



## AGENDA: REGULAR SESSION

WEDNESDAY, OCTOBER 6, 2021

WASCO COUNTY BOARD OF COMMISSIONERS

<https://wascocounty-org.zoom.us/j/3957734524> OR Dial [1-253-215-8782](tel:1-253-215-8782) Meeting ID: 3957734524#

**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.*

<b>9:00 a.m.</b>	<b>CALL TO ORDER</b> 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. <b>Corrections or Additions to the Agenda</b> <b><u>Discussion Items:</u></b> <a href="#">Fair Manager Retirement</a> ; <a href="#">NCPHD COVID-19 Update</a> ; <a href="#">Appointments</a> ; <a href="#">Long-Term Care Proclamation</a> (Items of general Commission discussion, not otherwise listed on the Agenda) <b><u>Consent Agenda:</u></b> <a href="#">9.1.2021 Regular Session Minutes</a> ; <a href="#">ODFW Payment</a> ; <a href="#">Youth Services Funding Agreement</a> ; <a href="#">HMAG Designation</a> (Items of a routine nature: minutes, documents, items previously discussed.)
<b>9:30 a.m.</b>	<a href="#">Fee Schedule Hearing</a> – Kathy Clark
<b>9:50 a.m.</b>	<a href="#">Executive Session</a> – Pursuant to ORS 192.660(2)(g) Trade Negotiations & (2)(h) Conferring with Legal Counsel
<b>10:00 a.m.</b>	<a href="#">Vacation of Planning Appeal Decision</a> – Kristen Campbell
<b>10:05 a.m.</b>	<a href="#">Veterans Services Advisory Committee Funding Request</a> – Mark Fortin
<b>10:15 a.m.</b>	<a href="#">Shaniko City Council Appointments</a> – Lisa Gambee
<b>10:25 a.m.</b>	<a href="#">Opioid Settlement</a> – Kristen Campbell
<b>10:30 a.m.</b>	<a href="#">Executive Session</a> – Pursuant to 192.660 (2)(h) Consulting Legal Counsel
	<b>COMMISSION CALL</b>
	<b>NEW/OLD BUSINESS</b>
	<b>ADJOURN</b>

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



WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
OCTOBER 6, 2021

This meeting was held on Zoom

<https://wascocounty-org.zoom.us/j/3957734524>

or call in to [1-253-215-8782](tel:1-253-215-8782) Meeting ID: 3957734524#

PRESENT: Scott Hege, Chair  
Kathy Schwartz, Vice-Chair  
Steve Kramer, County Commissioner

STAFF: Kathy Clark, Executive Assistant  
Tyler Stone, Administrative Officer

Chair Hege opened the session at 9:02 a.m.

#### Fair Manager Retirement

Chair Hege recognized Kay Tenold who is retiring after over 30 years of working to support the Wasco County Fair. He provided a brief history of Ms. Tenold's time with the Fair.

Kay began her involvement with the Wasco County Fair in 1990/91 alongside Jim Powell as Sheep Barn Superintendent.

In 1992, Kay was appointed to the Wasco County Fair Board, replacing Ed Urness. While the Fair Board had a woman performing secretarial functions, Kay was the first woman to be appointed as a Board member. Kay had to request that a lock be installed on the bathroom which was unisex.

Although Kay's last appointment to the Fair Board was made in 2007; Kay began acting as the volunteer Fair Manager in 2005, coordinating all aspects of the annual Wasco County Fair. From 2016 through 2021, Wasco County contracted with Kay to serve as paid Wasco County Fair Manager.

In addition to her service as Wasco County Fair Manager, Kay served 2 terms as the Area 3 Director for the Oregon Fairs Association. Kay also served on the Convention and Legislative Committees for Oregon Fairs Association where she

championed rural county fairs throughout the State of Oregon.

The Board thanked Ms. Tenold and wished her well in retirement presenting her with a certificate of appreciation and an engraved clock. Ms. Tenold thanked the Board and said that she would miss her Fair family but would certainly be attending the Fair for years to come.

#### Discussion Item – NCPHD COVID Update

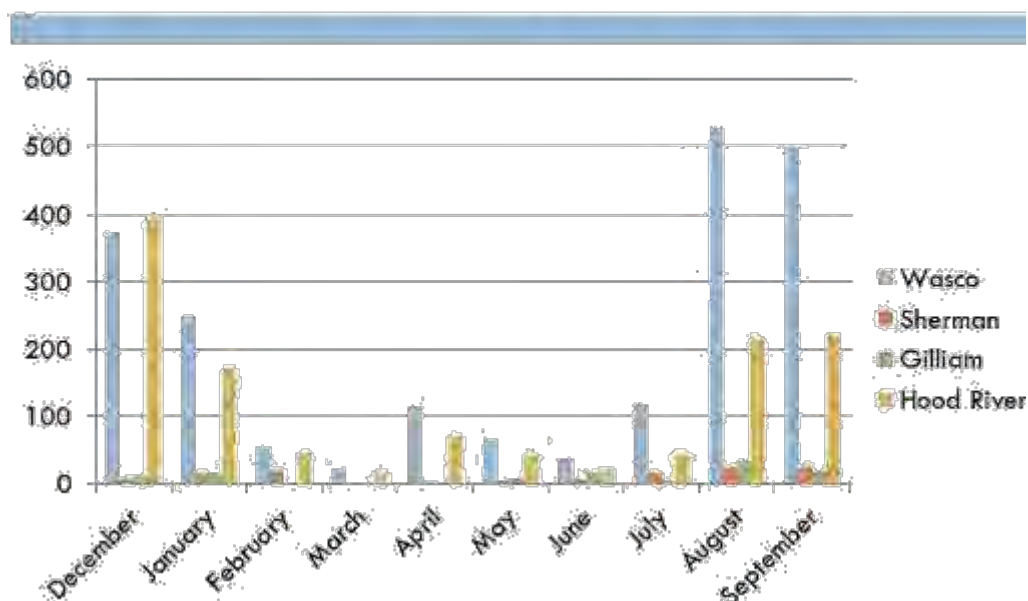
North Central Public Health Officer Dr. Mimi McDonell reviewed the case numbers since the beginning of the pandemic. The percentages, in parentheses are a rough calculation of the total percentage of infection in each county.

##### County Level Data Total Cases and Deaths

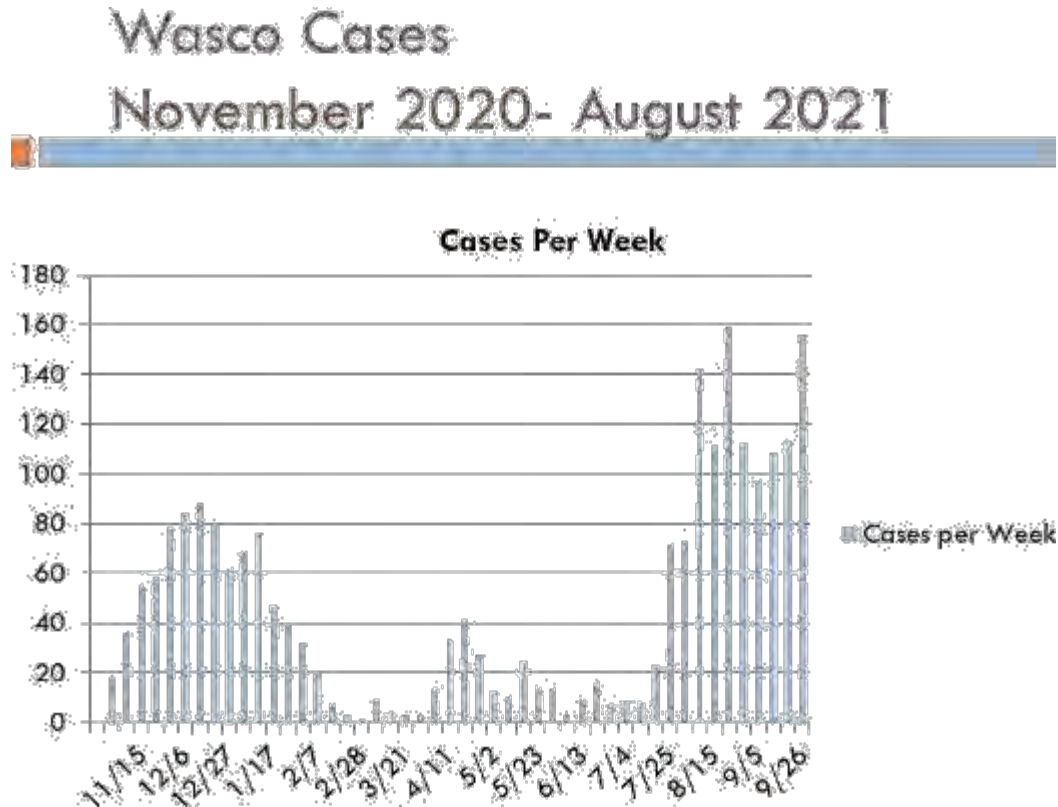
• Wasco		
• Total	2685	(9.9%)
• Deaths	39	
• Sherman		
• Total	143	(7.3%)
• Deaths	3	
• Gilliam		
• Total	144	(7.3%)
• Deaths	4	

Dr. McDonell pointed out on the graph below that our current numbers are still much higher than they were at the winter peak. Although our numbers have dropped a bit over last month, they are still very high.

##### COVID-19 Cases 12/2020-9/2021



Looking at the numbers by week you can see that there was a dip in mid-September with a sharp increase for the last week of the month.



The metrics over the last week indicate that we are probably not capturing all of the positive cases that have occurred. The case rate per 100,000 in Wasco County is more than double that of the State of Oregon.

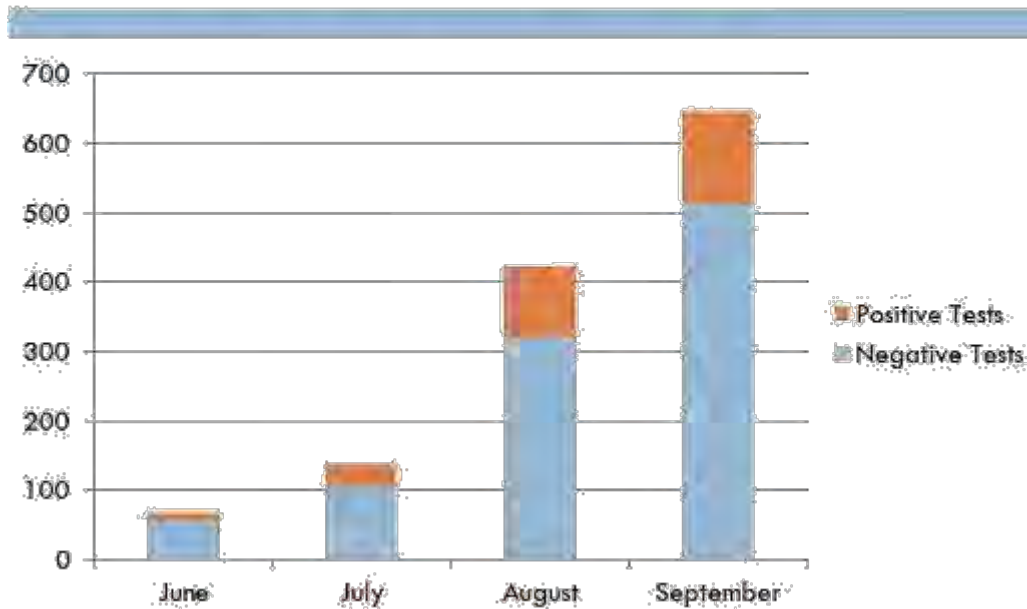
### 1 week metrics Sept 26- Oct 2

September 26	Count	Cases per 100,000	% positive
Wasco	156	571.5	11.1%
Sherman	7	390.0	14.1%
Gilliam	4	201.0	11.4%
Oregon	10,423	244.2	8.8%
Hood River	85	331.5	13.1%



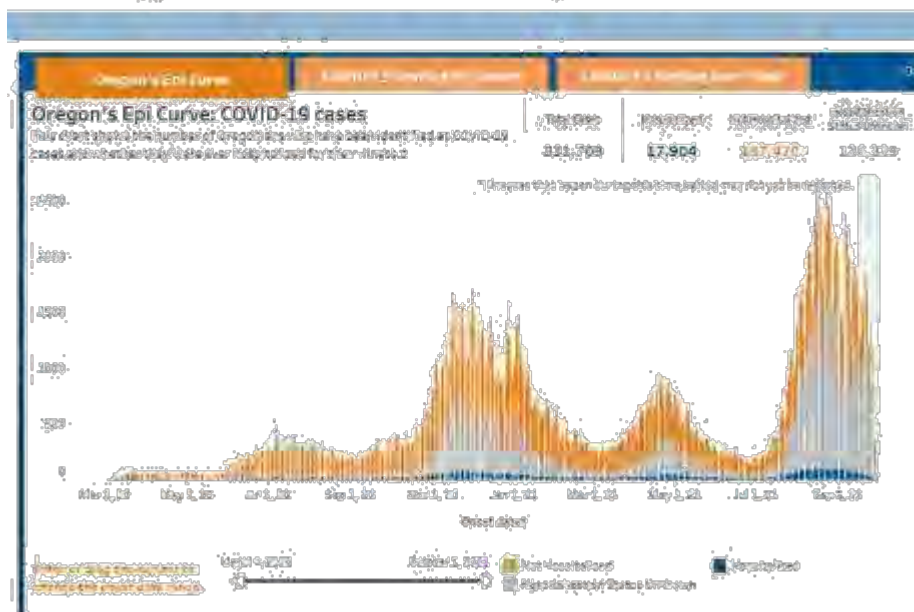
Dr. McDonnell reported that the local clinics have been stretched by the spike in cases. NCPHD has begun doing testing in their parking lot for at least 4 hours a day. The chart below illustrates the number of people being tested each month with the orange portion of each bar representing the number of positive results.

