for the tree to be unable to "reset," said Behling. When that happens, he said the beetle population builds enough to cause serious damage to forests.

Some forest landowners are taking proactive steps to correct the problem, said Behling, by salvaging dead and dying trees. He said if salvage is done immediately after the needles begin turning color, lumber will retain some market value at the mill, which can offset the costs of removal.

"Many landowners plan to burn logging slash piles this fall or winter to stop beetle flight in the spring," he said. "We've got to get those dead and dying trees out of there because, in addition to creating a safety issue, fighting wildfires create huge costs."

In addition to stopping the spread of insects, Behling said actively managing forest lands can reduce fuels so there is less opportunity for wildfires to

sweep across the landscape.

Selectively thinning overstocked and diseased stands of trees creates a healthy growing environment for the remaining trees.

Revenue gained from managed harvests can help finance other projects to enhance forest land, such as replacing old culverts or planting new seedlings.

Behling warns that, if drought conditions persist, it is likely the situation will worsen and more hillsides will turn from green to red.

"We want to encourage landowners to manage forest and we can provide them with technical assistance with those efforts," he said.

He said ODF must be notified at least 15 days before a landowner harvests trees in order to review the area for natural resources that may require protection.

Behling also said fire tools, a water trailer or truck and other equipment is required if people work during fire season.

For more information call ODF at 541-296-4626.