## NCPHD COVID-19 Testing



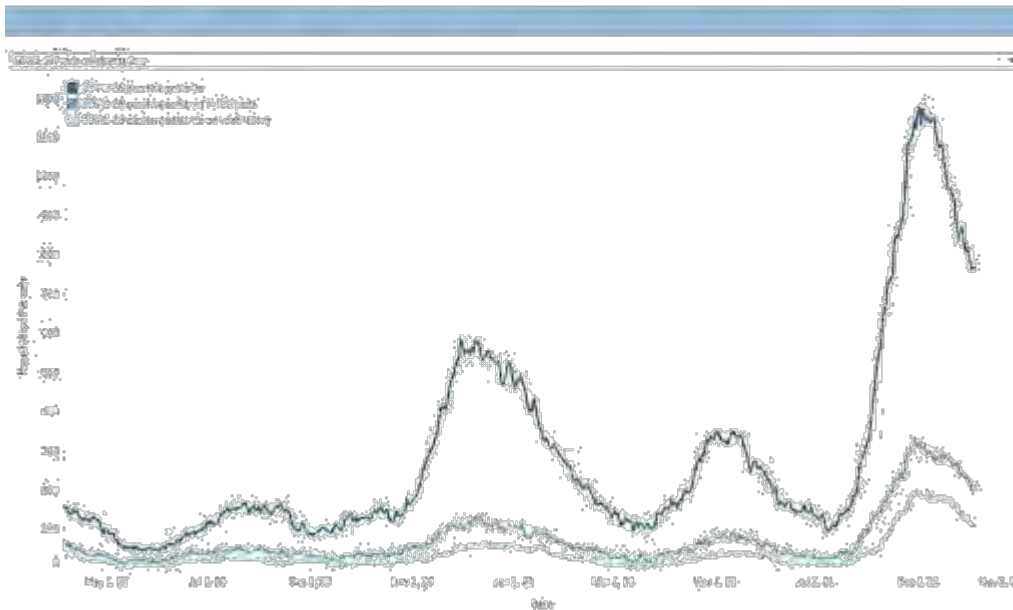
Across the state and country, the summer surge appears to be receding.

## Oregon Cases 331,709



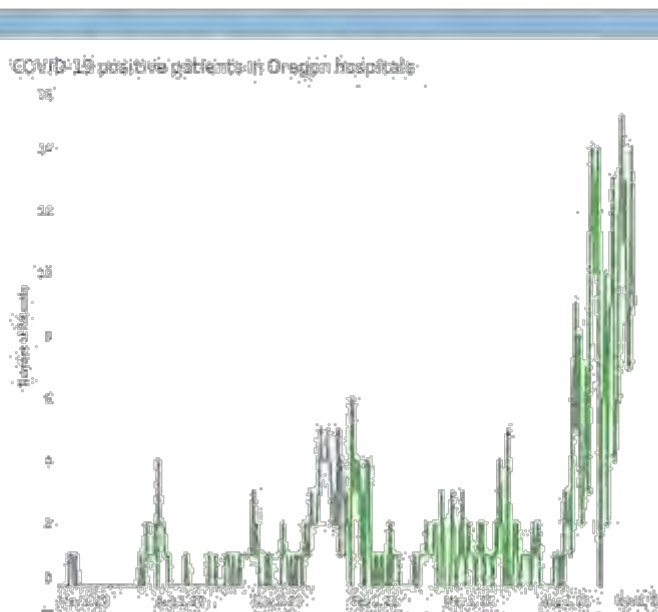
The numbers of patients being hospitalized with COVID19 is also beginning a downward trend.

## Oregon Hospitalized Cases



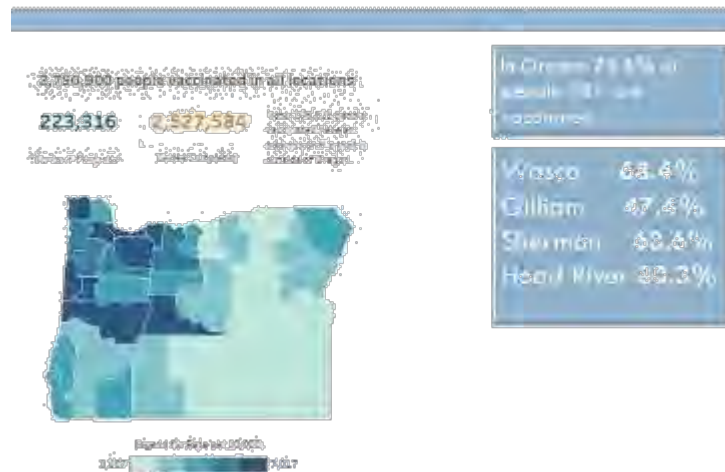
The two hospitals within our region have been taking care of a lot of COVID patients which come from all over our area. Hospitalizations have also begun to drop here.

## Region 6 Hospitalized Cases



Although Wasco, Sherman and Gilliam Counties continue to lag behind Hood River and the State, we continue to slowly increase the numbers of people who have been vaccinated.

## Vaccine Update in Oregon



Dr. McDonnell reviewed what is being offered for vaccinations. She added that local pharmacies are doing a good job of providing vaccinations as well.

## NCPHD Vaccine Update

- NCPHD is back at the Readiness Center!
- All 3 vaccine types offered
- Thursdays 3:00-6:00 PM
- Online booking available
  - [ncphd.org/covid-vaccines](https://ncphd.org/covid-vaccines)
- Or call 541-506-2600
- NCPHD will continue to do clinics at schools and other sites in all 3 counties

The poster below provides details for a vaccination clinic being held in collaboration with Pacific Islander groups. Although the clinic targets the Pacific Islander population, all are welcome.

## October 16 Vaccination Event



Vaccines for children are expected in the next few months. Boosters are expected to be available for all 3 vaccine brands for people meeting certain criteria.

## Hot Topics- Vaccines

- ☐ **Children-**
  - ☐ Ages 5-11 early Nov, 6 mos-4 January 2022
- ☐ **Vaccine # 3**
  - ☐ #3 available now for immunocompromised individuals
  - ☐ Pfizer and Moderna
- ☐ **Booster !**
  - ☐ Currently Pfizer only
  - ☐ Anticipate approval for J&J and Moderna booster towards the end of October
  - ☐ Should: 65+, LTCF, 50-64 with high risk medical conditions
  - ☐ May: Ages 18-64 with high risk medical conditions or have a high-risk of exposure due to workplace

A new oral treatment has been submitted for approval and has some promising results.

## Hot Topics- New Oral Medication

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- Medication developed by Merck & Co
  - Antiviral- causes disruption in viral genetic code
  - Molnupiravir - administered orally within 5 days of onset of symptoms
  - Efficacy did not seem to be affected by timing of administration or underlying conditions
  - Reported to cut by 50% the risk of hospitalization or death in patients with symptomatic COVID-19
  - Submitting for EUA immediately

Vice-Chair Schwartz commented that it appears that Wasco County is trailing behind the State in cases and vaccinations; people need to be aware of that and be careful. Commissioner Kramer echoed Vice-Chair Schwartz's comments.

Chair Hege said that he attended a meeting last week in a big room with a fair number of people. During the meeting, they had lunch so people were unmasked for a significant period of time. Someone who attended that meeting has tested positive for COVID; he said he is curious as to what the other attendees should do.

Dr. McDonell said that those who were close contacts should be aware of their exposure. If they develop any symptoms within 2 weeks, even mild symptoms, they should be tested. They should also be conscientious about being around people who are unvaccinated or at high risk for complications should they contract COVID.

Vice-Chair Schwartz observed that what has changed is that the person testing positive is being asked to reach out to close contacts. We should not expect a call from Public Health as they are already overwhelmed with vaccinations, testing and responding to case rates. Dr. McDonell agreed that contract tracing has dropped off as they respond to cases; we have to rely upon the patient to help with

the outreach.

**Discussion Item - Appointments**

Vice-Chair Schwartz introduced Bill Lennox saying that he will make a good addition to the NCPHD Board.

**{{{Vice-Chair Schwartz moved to approve Order 21-042 appointing William Lennox to the North Central Public Health District Board of Health. Commissioner Kramer seconded the motion which passed unanimously.}}}**

Chair Hege explained that the Board of Property Tax Appeals reviews citizen applications to have their property value adjusted.

**{{{Commissioner Kramer moved to approve Order 21-044 appointing Brian Lauterbach to the Wasco County Board of Property Tax Appeals. Vice-Chair Schwartz seconded the motion which passed unanimously.}}}**

**Agenda Item – Uniform Fee Schedule Ordinance**

Chair Hege opened the 2<sup>nd</sup> of two hearings for amending the Wasco County Fee Schedule Ordinance. Ms. Clark explained that nothing has changed in the schedule from the first hearing. She noted that Interim Planning Director Dr. Kelly Howsley-Glover has provided a memo to the Board in response to their discussion at the 9.29.2021 Work Session that may have an impact on the National Scenic Area Fees. That memo will be entered into the record. In addition, Ms. Clark asked for direction regarding the Building Codes fees which require a State process to be completed prior to being adopted by the Board.

Dr. Howsley-Glover reviewed the memo (attached), saying that on average, planning fees outside the National Scenic Area (NSA) are subsidized at a rate of 25%; while the subsidy rate for planning reviews within the NSA is 50.5%. She added that with the latest updates to the NSA Management Plan, they expect increased staff time.

Vice-Chair Schwartz thanked Dr. Howsley-Glover for the thorough memo. She noted that we have data over the last year of what it costs to do a review in the NSA but we do not have data for the impact of the NSA updates; those numbers are projections. Dr. Howsley-Glover replied affirmatively, saying that the first set of numbers is based on data gathered over the last year; the second set of numbers is based on what they expect will be the increase to the work load.



Vice-Chair Schwartz asked if they will be collecting that data over the next year. Dr. Howsley-Glover answered that they had not planned to do so but certainly can continue their tracking activity.

Sheila Dooley of Mosier said that she has not seen the new memo but the fees should match the effort. Applications vary in complexity; some outside of the NSA can be very involved and some inside the NSA can be very simple. People help pay for other services because it is for the common good. No County department pays for itself with user fees. It doesn't seem fair to increase the out of NSA fees by 5% while increasing in the NSA by 139-200%. She said she thinks more funding should come from the Department of Land Conservation and Development.

Dr. Howsley-Glover responded by saying they advocate for more DLCD funding every year and in recent years experienced the threat of losing all funding. She said that the fees for applications outside of the NSA are aligned with the amount of work it takes to process each one and take into consideration the complexity of the application. Because of the permitting structure, it is possible to gather more tracking data outside of the NSA. In the NSA it varies wildly and part of the challenge is that there is really only one track from which to gather data.

Vice-Chair Schwartz stated that another discussion at the Work Session was around the process by which we increase fees and about being more consistent by using a standard formula for increases. Toward that goal, the Board discussed creating a policy to outline a standard process. She said she would like to propose that we apply the 25% subsidy across the board. It is more expensive to do the work in the NSA, but the percentage of subsidy should be the same. Looking at the bigger picture, NSA residents facing more regulations benefits the rest of the county by being able to enjoy the beautiful view.

Chair Hege acknowledged the proposed changes to the Fee Schedule. He pointed out that staff has also asked that the Board determine whether or not they should pursue the State process for increasing Building Codes Fees. The only thing being suggested today is to modify the NSA Planning fees to what the Interim Planning Director has proposed in her latest memo (attached).

**{{Vice-Chair Schwartz moved to approve Ordinance 21-001 in the matter of Amending the Wasco County Uniform Fee Schedule with the following changes:**

- **National Scenic Area (NSA)**
  - **Expedited (Used listed in Section 3.110 of Wasco County NSALUDO) to be \$1,332 instead of \$1,960**
  - **Full Review to be \$2,996 instead of \$4,401**

**Commissioner Kramer seconded the motion for discussion.**

DISCUSSION

Commissioner Kramer said that he is fine with most of the motion but suggested that the Board consider the alternate scenario that includes the projected increased expense that will result from the Management Plan updates that will be enforced at the beginning of 2022.

Chair Hege stated that he would tend to agree but thinks that we can wait for next year's fee update when we have more information.

Vice-Chair Schwartz stated that she would be more comfortable with having solid data on which to base the increases. She said she is confident with the data that has been provided for the increases proposed without the projected costs for 2022.

Chair Hege called for a vote: Chair Hege voted yes; Vice-Chair Schwartz voted yes; Commissioner Kramer voted no.

**The motion passed on a 2 to 1 vote.}}}**

**Agenda Item – Executive Session – Consulting with Counsel**

At 9:58 Chair Hege recessed from the Regular Session to open an Executive Session pursuant to ORS 192.660(2)(h) and instructed representatives of the news media not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced.

The Regular Session resumed at 10:05 a.m.

**Agenda Item – Vacation of Planning Appeal Decision**

County Counsel Kristen Campbell explained that this is related to the recent mediated settlement of appeals filed in several venues. Union Pacific Railroad is withdrawing its 2015 application and asking that the County vacate its decision in

the matter. The resolution recognizes the UPRR withdrawal and vacates the County's decision

Vice-Chair Schwartz thanked Ms. Campbell for all the work she has put into this issue. Chair Hege commented that a lot of time and resources have been spent on this and he is glad to put it behind us – this will take us back in time as though it never happened.

**{{{Commissioner Kramer moved to approve Resolution 21-008 vacating the decision in the Wasco County Board of Commissioners Land Use Planning Case PLASAR-15-01-000. Vice-Chair Schwartz seconded the motion which passed unanimously.}}}**

<b>Agenda Item – VSAC Funding Request</b>
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Veterans Services Advisory Committee Chair Mark Fortin said that he learned that many of the counties in Oregon are contributing to a project to create a Vietnam Memorial on the capitol grounds in Salem. The VSAC members took a vote and elected to bring a request forward to the Board of County Commissioners to donate \$5,000 to this project. He stated that there is an estimated 2,454 veterans in Wasco County, 1,200 of those served during the Vietnam War. Those veterans collectively receive \$10 million in health care benefits and over \$11.2 million in compensation and pension benefits – a large portion of which is spent in Wasco County.

Chair Hege asked where those funds would come from. Mr. Stone said that they would have to come from the Veterans Service Office fund. Finance Director Mike Middleton stated that the funds are available but this early in the year, it is hard to predict the impact that expenditure would have on their budget overall. It is possible that it would require a budget change.

Commissioner Kramer asked why we cannot use Commissioner Funds to make that expenditure. Mr. Stone said that we try to keep expenditures in line with where they should come from. Commissioner Kramer said that he does not want to take funds from Veterans Services and would recommend a transfer from the Commissioners' funds to Veterans Services for the expenditure.

Vice-Chair Schwartz asked what the Commissioner's Fund is. Mr. Middleton said that it comes out of General Fund in the Administrative Budget. He asked if the Board wants to increase the Veterans Services budget and decrease another line.

Chair Hege suggested that staff can work out those details; the Board can move to make the contribution and allow staff to determine how to best do that.

Vice-Chair Schwartz said she agrees that it should not come out of the VSO fund. Chair Hege said that the Board can direct staff in that way; the Board has made it clear that the intent is not to negatively impact the Veterans Service Office Budget.

**{{{Commissioner Kramer moved to expend \$5,000 to the Vietnam War Memorial fund as requested by the Veterans Services Advisory Committee. Vice-Chair Schwartz seconded the motion which passed unanimously.}}}**

The Board thanked Mr. Fortin for bringing this forward. Vice-Chair Schwartz noted that there are two Wasco County residents who died in the Vietnam War and they will be memorialized on the Wall in Salem.

<b>Agenda Item – Shaniko City Council Appointments</b>
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County Clerk Lisa Gambée explained that the Clerk's office works on a regular basis with districts and cities and constantly tracks who is and is not on councils and boards in order to accurately populate ballots. She said that they receive resignation letters either from the city council/district board or directly from the member. Two weeks ago, the Clerk's office received mass resignations from the Shaniko City Council leaving only the Mayor of Shaniko in office. That occurrence left no quorum to conduct city business. Under that circumstance, the Mayor could call for a special election which would be paid for by the City. That is the approach that was taken last summer; all of the positions went back on the ballot in the November election. We are again faced with a lack of a quorum; last Tuesday, Shaniko Mayor Don Treanor presented his resignation which triggered the appointment process. The Board will need to appoint 3 people; those 3 will make appointments to fill the remaining council positions and then vote for a Mayor Pro-Tem. She added that they will have City Counsel to guide them.

Ms. Gambée went on to say that there are 4 qualified applicants to be considered; the Board will need to appoint 3 – those 3 may appoint the 4<sup>th</sup> applicant if they so choose.

Chair Hege asked if the most the Board can appoint is three. Ms. Gambée said statute directs that the governing body shall appoint the number sufficient to form a quorum, which in this case is three. The persons appointed shall appoint any remaining vacancies. The appointees serve until there is an election; these will

serve through 2022. Those elected in November of 2022 would start in January of 2023.

Shaniko City Counsel Christopher Crean thanked the Board and County staff for all their efforts in helping with this process.

Chair Hege said that the Board appreciates the applicants – folks are volunteering their time and should be commended for that. The City of Shaniko has a lot of unique history and has had a lot of contention, which can happen in small communities. The Board hopes that as Shaniko moves forward, it can do so in a way that creates some unity in the community. Wasco County wants to support that. There may be a need for some assistance such as mediation. He said there are resources to which we can connect the Council to help with effective communication that will move the community forward. He said he would encourage the Council to consider mediation to help keep the focus on what is best for Shaniko.

Commissioner Kramer echoed Chair Hege's thoughts. Shaniko is a community with a lot of potential. The appointees will be taking on responsibilities that have consequences. He encouraged them to work with City Counsel to get some help. He thanked all the applicants for stepping up and asked if the 3 applicants present at today's meeting (David Long, Don Treanor & Louis McKenzie) would appoint the 4<sup>th</sup> applicant.

The applicants present responded that it is a big question but could be possible.

**{{{Commissioner Kramer moved to approve Orders 21-045, 21-046 and 21-047 appointing MaryJane Wright, Louis McKenzie and David Long to the Shaniko City Council. Vice-Chair Schwartz seconded the motion which passed unanimously.}}}**

Vice-Chair Schwartz thanked the applicants for their willingness to serve. Chair Hege reiterated his desire to see Shaniko prosper.

Ms. Gambee said she has been taking calls from citizens of Shaniko asking how they can pay their water bills. Mr. Crean said he would get them together very soon – hopefully early next week.

Ms. Gambee said that Ms. Clark will send copies of the appointment orders.

Chair Hege stated that the County helps to fund 6 Rivers Mediation and he will have them standing by to help.

**Agenda Item – Opioid Settlement**

Ms. Campbell reminded the Board that this topic has been discussed at previous sessions. This is related to the nationwide opioid litigation. They are starting to reach agreements that will encompass non-litigating municipalities that decide to participate. This MOU is among the Oregon counties; in it counties agree to collaborate with one another in taking a position with the state that any proceeds from the settlement go directly to local governments. We have the boots on the ground and would best know how to utilize those funds. This is just to unite us in consensus of that position.

Chair Hege asked if all 36 Oregon counties are participating. Ms. Campbell replied affirmatively, saying that the vast majority have already signed – about 80%. The remaining are just waiting for scheduled meetings in order to approve the agreement. All counties have expressed their intent to sign.

Wasco County Prevention Coordinator Debby Jones commended the Board and County Counsel for being proactive and responsive to this issue.

**{{{Commissioner Kramer moved to approve the Memorandum of Understanding between the Cities and Counties of Oregon Regarding Allocation of Potential Opioid Settlement Funds. Vice-Chair Schwartz seconded the motion which passed unanimously.}}}**

**Discussion Item – Long-Term Care Proclamation**

Chair Hege explained that this is a proclamation declaring October to be Long-Term Care Residents Rights Month.

**{{{Vice-Chair Schwartz moved to approve the Proclamation of October 2021 as National Long-Term are Resident's Rights Month in Wasco County. Commissioner Kramer seconded the motion which passed unanimously. }}}}**

**Discussion Item – Consent Agenda**

**{{{Commissioner Kramer moved to approve the Consent Agenda – 9.1.2021 Regular Session Minutes; ODFW Payment in Lieu of Taxes Notice; Juvenile Crime Prevention Grant Agreement #15692; and Hazard Mitigation Grant Authority Designation Resolution. Vice-Chair Schwartz seconded the motion which passed unanimously.}}}**

Chair Hege commented that Oregon Fish and Wildlife owns over 30,000 acres of land in Wasco County on which they pay approximately \$35,000 in lieu of paying



taxes.

#### Commission Call

Chair Hege reported that he and Administrative Services Director Matthew Klebes recently presented the QLife Strategic Plan to North Wasco County Public Utility District. He said that they would present to the Board of Commissioners at an upcoming session.

Vice-Chair Schwartz reported that a couple of weeks ago she spent a day with U.S. Forest Service District Ranger Kameron Sam on a tour of the Mt. Hood National Forest projects in Wasco County. She said she believes she now has a much better understanding of the work being done in the forest.

Vice-Chair Schwartz reminded the Board that at noon today there is a second housing round table and encouraged them to attend. She also noted that this is Fire Prevention week; people should be checking their smoke detector batteries. Chair Hege added that it is also a good time for those living in rural areas to create defensible space around their property.

Commissioner Kramer announced that at last week's District 3 meeting he was re-elected Chair and through that position, has a project for the District 3 bylaws. He asked for comments on the percentage and 48 hour notice provisions of the bylaws; those comments should be sent to Ms. Clark as soon as possible as he has to report on Monday, October 11<sup>th</sup>.

#### Agenda Item – Executive Session – Consulting with Counsel

At 10:53 a.m. Chair Hege recessed from the Regular Session to open an Executive Session pursuant to ORS 192.660(2)(h) and instructed Representatives of the news media not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced.

The Regular session resumed at 11:10 a.m.

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

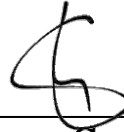
#### Summary of Actions

#### MOTIONS

- **To approve Order 21-042 appointing William Lennox to the North Central Public Health District Board of Health.**

- **To approve Order 21-044 appointing Brian Lauterbach to the Wasco County Board of Property Tax Appeals.**
- **to approve Ordinance 21-001 in the matter of Amending the Wasco County Uniform Fee Schedule with the following changes:**
  - **National Scenic Area (NSA)**
    - **Expedited (Used listed in Section 3.110 of Wasco County NSALUDO) to be \$1,332 instead of \$1,960**
    - **Full Review to be \$2,996 instead of \$4,401**
- **To approve Resolution 21-008 vacating the decision in the Wasco County Board of Commissioners Land Use Planning Case PLASAR-15-01-000.**
- **To expend \$5,000 to the Vietnam War Memorial fund as requested by the Veterans Services Advisory Committee.**
- **To approve Orders 21-045, 21-046 and 21-047 appointing MaryJane Wright, Louis McKenzie and David Long to the Shaniko City Council.**
- **To approve the Memorandum of Understanding between the Cities and Counties of Oregon Regarding Allocation of Potential Opioid Settlement Funds.**
- **To approve the Consent Agenda – 9.1.2021 Regular Session Minutes; ODFW Payment in Lieu of Taxes Notice; Juvenile Crime Prevention Grant Agreement #15692; and Hazard Mitigation Grant Authority Designation Resolution.**

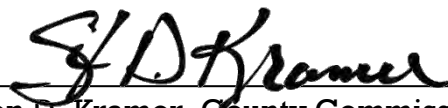
Wasco County  
Board of Commissioners



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Scott C. Hege, Commission Chair



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Kathleen B. Schwartz, Vice-Chair



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Steven D. Kramer, County Commissioner



## DISCUSSION LIST

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[FAIR MANAGER RETIREMENT](#)

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[NCPHD COVID-19 UPDATE](#) – Dr. Mimi McDonell

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[APPOINTMENTS](#) – Kathy Clark

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[LONG TERM CARE RESIDENTS PROCLAMATION](#) – Kathy Clark

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## DISCUSSION ITEM

### **Fair Manager Retirement**

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[NO DOCUMENTS HAVE BEEN SUBMITTED FOR THIS ITEM – RETURN TO AGENDA](#)

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## DISCUSSION ITEM

### NCPHD COVID-19 Update

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[NO DOCUMENTS HAVE BEEN SUBMITTED FOR THIS ITEM – RETURN TO AGENDA](#)

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## DISCUSSION ITEM

### **Appointments**

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[BOARD OF HEALTH](#)

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[BOPTA](#)

---

[MOTION LANGUAGE](#)

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## APPOINTMENTS

### Board of Health

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[BILL LENNOX APPLICATION](#)

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[ORDER 21-042 APPOINTING BILL LENNOX TO NCPHD BOARD](#)

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## INFORMATION AND QUALIFICATION FORM

### Wasco County Board of Health

VOLUNTEER POSITIONS  
WASCO COUNTY, OREGON

#### BACKGROUND

The District Board of Health is the policy making body of the District in implementing the duties of local departments of health under ORS 431.416, The District Board of Health adopts rules necessary to carry out its policies. A District Board may, with the permission of the counties involved, adopt schedules of fees for public health services reasonably calculated not to exceed the cost of the service performed.

#### APPLICATION

Please provide personal qualifications for this specific volunteer position.

Supplementary information may be attached. Please, do not provide confidential information.

Name: William G. Lemox

Address: [REDACTED]

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

E-mail address: [REDACTED]

Signature: W G Lemox

Date: 9/24/21 Number of years as a Wasco County resident: 44

Your objectives/goals? Desired contributions and accomplishments?

Offer prior government experience to help move  
the Wasco County Board of Health ~~more~~ toward sound  
management goals.

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

Easter Oregon University BA Date(s): [REDACTED]  
 FBI National Academy Date(s): [REDACTED]  
 Oregon County College Date(s): 2007  
 Date(s):

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

Six Rivers Board Date(s): 2013 - 2021  
 Hal. Lot for Humanity Board Date(s): -  
 Wasco County Commissioner - Date(s): 2007 - 2011  
 Wasco County Sheriff's Dept Date(s): 1977 - 2003

General Comments/Additional Relevant Information

Currently on the North Central Public Health Budget  
 Committee:  
 Currently participate on the Government Affairs Committee  
 The Dalles Beautification Committee.

Send completed form to:

Wasco County  
 511 Washington Street, Suite 101  
 The Dalles OR 97058  
 (541) 506-2520  
 (541) 506-2551 (fax)



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF WILLIAM LENNOX TO THE NORTH CENTRAL PUBLIC HEALTH DISTRICT BOARD OF HEALTH

**ORDER #21-042**

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

IT APPEARING TO THE BOARD: That a vacancy exists on the Board due to the resignation of Celeste Hill-Thomas; and

IT FURTHER APPEARING TO THE BOARD: That William Lennox is willing and is qualified to be appointed to the North Central Public Health District Board of Health represent the Wasco County on said Board.

NOW, THEREFORE, IT IS HEREBY ORDERED: That William Lennox be and is hereby appointed to the North Central Public Health District Board of Health to complete Celeste Hill-Thomas' which expires on December 31, 2021.

IT IS FURTHER ORDERED: That William Lennox also be appointed to a full term to begin on January 1, 2022 and expire on December 31, 2025.

DATED this 6<sup>th</sup> day of October, 2021.

**APPROVED AS TO FORM:**

**WASCO COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Kristen Campbell, County Counsel

\_\_\_\_\_  
Scott C. Hege, Commission Chair

\_\_\_\_\_  
Kathleen B. Schwartz, Vice-Chair

\_\_\_\_\_  
Steven D. Kramer, County Commissioner



## APPOINTMENTS

### **BOPTA**

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[BRIAN LAUTERBACH APPLICATION](#)

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[ORDER 21-044 APPOINTING BRIAN LAUTERBACH TO THE WASCO  
COUNTY BOARD OF PROPERTY TAX APPEALS \(BOPTA\)](#)

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## INFORMATION AND QUALIFICATION FORM

### Board of Property Tax Appeals Pool

VOLUNTEER POSITIONS  
WASCO COUNTY, OREGON

#### BACKGROUND

The Board of Property Tax Appeals consists of three non-office-holding residents of Wasco County. The Board of Property Tax Appeals is responsible for hearing taxpayer appeals for reduction of the real market or assessed value of property. The term of each member begins on the date of appointment and ends on June 30, or when a successor is appointed. Members assigned to a Board receive a stipend of \$75 per day when the Board meets and must complete online training prior to the hearings process.

#### APPLICATION

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

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Phone (work): \_\_\_\_\_

E-mail address: \_\_\_\_\_

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

Date: \_\_\_\_\_ Number of years as a Wasco County resident: \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Approximate hours/week available for this commitment? \_\_\_\_\_



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

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

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

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

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

General Comments/Additional Relevant Information

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

Do you have any conflicts of interest? Non-Office holding residents of the County cannot be:

- Members of the governing body
- Members of the governing body of a school district
- Members of the governing body of a taxing district
- An employee of the County, including all elected officials
- An employee of a taxing district of the County

Send completed form to: Wasco County  
511 Washington Street, Suite 101  
The Dalles OR 97058  
(541) 506-2520  
(541) 506-2551 (fax)



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF BRIAN LAUTERBACH TO THE WASCO COUNTY BOARD OF  
PROPERTY TAX APPEALS CHAIR PERSONS POOL AND NONOFFICE HOLDING POOL

**ORDER #21-044**

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

IT APPEARING TO THE BOARD: That under ORS 309.067(1)(b) the Board of Commissioners shall appoint non-office holding members to serve on the Board of Property Tax Appeals; and

IT FURTHER APPEARING TO THE BOARD: That Brian Lauterbach is willing and is qualified to be appointed to the Wasco County Board of Property Tax Appeals.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Brian Lauterbach be and is hereby appointed to the Wasco County Board of Property Tax Appeals in accordance with ORS 309.067(1)(b) for a period beginning October 6, 2021, through June 30, 2022.

DATED this 6<sup>TH</sup> day of October, 2021.

APPROVED AS TO FORM

Wasco County Board of Commissioners

\_\_\_\_\_  
Kristen Campbell, County Counsel

\_\_\_\_\_  
Scott C. Hege, Chair

\_\_\_\_\_  
Kathleen B. Schwartz, Vice-Chair

\_\_\_\_\_  
Steven D. Kramer, County Commissioner



## MOTION

**SUBJECT:** Appointments

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I move to approve Orders 21-042 and 21-044 appointing William Lennox to the Board of Health and Brian Lauterbach to the Board of Property Tax Appeals.



## DISCUSSION ITEM

### Proclamation

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[OMBUDSMAN LETTER](#)

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[RESIDENTS RIGHTS PROCLAMATION](#)

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[MOTION LANGUAGE](#)

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# Oregon

Kate Brown, Governor

## Office of the Long-Term Care Ombudsman

3855 Wolverine NE, Suite 6

Salem, OR 97305-1251

503.378.6533

Toll Free 1.800.522.2602

TTY 711

FAX 503.373.0852

[www.oregon.gov/LTCO](http://www.oregon.gov/LTCO)

Wasco County Commissioners  
511 Washington St #302  
The Dalles, Oregon 97058

September 15, 2021

Dear Chair Henge, Vice-Chair Schwartz, and Commissioner Kramer,  
*October is National Long-Term Care Resident's Rights month. On behalf of the Office of the Long-Term Care Ombudsman, I am requesting that October 2021 be proclaimed as Long-Term Care Resident's Rights month in Wasco County.*

Wasco County has 14 licensed facilities, with a capacity for 550 residents. The Office of the Long-Term Care Ombudsman serves Wasco County with a Deputy Ombudsman and two volunteer Certified Ombudsman who work to uphold resident's rights and improve the quality of life for residents.

This year, the theme for National Long-Term Care Resident's Rights month is "Reclaiming My Rights, My Home, My Life". This theme acknowledges the impact of this past year on residents and highlights the need for resident's rights to be recognized, recovered, and reasserted. It emphasizes the recognition of the long-term care facility as the resident's home, and the importance of resident's reclaiming with own lives. The theme focuses on raising awareness of federally mandated residents' rights while also underscoring the need for dignity and self-determination of all residents.

Resident's Rights Month is an annual event celebrated in October to honor residents living in long-term care facilities and consumers receiving services in their home or community. It is a time for celebration and recognition offering an opportunity for every facility to focus on and celebrate awareness of dignity, respect, and the value of each individual resident.

Attached to this letter is a sample Proclamation. I hope you take this opportunity to recognize the citizens of Wasco County, living in long-term care. Please feel free to contact me via email at [Steph.Delage@oregon.gov](mailto:Steph.Delage@oregon.gov) or phone 503-302-0635 with questions.

Respectfully,

Steph Delage Deputy State Long-Term Care Ombudsman



## 2021 LONG-TERM CARE RESIDENTS RIGHTS MONTH PROCLAMATION

- Whereas:** There are 1.3 million individuals living in 15,600 nursing homes and over 800,000 individuals living in 28,900 assisted living/residential care facilities in the U.S.; and
- Whereas:** There are 325 individuals living in 4 nursing homes and 230 individuals living in 10 assisted living and residential care facilities in Wasco County; and
- Whereas:** The Federal Nursing Home Reform Act of 1987 guarantees residents their individual rights in order to promote and maintain their dignity and autonomy; and
- Whereas:** All residents should be aware of their rights so they may be empowered to live with dignity and self-determination; and
- Whereas:** We wish to honor and celebrate these citizens, to recognize their rich individuality, and to reaffirm their right to vote and participate politically, including the right to have a say in their care; and
- Whereas:** Individuals and groups across the country will be celebrating Residents' Rights Month with the theme "*Reclaiming My Rights, My Home, My Life*"; to highlight the need for residents' rights to be recognized, recovered and reasserted. The theme emphasizes the recognition of the long-term care facility as the residents' home, and the importance of residents reclaiming their own lives; and
- Now,**  
**Therefore:** We do hereby proclaim October 2021 as National Long-Term Care Resident's Rights Month in Wasco County and encourage all citizens to join us in these important observances.

Wasco County Board of Commissioners

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Scott C. Hege, Chair

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Kathleen B. Schwartz, Vice-Chair

---

Steven D. Kramer, County Commissioner



## MOTION

**SUBJECT:** LTC Residents Rights Proclamation

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I move to approve the Proclamation of October 2021 as National Long-Term are Resident's Rights Month in Wasco County.



## **CONSENT AGENDA**

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[MINUTES: 9.15.2021 REGULAR SESSION](#)

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[ODFW PAYMENT IN LIEU OF TAXES](#)

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[YOUTH SERVICES FUNDING AGREEMENT](#)

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[HMAG DESIGNATION](#)

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**WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION**

**SEPTEMBER 15, 2021**

This meeting was held on Zoom

<https://wascocounty-org.zoom.us/j/3957734524>

or call in to [1-253-215-8782](tel:1-253-215-8782) Meeting ID: 3957734524#

**PRESENT:** Scott Hege, Chair  
Kathy Schwartz, Vice-Chair  
Steve Kramer, County Commissioner

**STAFF:** Kathy Clark, Executive Assistant  
Tyler Stone, Administrative Officer

Chair Hege opened the session at 9:00 a.m. Changes to the Agenda: The afternoon Work Session is cancelled.

**Public Comment**

Debi Ferrer made the following statement on behalf of Protect Oregon's Progress Climate Action Committee

Thank you for the opportunity for citizens to share their concerns. Today I'm speaking on behalf of a local group of citizens, called Protect Oregon's Progress and other residents who are concerned by the impacts of global warming.

We are here to ask the Board of Commissioners to take seriously the threat climate change poses – including drought, fires, disease, displacement, and severe and erratic weather. Your actions now have the potential to affect our community for decades to come. As you plan for the future of Wasco County, we ask that you look at things through a lens of climate change. The time for debating whether or not this is “real” is over. Climate change is upon us. Now it's time for all leaders to take action.

We see three major questions that we all should be asking ourselves as we make decisions going forward:

- How can we mitigate the impacts of climate change?

- How can we adapt to the impacts of climate change?
- What can we do to reduce our greenhouse gas emissions?

Obviously, answers to these questions deserve much more thought and discussion than we have time for tonight. We hope this is just the beginning.

It is essential to acknowledge that there is a cost to act, but also a cost to not act.

Consider, for example, that a third of U.S. residents live in a county that was struck by a climate-fueled disaster just in the [last three months](#). Many of those events set new records and led to billions of dollars in damages. Locally, I think it's safe to say most of us don't want more record heat waves like we had this past summer. Globally, the [newest report](#) by the Intergovernmental Panel on Climate Change informs us that the planet is entering the hottest period in the last 125,000 years.

Several of our neighboring communities are way ahead of us on this front, which is good news for us – we can learn from their experiences. This is certainly not something our community has to figure out on its own.

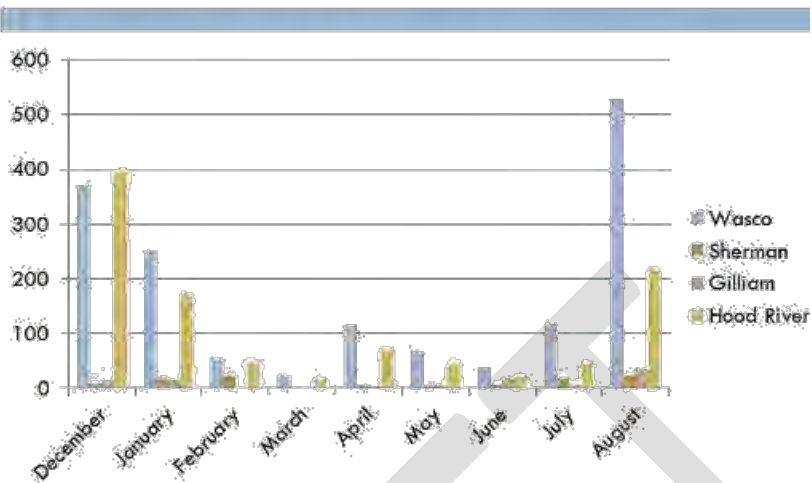
We want to emphasize that this is an **opportunity** for our community - an opportunity to be leaders in a changing economy, to establish local renewable sources of energy to keep costs down, and to work together toward a more livable future. We urge you to begin this planning, along with the various city councils in the county, the Port, and other local stakeholders, to start building a healthier, more vibrant, more resilient community for us all.

#### Discussion Item – NCPHD COVID Update

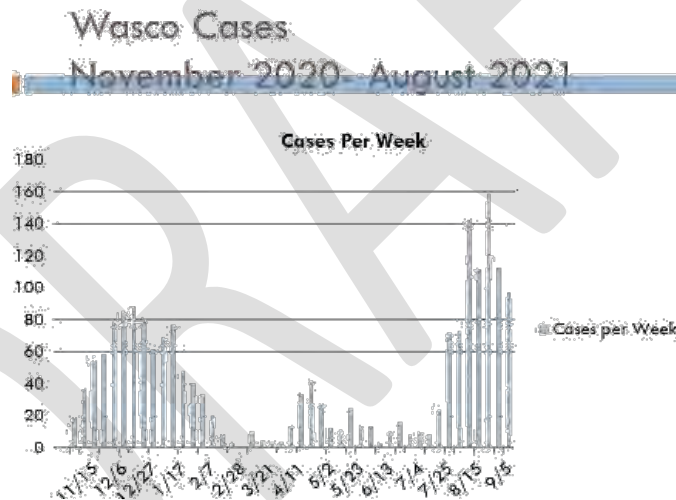
North Central Public Health Nurse Martha McInnes reviewed the up-to-date case/death numbers for the region, saying that each county has had at least 1 death in the past month.

• Wasco	
• Total	2281
• Deaths	38
• Sherman	
• Total	121
• Deaths	3
• Gilliam	
• Total	131
• Deaths	4

## COVID-19 Cases 2021



Ms. McInnes pointed out that we are trending down in Wasco County but still seeing 20 cases per week which is higher than our numbers over the winter of 2020/2021.



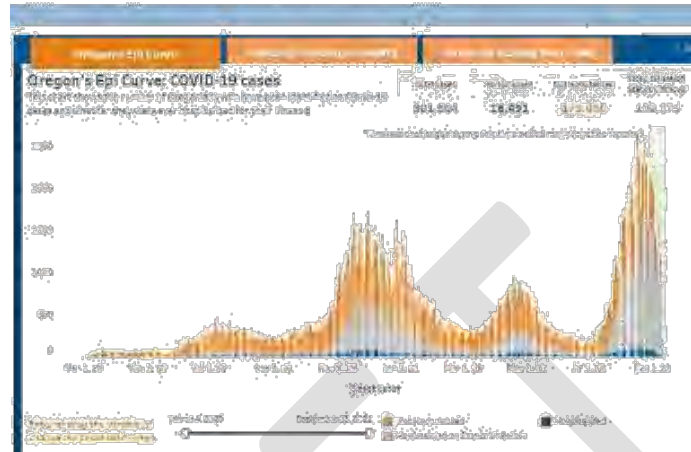
Ms. McInnes stated that the positivity rates continue to be high. Gilliam County very high rate indicates that there are likely many more people sick than the testing reveals; more people should be tested.

### 1 week metrics- August 22-28

September 5	Count	Cases per 100,000	% positivity
Wasco	97	355.4	8.4%
Sherman	3	167.1	6.1%
Gilliam	6	301.5	33.3%
Oregon	14,055	329.3	12.0%

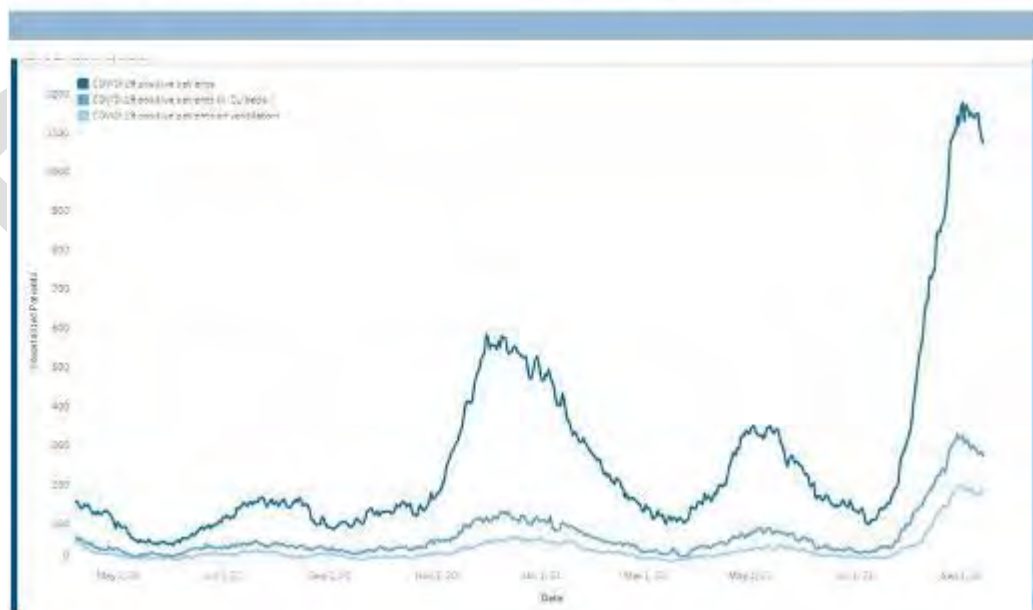
Ms. McInnes observed that the trending in Wasco County is very similar to that of the State of Oregon.

## Oregon Cases 301,504



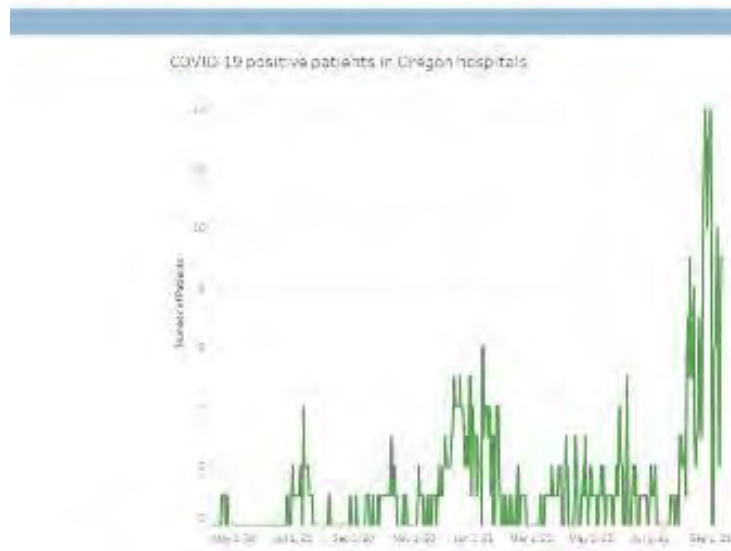
Ms. McInnes reviewed the data for hospitalization; saying that although it is beginning to trend down, it is still dangerously high. Bed space and staffing are in short supply; full hospitals mean that people who may need necessary, but not emergency, procedures may not be able to get them.

## Oregon Hospitalized Cases



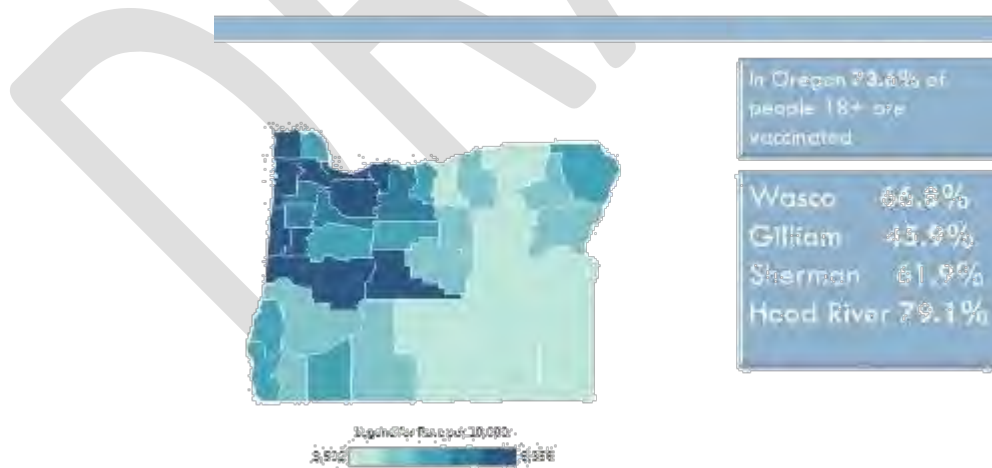
The same holds true for our local hospitals with data shown on the graph below.

## Region 6 Hospitalized Cases



Ms. McInnes reviewed the vaccination data for our region and the State. She explained that depending on the data base being used, you may see numbers higher or lower than shown below. Some databases include only people 18 years and older; others may include people 16 years and older and others may not include data from federal vaccination programs.

## Vaccine Update in Oregon



The following slide outlines the various sources of virus spread. She emphasized that while vaccinated people can carry and spread the virus it is a much lower risk than the spread occurring through unvaccinated carriers.

## Where are cases arising from?

- ❑ Long Term Care Facilities and other congregate settings
- ❑ Workplace outbreaks
- ❑ School activities
- ❑ Social gatherings
- ❑ Spontaneous cases
- ❑ Delta variant incredibly contagious
- ❑ Vaccinated individuals can transmit, although MUCH LESS than unvaccinated

Ms. McInnes described the various NCPHD responses being employed in response to the surge of cases. Testing is being offered at NCPHD 5 days a week and is always filled to capacity.

## NCPHD Response

- ❑ Case Investigation and Contact Tracing
  - ❑ New Case Investigator
  - ❑ New Disease Intervention Specialist (Jeremy's job)
- ❑ School Support
- ❑ Congregate Care Outbreak Support
- ❑ Testing
  - ❑ 2 testing specialists
  - ❑ Work with community partners for more access to testing at Celilo and In-Lieu sites
  - ❑ Testing at Community Meals site
- ❑ Provide accurate information (and combat mis-information) website, social media, PSAs, video conferences
- ❑ Vaccination Engagement Plan

Ms. McInnes reviewed some of the most talked about current issues. She said that the dates for vaccines approved for children under 12 are loose estimates and we often see approvals come through sooner than predicted. She also explained that



a 3<sup>rd</sup> vaccine for the immunocompromised population is available now and intended for people whose immune system may not produce a sufficient response after just two vaccinations. The booster is not yet available and is intended for the general population as studies indicated that the level of immunity may weaken over time; a booster can help lower the risk of contracting or being hospitalized with COVID.

## Hot Topics- Vaccines

- ❑ Vaccine for under 12
  - ❑ Ages 5-11 estimate November
  - ❑ Ages 6 mos- 4 years estimate January 2022
- ❑ Vaccine # 3 versus Booster
  - ❑ #3 available now for immunocompromised individuals
  - ❑ Booster guidance currently being reviewed by ACIP

Ms. McInnes stated that the proposed Federal Plan is still being evaluated. Some of the points of the plan are already in place in Oregon such as the mandate for hospital workers. It is not clear how at-home testing will be increased as those tests sell-out regularly at local stores.

## Hot Topics- Federal Plan

- ❑ Employers with 100+ employees mandate vaccinations or testing
- ❑ Mandate vaccinations for all federal workers and contractors
- ❑ Mandate vaccinations at all hospitals and clinics that accept Medicaid/Medicare
- ❑ Require employers to provide time off for vaccinations
- ❑ Booster vaccines
- ❑ Increase at home testing
- ❑ Provide at-home tests to food banks and community centers
- ❑ Free COVID-19 screening for all schools
- ❑ Provide free monoclonal antibody treatment

The monoclonal antibody therapy was recently approved as an outpatient COVID treatment for those at high risk for hospitalization. She pointed out that while the therapy is very expensive - \$2,000 per injection with 4 injections needed – it is not nearly as expensive as being hospitalized with COVID.

### Hot Topics- COVID-19 Therapy

- Monoclonal antibody therapy- YES
  - Onset of COVID in past 10 days
  - Mild to moderate symptoms
  - High risk for hospitalizations
  - Now available as an injection
  - Reduces risk of hospitalization at least 50%
  - Now available at MCMC

Ms. McInnes strongly stated that Ivermectin is not safe for humans and there is no evidence that it is effective against COVID-19. Calls to poison control and visits to the ER have increased 30 fold due to the misuse of Ivermectin.

### Hot Topics- Bad Ideas

- Ivermectin NO
  - Often used to treat parasites in livestock and pets
  - Not safe for humans in high doses
  - No evidence that it is effective against COVID-19

Chair Hege asked what COVID long-haul is. He also mentioned that someone he knows had said they were being treated with Ivermectin for post-COVID symptoms.

Ms. McInnes replied that she is not aware of Ivermectin being used for any COVID treatment or prevention but would do more research and provide more information. COVID long-hauler is a syndrome still being researched. It appears to affect between 5% and 20% of COVID patients with symptoms that occur for months post-COVID. Symptoms include brain fog, fever, fatigue and joint pain that occurs randomly and can be very debilitating. People who have been vaccinated



and contract COVID are 50% less likely to develop long-haulers than those who have not been vaccinated.

Chair Hege asked if people who are vaccinated gather are at no risk. Ms. McInnes responded that it is true except if someone is carrying but asymptomatic. Data for that is nearly impossible to track as those who are asymptomatic are not likely to seek testing.

Julie Reynolds asked what we know about the rate of positivity in our homeless population. Ms. McInnes replied that she does not know but will try to track down the information.

Tanya Wray asked when monoclonal therapy became available. Ms. McInnes answered that it was approved in the last month. It is available at MCMC and Skyline Hospital. More clinics are trying to offer it. 50% of those who undergo monoclonal therapy do not have to be admitted to the hospital.

#### **Agenda Item – Uniform Fee Schedule Ordinance**

At 9:05 a.m. Chair Hege opened a public hearing to consider amendments to the Wasco County Uniform Fee Schedule Ordinance. He explained the process and asked staff to present.

Ms. Clark reviewed the memo included in the packet using a slide presentation (attached).

Chair Hege opened the floor to public comment. There was none.

Vice-Chair Schwartz stated that this is the most comprehensive update she has seen and it appears to be very random – 3% or CPI increases for some fees and 33% to 200% increases for other fees. She said she started looking for a County policy that provides guidance for the increases but was unable to find one.

Mr. Stone said that there is no policy because there are so many different aspects to setting the fees. The County approaches this by first recognizing the legislative changes to fees; then Directors submit for things that need more than an incremental increase. The floor of this is minimum increase is 3% as the Board has indicated they do not want to see fees jump dramatically. We want the fee schedule to trend up with our costs. It would be almost impossible to set a policy given the amount of variability from department to department.

Vice-Chair Schwartz said she actually hears some guidance in Mr. Stone's statement. She said she also has some questions about individual fees. She asked Community Corrections Manager Fritz Bachman what an Interstate Compact is. Mr. Bachman replied that federal law dictates how people under supervision move from one state to another. The minimum fee for that work is \$50 and is what Wasco County has always charged, although it is a very involved process that includes the courts and attorneys. There are a handful of Oregon counties still charging the minimum, but the average across the State is \$125. He went on to say that there are cases where people who are not Oregon residents commit a significant crime while passing through the state. When they are released to supervision, they have no way to live in Oregon and want to get home. In those cases, an immediate compact is needed; we subsidize the fee to allow them to go home. He said that he understands this is a significant increase but it catches up for many years of no increases.

Vice-Chair Schwartz asked who pays those fees. Mr. Bachman replied that the client pays. Vice-Chair Schwartz commented that it is likely a hardship for them. She said that she is struggling with the methodology rather than looking at the actual cost and time that it takes. She said she thinks we should know what our costs are. For someone who is struggling, this is a real hardship.

Mr. Bachman explained that it goes through him to waive or subsidize client fees and that is done on a case by case basis. The electronic monitoring fee is new; the company we lease them from charges us a little over \$4 a day when they are in use. It is a non-jail option. He added that the supervision fees are likely to go away very soon which will remove the biggest fee that every client has.

Vice-Chair Schwartz asked what happens when people cannot or do not pay their fees. Mr. Bachman responded that they do not jail people for the inability to pay the fees. It is a technical violation and fees accrue. When people are doing well under supervision, those fees may be waived. If the client is released from supervision with outstanding fees, the collection of those fees is turned over to the Department of Revenue.

Vice-Chair Schwartz noted that for some departments we are looking at a 3% inflationary increase. Planning is basing most of their increases on the CPI and has not done an update since 2014; she asked if that is the reason for not increasing more incrementally.

Interim Planning Director Dr. Kelly Howsley-Glover stated that the CPI is an unwritten Planning Department policy.

Vice-Chair Schwartz observed that the Scenic Area fees are taking quite a jump. She said she is hearing that the Board gave guidance to look at these fees. She said her memory is that the guidance was to work with other Scenic Area partners to advocate for more dollars for the program. She asked if we may need to use the same logic when increasing Building Codes fees.

County Assessor and Tax Collector Jill Amery said that in her department they do look at their costs and fees and have actually reduced some in the past. Some of the fees are costs they incur when contracting work out. Costs are considered when setting fees.

Mr. Stone stated that if we go to a cost-based service, fees will increase exponentially. Most of our fees are highly subsidized. The fees would go through the roof if we based them on the cost of service. However, we need to remain sustainable over time. That, combined with direction from the Board over the years that we need to recover costs is what drives the structure of our fees. That is what you are seeing on the Planning slide – we are trying to recover the costs of doing work in the Scenic Area – work that is actually someone else's work to do. A 3% baseline is a good trending number to move our fees with associated costs – costs of labor, benefits, PERS, utilities, etc. We are trying to tread water and not burden our citizens. Most of the fees are already highly subsidized; that is our financial philosophy and direction from the Board.

Vice-Chair Schwartz stated that she would not argue with an annual increase. It is the randomness that is troublesome. She said that she hears some guidance in the responses and would like to get that formalized.

Chair Hege agreed that there are some differences but 3% and the CPI are about the same. There should be some consistency but our departments do an amazing job of tracking the costs to see how that connects with the fees. That is a lot of work and not reasonable to do all the time. In Planning, in particular, the fees only cover a percentage of the costs. We are trying to be reasonable. The Board did have a number of discussions about increasing Scenic Area fees as well as getting more support from the State and Gorge Commission. Because there are substantial increases, perhaps we can do those over a period of years but that may not be the way to go, either. He asked Dr. Howsley-Glover what is the percentage of cost

coverage on average.

Dr. Howsley-Glover responded that fees generally cover 40%-50% of the cost. Chair Hege asked if that is typical. Dr. Howsley-Glover replied that there is some diversity throughout the state. Deschutes County is entirely fee supported with no General Fund subsidy. They do an extreme amount of tracking to capture all the things that planners do. Other counties, like us, are subsidized by General Fund.

Commissioner Kramer commented that this is a good learning session. He said he is in favor of moving forward because we do subsidize heavily and need to be more on track. We have to look forward to the future. If people want to build, they will have to pay those fees and our constituents are getting ready for that. Our departments do a lot of good work; as a County, we need to move forward.

Commissioner Kramer went on to say that if there is something in the packet that he does not understand, he does some offline work to get some questions answered early. He noted that we do not have a lot of time at the Board meetings; he suggested that Vice-Chair Schwartz might consider getting some of her questions answered prior to the meeting day.

Vice-Chair Schwartz asked if there is any will to look at guidance, perhaps at a work session, before approving the fees. She said that it is not specifically department by department but as an organization as a whole, when it is appropriate to raise fees. She said we might use last year's discussion around Building Codes as foundational.

Chair Hege replied that it could be a work session topic. He asked if there is a requirement to take action at the next Board session. Ms. Clark replied that there is a minimum requirement of time between the first and second hearing, but there is not a maximum.

Mr. Stone pointed out that these fees are for the next budget process and will make budgeting difficult.

Chair Hege closed the hearing at 10:20 a.m.

Commissioner Kramer read the title of the Ordinance into the record: Ordinance 21-001 In the Matter Of Amending Wasco County's Uniform Fee Schedule for Various County Departments.

**Agenda Item – Maupin Grant Application Letter of Support**

Commissioner Kramer said he has had the opportunity to speak to Maupin Mayor Lynn Ewing who conveyed the community's support and his own for this project. Mr. Stone added that this is a state process for the Rural Opportunity Initiative Program; the County should support Maupin's efforts.

**\*\*\*The Board was in consensus to sign a letter of support for Maupin's application to Business Oregon's Rural Opportunities Initiative Grant.\*\*\***

**Agenda Item – Annexation Petition Hearing**

At 10:23 a.m. Chair Hege opened a hearing regarding the annexation of property into the Mid-Columbia Fire and Rescue District. He explained the process and asked staff to present information.

Ms. Clark reviewed the memo included in the Board Packet using a slide presentation (attached). She reviewed the process for annexation and outlined the ways in which requirements had been met in order to approve annexation. She started that no public comment, written or oral, has been received regarding the proposed annexation and recommended approval of the request.

MCFR Chief Robert Palmer stated that it is prudent and reasonable to annex this property into the District since it is contiguous to District Boundaries and properties adjacent to this one are already served by MCFR. He said that if the annexation is approved by the Board of Commissioners, the District will work with the Bakers on water supply issues; a cistern will need to be installed for water supply.

Mr. Gerald Baker, petitioner, said that he had not been aware of this process; Wasco County's Planning Commission noticed that it was contiguous to the District Boundary and advised them to make an application to address the requirements for fire protection. He said he also appreciates the work Chief Palmer did as well as County staff. He said that he appreciates this opportunity; he and his wife are moving onto the property to care for his aging father and needed this path to move forward.

Chief Palmer added that the Bakers will be able to get fire insurance with a Class 9 rating.

Chair Hege closed the hearing at 10:34 a.m.

**{{{Commissioner Kramer moved to approve Order 21-041 IN THE MATTER OF ANNEXING TERRITORY TO THE MIDCOLUMBIA FIRE AND RESCUE DISTRICT TO PROVIDE FIRE PROTECTION SERVICE TO THE ANNEXED TERRITORY, CONSISTING OF TAX LOT 1S 13E 1 100 AND TAX LOT 1S 14E 0 1700. Vice-Chair Schwartz seconded the motion which passed unanimously.}}}**

**Agenda Item – Community Corrections Funding Agreement**

Mr. Bachman explained that this is a biennial agreement and is how they fund their programs. The agreement has not changed for many years with the except the budget amounts. This funding follows the submission of the Biennial Plan which is approved by the Local Public Safety Coordinating Council and the Board of Commission.

**{{{Vice-Chair Schwartz moved to approve IGA #6181 between Wasco County and the Oregon Department of Corrections. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**Agenda Item – Hazard Mitigation Grant Program Subapplication**

Emergency Manager Sheridan McClellan reported that the Letter of Intent submitted earlier this year for both Wamic Fire Department/Community Center and the Barlow Water District was approved. FEMA has asked that the actual applications for the two entities be combined into one.

Larry Warren, Barlow Water District Board Member, said he believes the grant is for too much due to the fact that they were only able to get one estimate before submitting the letter of intent. Since that time, research indicates that the project will come in for less. Before they can accept the grant, they will have to get three quotes. The generators are badly needed in Wamic; during the heat wave the Community Center was used as a cooling center and the electricity went out. The generator at the Water District is 41 years old and does not start half the time.

**\*\*\*The Board was in consensus to sign the combined Hazard Mitigation Grant Sub-application for the Barlow Water District and the Wamic Fire Department/Community Center.\*\*\***

Vice-Chair Schwartz commented that she appreciates the small communities taking advantage of the grant opportunities. It is important to move forward with mitigation efforts.

**Agenda Item –Affordable Housing Update**

Mid-Columbia Housing Authority Executive Director Joel Madsen stated that he is here to update the Board on their work in partnership with Wasco County to develop two parcels for affordable housing. Earlier this summer, the Board authorized the sale of surplus properties to the Housing Authority; one of the contractual agreements was to get the properties on the tax rolls.

Mr. Madsen went on to explain that initial discussions with the title company did not raise any red flags around getting title insurance, but subsequent research revealed that it may be a 10-year wait. Without the insurance, they will not be able to get financing to develop the property. County staff is working with the Housing Authority to find a path forward. The property on 10<sup>th</sup> Street has the potential for more than a single family dwelling, possibly town homes. They would like to get more return on their investment if possible.

Mr. Madsen stated that it is become more prevalent to have the 10-year wait on foreclosed properties. There are ways to navigate that and the County has provided details for that process and is helping resolve the issue. There are some other legal strategies to explore as well.

Vice-Chair Schwartz said that it is fair to say that there have been lessons learned in this first time through the process. We will keep that in mind for future opportunities.

Ms. Amery said that it was unknown to us but it is a national issue. Unfortunately, we had a local company that had been providing the insurance but they were pressured to discontinue that practice. There is a national company that may be willing to provide the insurance; we are hoping to work through this to allow the development to move forward.

Chair Hege asked if this would have been a problem if a private party had purchased the property. Ms. Amery replied affirmatively. She said that this was a surprise to her.

Mr. Madsen added that this lends itself to cash transactions where the buyer is not worried about securing debt on the property. He stated that they are willing to work through this as it supports their goals and is an important tool.

**Agenda Item – Gorge Regional Transit Strategy**

MCEDD Mobility Manager Kathy Fitzpatrick reviewed the memo and presentation included in the Board Packet. She explained that they brought together various cities and counties in the Gorge along with ODOT and WashDot to find common goals, policies and challenges. They stitched together plans from around the Gorge to create a regional plan. All of the entities depend on public transit for the communities they serve. She said that she is here today for concurrence on the regional plan's visions and goals, as well as to determine the Board's preferences for involvement with the process as they move into the next phase.

**\*\*\*The Board was in consensus to support the visions and goals outlined in the Gorge Regional Transit Strategy.\*\*\***

Vice-Chair Schwartz said that she receives updates from various meetings and thinks reports to the Board for significant milestones would be appropriate. Commissioner Kramer stated that he serves on the MCEDD Board and can be a conduit of information. Mr. Stone added that he attends the Regional Transit meetings. Chair Hege said that Ms. Fitzpatrick is welcome back whenever they need help, support or concurrence.

**Agenda Item – Columbia Land Trust Letter of Support**

Columbia Land Trust Forest Conservation Director Cherie Kearney asked for a letter of support for their application to the Federal Forest Legacy Program. There are three goals for this project: 1) to keep land in forestry – there are 16,000 acres owned by SDS Lumber; 2) protect watersheds – a portion of the land will go to The Dalles Watershed; 3) use a portion of the land as a match for the proposal.

Chair Hege stated that he does not want public access to go away for public lands and he does not want property to be removed from the tax rolls. Ms. Kearney replied that public access is baked in as it is one of their core values; language to protect that will be in the easement. She went on to say that the Land Trust is committed to paying property taxes on lands that they own; the property in the trust that is owned by SDS will continue to have taxes paid by that company.

Vice-Chair Schwartz asked if the watershed property will be turned over to the City of The Dalles. Ms. Kearney replied affirmatively. Vice-Chair Schwartz added that the Forest Service may purchase some land around that area to further preserve it. She said that they have an interest and it is important not to have a checkerboard of ownership with various management styles.



**\*\*\*The Board was in consensus to provide a letter of support to the Columbia Land Trust for their applicant to the Federal Forest Legacy Program.\*\*\***

**Consent Agenda – 9.1.2021 Minutes**

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

Chair Hege opened the floor to public comment. There was none.

**Commission Call**

Commissioner Kramer made a personal plea for people to get vaccinated for COVID; it is real. He said if you know unvaccinated people, talk to them. He said that he has a “chosen” brother who would not get vaccinated and is in rough shape with COVID. He stated that we need to do our best to protect one another. Please reconsider getting vaccinated if you have not done so.

Chair Hege noted that it is really expensive to be in the hospital with COVID; the shot is free.

Vice-Chair Schwartz echoed Commissioner Kramer’s plea. She said it is getting closer and closer to all of us. It is so unfortunate that people are victims of a campaign of misinformation. She advised people to seek information from legitimate sources.

Vice-Chair Schwartz stated that in response from a request from another Commissioner, she would be working on a recommendation from the Veterans Advisory Committee to request a contribution from Wasco County for the Oregon Vietnam War Memorial.

Vice-Chair Schwartz announced that on October 6<sup>th</sup> from noon to 1:30 p.m. there will be a round table discussion on housing; she will be one of the panel speakers. She encouraged the other Commissioners to attend if they are available. There will be another forum on housing, supported by MCEDD, that is scheduled for October 7<sup>th</sup> on the state of housing which is a key component for economic development. She added that we received notice from Senator Merkley that \$2 million is headed to the Gorge for economic development.

Vice-Chair Schwartz noted that in a recent OPB article which investigated the west for communities most vulnerable to climate change, The Dalles was listed among

the top two that are extra susceptible to fire, flooding and extreme heat.

Vice-Chair Schwartz said that she wants to reassure her fellow commissioners that she did reach out to departments on the issue of fee increases. The questions and comments she brought forward were to let the public know what her concerns are.

Chair Hege observed that the legislature is charged with redistricting the State based on the census. They just wrapped up committee work and he made oral and written comments as a County Commissioner but not as a representative of the Board's position. He said that his concern with the proposed maps is that they tie Wasco County to the metro area instead of being tied to the areas east of the Cascades. The bulk of the population would be in an urban area and we will lose representation for our needs as a rural county. It would also break the county into three sections instead of two which means we would have such a small portion of each of the three which would cause representatives to pay less attention to our needs. He said that he believes the Cascades is a good line of demarcation and should be maintained as such.

Chair Hege reported that the topic of a vaccine mandate at the AOC meetings proved divisive and was tabled – even the vote to table it was contentious. He said if we cannot have strong support from the membership, it is difficult for AOC to advocate.

Chair Hege announced that MCCFL Executive Director Dr. June Gower has given notice of her resignation. Al Barton will serve as Interim Executive Director. This is a big challenge among many challenges being faced at MCCFL. The organization is in transition and engaged in discussions on how to move forward. It took a long time to find the last Executive Director. There are other problems to navigate such as union issues, staffing issues and financial problems. This is not unique to MCCFL, mental health service providers across Oregon are facing staffing issues. They are working to bring stability to the organization.

#### Agenda Item – Bakeoven Solar Project Update

Avangrid Director of Business Development Brian Walsh reviewed the progress of the Bakeoven Solar Project saying that this is the first commercial renewable energy project in Wasco County. The project is located entirely on the south side of Bakeoven Road and is located partially on property owned by Larry and Vicki Ashley. The remaining property is adjacent to the Ashley property and next to the substation. They expect to have the first 60 megawatts online by September of

2022 with the rest to follow by December of 2022.

Mr. Walsh reported that the high voltage work has been done by 30-40 workers; the substation is not labor intensive. The solar facility build will be over 200 workers at its height; probably in the spring of 2022.

Chair Hege asked about housing for the workers. Mr. Walsh replied that a few have found places in Maupin, south of the bridge. Others are traveling in from The Dalles and in Tygh Valley for short term trailer camping. Some locals are working on building tiny homes; others come from Madras. He said that he has heard that the City of Shaniko is trying to ban short-term housing, although they have a trailer park there.

Commissioner Kramer said that he has driven by the site and has been able to meet a few of the contractors. He suggested that Mr. Walsh reach out to Mr. Stone to talk about the possibility of using the County Fairgrounds for potential housing. We might be able to accommodate workers winter through spring. Mr. Walsh said that they have been talking to Mike Davis about housing and looking at the fairgrounds as well.

Mr. Walsh went on to say that the heaviest load has already been delivered. The remaining materials will be regular tractor trailer loads delivered by driving down Hwy 97. They are trying to limit the traffic through Maupin which would be mostly workers; they have asked the workers to route through Hwy. 97. He asked that any complaints be forwarded on to him.

Mr. Walsh stated that the Red Zone agreement requires that jobs be posted on Workforce Oregon which they have done; permanent jobs will also be posted there. He went on to say that Administrative Services Director Matthew Klebes has been very persistent in working with Avangrid and QLife for fiber optic lines. We are working our way through limitations within the regulatory framework; he believes they will find a way. It will get QLife a little closer in their quest to provide fiber to the southern part of the county. Mr. Klebes has been extremely helpful.

Commissioner Kramer asked what the life of the facility will be. Mr. Walsh replied that looking at some of the other renewable wind projects from the 1980s, they are still operating and have been repowered. For solar panels, efficiencies will be made and it will be cost effective to repower the site. As long as the support

structure holds, it will be as simple as replacing a panel.

Mr. Walsh offered to take the Board on a site visit. He said that he recently gave a tour to representatives from Klickitat County as well as an opposition group; he was able to debunk a lot of the misconceptions.

Chair Hege said that he is amazed that the project is underway after all the years of effort. Mr. Walsh said that they began trying to put a wind project in in 2007. He observed that Dan Carver, who recently passed away, really enabled all of this to happen. They are now putting together a hybrid wind/solar project. He thanked the County for their support.

Mr. Walsh said that one thing on the horizon is a shortage of labor for the solar industry; it is hard to find even union labor. There is more pressure to use apprentice labor. This will be a pinch point to build these projects. This is an effort to address climate change and we need to start thinking about how to solve this problem.

Chair Hege suggested that Avangrid reach out to the Columbia Gorge Community College where they have just opened a facility dedicated to training for the trades. Ms. Clark added that at the next Board session we will have a union representative talking to the Board about apprenticeship programs in the region.

Commissioner Kramer said that he would like to comment that the Board meetings are an opportunity for the Commissioners to talk for 6-7 hours per month. While this meeting is public, it is not necessarily for engaging in conversation with the public. Citizens can reach any of the Commissioners 30 days a month as the cell phone numbers and email addresses are published on our website. They can bring their opinions and concerns forward at any time throughout the month. These meetings are where the Commissioners come together to share ideas, debate and try to find solutions. We can't let the meetings get bogged down. He said that he encourages citizens to call him to have conversations. He said he is not asking for a response to his comments; just putting it out for thought.

Chair Hege adjourned the session at 12:20 p.m.

Summary of Actions
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**MOTIONS**

- **To approve Order 21-041 in the matter of annexing territory to the Mid-**

**Columbia Fire And Rescue District to provide fire protection service to the annexed territory, consisting of Tax Lot 1S 13E 1 100 and Tax Lot 1S 14E 0 1700.**

- **To approve IGA #6181 between Wasco County and the Oregon Department of Corrections.**
- **To approve the Consent Agenda: 9.1.2021 Regular Session Minutes,**

**CONSENSUS**

- **To sign a letter of support for Maupin's application to Business Oregon's Rural Opportunities Initiative Grant.**
- **To sign the combined Hazard Mitigation Grant Sub-application for the Barlow Water District and the Wamic Fire Department/Community Center.**
- **To support the visions and goals outlined in the Gorge Regional Transit Strategy.**
- **To provide a letter of support to the Columbia Land Trust for their applicant to the Federal Forest Legacy Program.**

Wasco County  
Board of Commissioners

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Scott C. Hege, Commission Chair

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Kathleen B. Schwartz, Vice-Chair

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Steven D. Kramer, County Commissioner



## CONSENT ITEM

### ODFW Payment in Lieu of Taxes

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[STAFF MEMO](#)

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[NOTICE LETTER](#)

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[TAX BILL SUMMARY](#)

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## MEMORANDUM

**SUBJECT: 2021-22 Oregon Department of Fish & Wildlife In Lieu of Tax Payment**

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**TO: BOARD OF COUNTY COMMISSIONERS**

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**FROM: JILL AMERY**

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**DATE: 10/6/2021**

### **BACKGROUND INFORMATION:**

**PURSUANT TO ORS 496.340 THE OREGON DEPARTMENT OF FISH & WILDLIFE MAKES AN ANNUAL IN LIEU TAX PAYMENT FOR PROPERTY THAT WOULD NORMALLY BE EXEMPT FROM TAXATION. THE AMOUNT PAYABLE IS EQUAL TO THE AD VALOREM TAX THAT WOULD HAVE BEEN CHARGED AGAINST THE PROPERTY IF IT HAD BEEN ASSESSED TO A TAXABLE OWNER.**

**THE ATTACHED SPREADSHEET IDENTIFIES SAID PROPERTY ALONG WITH THE APPLICABLE ACREAGE, REAL MARKET VALUE, TAXABLE ASSESSED VALUE AND TAXES IMPOSED THAT INCLUDES THE DISCOUNT AMOUNT.**

**PURSUANT TO ORS 496.340 WE MUST MAIL THE SIGNED BOC ORDER ALONG WITH THE TAX BILL SUMMARY NO LATER THAN OCTOBER 15, 2021.**



*Pioneering pathways to prosperity.*

Oregon Department of Fish & Wildlife  
4034 Fairview Industrial Dr. SE  
Salem, OR 97302

**NOTICE OF DETERMINATION OF VALUE OF REAL PROPERTY OWNED BY OREGON  
DEPARTMENT OF FISH & WILDLIFE, PURSUANT TO ORS 495.340(4)**

Notice of real property valuation pursuant to ORS 496.340 (4) is hereby given this date by attaching hereto a statement of the value of each property. The values used are the same as all other farm use and forest use properties, pursuant to ORS 496.340(2)(a). The statement also lists the payment due each property, computed by applying the same consolidated rate as all other properties within each code area, and limited by Section 11b, Article XI or the Oregon Constitution (Ballot Measure 5) and Sections 11 and 11a, Article XI (Ballot Measure 50).

Said attached is marked Exhibit A and by this reference is hereby made a part of this notice.

Dated this 7<sup>th</sup> day of October, 2020.

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Scott C. Hege  
Chair, Wasco County Board of Commissioners

ENCLOSURE: Exhibit A



## STATE OF OREGON DEPT OF FISH/WILDLIFE TAX BILL SUMMARY 2021-22

ACCOUNT #	MAP #	ACRES	RMV	TAXABLE AV	TAX	DISCOUNT	NET TAX DUE
8686	01N15 E00 00100	823.24	\$ 824,870	\$ 8,300	\$ 107.01	\$ 3.21	\$ 103.80
8687	01N16 E00 00100	82.24	\$ 114,680	\$ 830	\$ 10.70	\$ 0.32	\$ 10.38
8838	01S16 E00 00100	39.00	\$ 19,540	\$ 390	\$ 5.03	\$ 0.15	\$ 4.88
8968	01S16 E00 01100	48.02	\$ 24,060	\$ 480	\$ 6.19	\$ 0.19	\$ 6.00
8999	02N15 E00 00100	15.18	\$ 86,880	\$ 150	\$ 1.93	\$ 0.06	\$ 1.87
9010	02N15 E00 01700	264.41	\$ 287,420	\$ 27,010	\$ 348.24	\$ 10.45	\$ 337.79
9593	01S16 E00 02100	29.90	\$ 15,310	\$ 300	\$ 4.03	\$ 0.12	\$ 3.91
9759	03S12 E00 01000	3342.59	\$ 1,750,770	\$ 392,292	\$ 5,222.48	\$ 156.67	\$ 5,065.81
9762	03S12 E00 01600	511.66	\$ 171,600	\$ 41,840	\$ 562.26	\$ 16.87	\$ 545.39
9763	03S12 E00 01700	160.00	\$ 53,660	\$ 13,080	\$ 175.77	\$ 5.27	\$ 170.50
9765	03S12 E00 01800	320.00	\$ 107,320	\$ 26,170	\$ 351.68	\$ 10.55	\$ 341.13
9790	03S13 E00 02400	1310.43	\$ 684,770	\$ 63,460	\$ 852.80	\$ 25.58	\$ 827.22
9791	03S13 E00 02500	617.47	\$ 317,490	\$ 12,620	\$ 169.59	\$ 5.09	\$ 164.50
10100	02S12 E00 06400	100.00	\$ 33,540	\$ 8,180	\$ 109.93	\$ 3.30	\$ 106.63
10348	03S12 E00 01000	1766.84	\$ 712,110	\$ 106,067	\$ 1,323.13	\$ 39.69	\$ 1,283.44
10351	03S12 E00 03000	472.46	\$ 158,450	\$ 38,630	\$ 482.45	\$ 14.47	\$ 467.98
10369	03S13 E00 02500	1128.85	\$ 578,150	\$ 11,510	\$ 143.75	\$ 4.31	\$ 139.44
10404	04S11 E00 00200	320.00	\$ 106,820	\$ 27,450	\$ 342.83	\$ 10.28	\$ 332.55
10412	04S12 E00 00300	44.00	\$ 22,540	\$ 450	\$ 5.62	\$ 0.17	\$ 5.45
10500	03S12 E00 01000	4706.29	\$ 3,174,560	\$ 539,283	\$ 6,379.96	\$ 191.40	\$ 6,188.56
10501	03S12 E00 01900	10.00	\$ 3,670	\$ 80	\$ 1.02	\$ 0.03	\$ 0.99
10502	03S12 E00 02000	116.55	\$ 88,110	\$ 51,244	\$ 650.28	\$ 19.51	\$ 630.77
10503	03S12 E00 01800	1437.04	\$ 481,950	\$ 117,510	\$ 1,491.18	\$ 44.74	\$ 1,446.44
10512	03S12 E00 03000	313.25	\$ 105,060	\$ 25,610	\$ 324.99	\$ 9.75	\$ 315.24
10513	03S13 E00 02500	400.00	\$ 204,860	\$ 4,030	\$ 51.14	\$ 1.53	\$ 49.61
10514	03S13 E00 03400	80.00	\$ 40,970	\$ 810	\$ 10.28	\$ 0.31	\$ 9.97
10515	03S13 E00 03600	77.60	\$ 39,740	\$ 780	\$ 9.90	\$ 0.30	\$ 9.60
10666	04S11 E00 00700	80.00	\$ 26,830	\$ 6,540	\$ 81.68	\$ 2.45	\$ 79.23
10667	04S11 E00 00600	960.00	\$ 382,460	\$ 213,917	\$ 753.01	\$ 22.59	\$ 730.42
10670	04S11 E00 00900	130.00	\$ 311,060	\$ 79,894	\$ 962.91	\$ 28.89	\$ 934.02
10672	04S11 E00 01100	120.00	\$ 230,770	\$ 56,831	\$ 691.00	\$ 20.73	\$ 670.27
10673	04S11 E00 01200	160.00	\$ 195,290	\$ 41,535	\$ 495.43	\$ 14.86	\$ 480.57
10878	04S12 E04 00100	4.10	\$ 2,100	\$ 40	\$ 0.50	\$ 0.02	\$ 0.49
10885	04S12 E00 00800	2995.27	\$ 1,555,680	\$ 486,168	\$ 2,869.51	\$ 86.09	\$ 2,783.42
10928	04S12 E00 03000	197.78	\$ 314,620	\$ 48,183	\$ 601.76	\$ 18.05	\$ 583.71
10954	04S12 E31 00300	239.40	\$ 122,610	\$ 2,440	\$ 30.47	\$ 0.91	\$ 29.56
11533	05S11 E00 00200	78.25	\$ 86,770	\$ 18,770	\$ 224.42	\$ 6.73	\$ 217.69
11534	05S11 E00 00300	158.35	\$ 170,930	\$ 39,848	\$ 366.47	\$ 10.99	\$ 355.48
11535	05S11 E00 00400	3578.35	\$ 3,057,830	\$ 562,403	\$ 6,732.74	\$ 201.98	\$ 6,530.76
11536	05S11 E00 00500	200.00	\$ 84,810	\$ 9,000	\$ 112.40	\$ 3.37	\$ 109.03
12354	05S11 E00 01100	40.00	\$ 16,770	\$ 1,910	\$ 23.85	\$ 0.72	\$ 23.13
12355	05S11 E00 01400	79.09	\$ 28,340	\$ 5,950	\$ 74.31	\$ 2.23	\$ 72.08
12356	05S11 E00 01900	119.07	\$ 108,410	\$ 22,939	\$ 265.27	\$ 7.96	\$ 257.31
12358	05S11 E00 01500	79.09	\$ 26,490	\$ 6,550	\$ 81.80	\$ 2.45	\$ 79.35
12359	05S11 E00 01700	155.47	\$ 50,860	\$ 14,410	\$ 178.85	\$ 5.37	\$ 173.48
12360	05S11 E00 01300	19.55	\$ 10,010	\$ 200	\$ 2.50	\$ 0.08	\$ 2.43
12361	05S11 E00 01200	18.63	\$ 18,810	\$ 3,724	\$ 46.51	\$ 1.40	\$ 45.11
12362	05S11 E00 02000	1200.83	\$ 450,250	\$ 78,950	\$ 986.01	\$ 29.58	\$ 956.43
12363	05S11 E00 01800	475.45	\$ 189,140	\$ 21,120	\$ 263.77	\$ 7.91	\$ 255.86
12368	05S11 E00 02500	568.79	\$ 382,120	\$ 50,387	\$ 590.33	\$ 17.71	\$ 572.62
12369	05S11 E24 00100	79.09	\$ 35,130	\$ 3,470	\$ 43.34	\$ 1.30	\$ 42.04
12370	05S11 E24 00200	160.00	\$ 129,580	\$ 19,446	\$ 225.04	\$ 6.75	\$ 218.29
12371	05S11 E24 00300	74.90	\$ 33,410	\$ 2,660	\$ 33.22	\$ 1.00	\$ 32.22
13183	05S11 E25A 01000	13.70	\$ 7,020	\$ 140	\$ 1.75	\$ 0.05	\$ 1.70
16685	03S12 E00 02701	80.00	\$ 29,650	\$ 5,390	\$ 67.32	\$ 2.02	\$ 65.30
16686	04S11 E00 00101	200.00	\$ 67,080	\$ 16,350	\$ 204.20	\$ 6.13	\$ 198.07
<b>TOTALS</b>		<b>30,802.18</b>	<b>\$ 18,333,730</b>	<b>\$ 3,337,721</b>	<b>\$ 36,154.54</b>	<b>\$ 1,084.64</b>	<b>\$ 35,069.90</b>



## CONSENT ITEM

### Youth Services Funding Agreement

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[STAFF MEMO](#)

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[JUVENILE CRIME PREVENTION GRANT AGREEMENT](#)

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## YOUTH SERVICES

202 East Fifth Street • The Dalles, OR 97058  
p: [541] 506-2660 • f: [541] 506-2661 • [www.co.wasco.or.us](http://www.co.wasco.or.us)

*Pioneering pathways to prosperity.*

Date: September 13, 2021

To: Wasco County Board of County Commissioners

From: Molly Rogers, Director  
Wasco County Youth Services 

Re: Grant Agreement with Youth Development Council

This memo explains the Grant Agreement between Wasco County and the Youth Development Division of the Oregon Department of Education. The funds titled, Juvenile Crime Prevention funds are dedicated to serve youth who are at risk of involvement with the juvenile justice system. Youth are between the ages of 10-17 years of age and must have more than one identified risk factor.

Wasco County has dedicated these funds for positive youth development, and more recently focused directly on reducing school failure. The current provider is Comprehensive Family Counseling, operating the “What’s Strong With You?” in both The Dalles Middle School and has expanded to the Dufur School District. The program works with individual youth and their families to improve school attendance and engagement.

The outcomes of the grant have included reduction in referrals to the Department of Youth Services, and increased school success. During COVID-19 the program supported students with bi-weekly care packages to maintain contact with students while they participated in distance learning.

The grant submitted the Youth Development Division was presented to the Wasco County Local Public Safety Council in March of 2021, with a subsequent approval. The agreement attached today has been reviewed by Wasco County Legal Counsel.

The total amount of this agreement is \$63,000 for the biennium. This represents an increase of \$3,000 from the 2019-2021 agreement.

# **STATE OF OREGON GRANT AGREEMENT**

Grant No. 15692

This Grant Agreement (“Grant”) is between the State of Oregon acting by and through its Department of Education on behalf of the Youth Development Division (“Agency”) and Wasco County (“Grantee”), each a “Party” and, together, the “Parties”.

## **SECTION 1: AUTHORITY**

Pursuant to ORS 417.847 and ORS 417.855, Agency is authorized to enter into a grant agreement and provide funding for the purposes described in this Grant.

## **SECTION 2: PURPOSE**

The purpose of this Grant is to support local Boards of County Commissioners to provide High-Risk Juvenile Crime Prevention Services.

## **SECTION 3: EFFECTIVE DATE AND DURATION**

When all Parties have executed this Grant, and all necessary approvals have been obtained (“Executed Date”), this Grant is effective and has a Grant funding start date as of July 1, 2021 (“Effective Date”), and, unless extended or terminated earlier in accordance with its terms, will expire on June 30, 2023.

## **SECTION 4: GRANT MANAGERS**

### **4.1 Agency’s Grant Manager is:**

Anya Sekino  
255 Capitol St, NE Salem, OR 97310  
Phone: 503-378-5115  
Email: [anya.sekino@ode.state.or.us](mailto:anya.sekino@ode.state.or.us)

### **4.2 Grantee’s Grant Manager is:**

Debby Jones  
202 East Fifth St  
The Dalles, OR 97058  
Phone: 541-506-2673  
Email: [debbyj@co.wasco.or.us](mailto:debbyj@co.wasco.or.us)

- 4.3 A Party may designate a new Grant Manager by written notice to the other Party.

## **SECTION 5: PROJECT ACTIVITIES**

Grantee must perform the project activities set forth in Exhibit A (the “Project”), attached hereto and incorporated in this Grant by this reference, for the period beginning on the Effective Date and ending on the expiration date set forth in Section 3 (the “Performance Period”).

## **SECTION 6: GRANT FUNDS**

In accordance with the terms and conditions of this Grant, Agency will provide Grantee up to \$63,000.00 (“Grant Funds”) for the Project. Agency will pay the Grant Funds from monies available through its YDD Juvenile Crime Prevention Fund (“Funding Source”).

## **SECTION 7: DISBURSEMENT GENERALLY**

### **7.1 Disbursement.**

- 7.1.1 Subject to the availability of sufficient moneys in and from the Funding Source based on Agency’s reasonable projections of moneys accruing to the Funding Source, Agency will disburse Grant Funds to Grantee for the allowable Project activities described in Exhibit A that are undertaken during the Performance Period.
- 7.1.2 Grantee must provide to Agency any information or detail regarding the expenditure of Grant Funds required under Exhibit A prior to disbursement or as Agency may request.
- 7.1.3 Agency will only disburse Grant Funds to Grantee for activities completed or materials produced, that, if required by Exhibit A, are approved by Agency. If Agency determines any completed Project activities or materials produced are not acceptable and any deficiencies are the responsibility of Grantee, Agency will prepare a detailed written description of the deficiencies within 15 days of receipt of the materials or performance of the activity, and will deliver such notice to Grantee. Grantee must correct any deficiencies at no additional cost to Agency within 15 days. Grantee may resubmit a request for disbursement that includes evidence satisfactory to Agency demonstrating deficiencies were corrected.

### **7.2 Conditions Precedent to Disbursement.** Agency’s obligation to disburse Grant Funds to Grantee under this Grant is subject to satisfaction of each of the following conditions precedent:

- 7.2.1 Agency has received sufficient funding, appropriations, expenditure limitation, allotments or other necessary expenditure authorizations to allow Agency, in the exercise of its reasonable administrative discretion, to make the disbursement from the Funding Source;

- 7.2.2 No default as described in Section 15 has occurred; and
- 7.2.3 Grantee's representations and warranties set forth in Section 8 are true and correct on the date of disbursement(s) with the same effect as though made on the date of disbursement.
- 7.3 **No Duplicate Payment.** Grantee may use other funds in addition to the Grant Funds to complete the Project; provided, however, the Grantee may not credit or pay any Grant Funds for Project costs that are paid for with other funds and would result in duplicate funding.
- 7.4 **Suspension of Funding and Project.** Agency may by written notice to Grantee, temporarily cease funding and require Grantee to stop all, or any part, of the Project dependent upon Grant Funds for a period of up to 180 days after the date of the notice, if Agency has or reasonably projects that it will have insufficient funds from the Funding Source to disburse the full amount of the Grant Funds. Upon receipt of the notice, Grantee must immediately cease all Project activities dependent on Grant Funds, or if that is impossible, must take all necessary steps to minimize the Project activities allocable to Grant Funds.

If Agency subsequently projects that it will have sufficient funds, Agency will notify Grantee that it may resume activities. If sufficient funds do not become available, Grantee and Agency will work together to amend this Grant to revise the amount of Grant Funds and Project activities to reflect the available funds. If sufficient funding does not become available or an amendment is not agreed to within a period of 180 days after issuance of the notice, Agency will either (i) cancel or modify its cessation order by a supplemental written notice or (ii) terminate this Grant as permitted by either the termination at Agency's discretion or for cause provisions of this Grant.

## SECTION 8: REPRESENTATIONS AND WARRANTIES

- 8.1 **Organization/Authority.** Grantee represents and warrants to Agency that:
- 8.1.1 Grantee is a unit of local government duly organized and validly existing;
- 8.1.2 Grantee has all necessary rights, powers and authority under any organizational documents and under Oregon Law to (i) execute this Grant, (ii) incur and perform its obligations under this Grant, and (iii) receive financing, including the Grant Funds, for the Project;
- 8.1.3 This Grant has been duly executed by Grantee and when executed by Agency, constitutes a legal, valid and binding obligation of Grantee enforceable in accordance with its terms;
- 8.1.4 If applicable and necessary, the execution and delivery of this Grant by Grantee has been authorized by an ordinance, order or resolution of its governing body, or voter approval,

that was adopted in accordance with applicable law and requirements for filing public notices and holding public meetings; and

**8.1.5** There is no proceeding pending or threatened against Grantee before any court or governmental authority that if adversely determined would materially adversely affect the Project or the ability of Grantee to carry out the Project.

**8.2 False Claims Act.** Grantee acknowledges the Oregon False Claims Act, ORS 180.750 to 180.785, applies to any “claim” (as defined by ORS 180.750) made by (or caused by) Grantee that pertains to this Grant or to the Project. Grantee certifies that no claim described in the previous sentence is or will be a “false claim” (as defined by ORS 180.750) or an act prohibited by ORS 180.755. Grantee further acknowledges in addition to the remedies under Section 16, if it makes (or causes to be made) a false claim or performs (or causes to be performed) an act prohibited under the Oregon False Claims Act, the Oregon Attorney General may enforce the liabilities and penalties provided by the Oregon False Claims Act against the Grantee.

**8.3 No limitation.** The representations and warranties set forth in this Section are in addition to, and not in lieu of, any other representations or warranties provided by Grantee.

## SECTION 9: OWNERSHIP

**9.1 Intellectual Property Definitions.** As used in this Section and elsewhere in this Grant, the following terms have the meanings set forth below:

“Third Party Intellectual Property” means any intellectual property owned by parties other than Grantee or Agency.

“Work Product” means every invention, discovery, work of authorship, trade secret or other tangible or intangible item Grantee is required to create or deliver as part of the Project, and all intellectual property rights therein.

**9.2 Grantee Ownership.** Grantee must deliver copies of all Work Product as directed in Exhibit A. Grantee retains ownership of all Work Product, and grants Agency an irrevocable, non-exclusive, perpetual, royalty-free license to use, to reproduce, to prepare derivative works based upon, to distribute, to perform and to display the Work Product, to authorize others to do the same on Agency’s behalf, and to sublicense the Work Product to other entities without restriction.

**9.3 Third Party Ownership.** If the Work Product created by Grantee under this Grant is a derivative work based on Third Party Intellectual Property, or is a compilation that includes Third Party Intellectual Property, Grantee must secure an irrevocable, non-exclusive, perpetual, royalty-free license allowing Agency and other entities the same rights listed above for the pre-existing element of the Third party Intellectual Property employed in the Work Product. If state or federal law requires that Agency or Grantee grant to the United States a license to any intellectual property in the Work Product, or if state or federal law

requires Agency or the United States to own the intellectual property in the Work Product, then Grantee must execute such further documents and instruments as Agency may reasonably request in order to make any such grant or to assign ownership in such intellectual property to the United States or Agency.

## SECTION 10: CONFIDENTIAL INFORMATION

- 10.1 Confidential Information Definition.** Grantee acknowledges it and its employees or agents may, in the course of performing its responsibilities, be exposed to or acquire information that is: (i) confidential to Agency or Project participants or (ii) the disclosure of which is restricted under federal or state law, including without limitation: (a) personal information, as that term is used in ORS 646A.602(12), (b) social security numbers, and (c) information protected by the federal Family Educational Rights and Privacy Act under 20 USC § 1232g (items (i) and (ii) separately and collectively “Confidential Information”).
- 10.2 Nondisclosure.** Grantee agrees to hold Confidential Information as required by any applicable law and in all cases in strict confidence, using at least the same degree of care Grantee uses in maintaining the confidentiality of its own confidential information. Grantee may not copy, reproduce, sell, assign, license, market, transfer or otherwise dispose of, give, or disclose Confidential Information to third parties, or use Confidential Information except as is allowed by law and for the Project activities and Grantee must advise its employees and agents of these restrictions. Grantee must assist Agency in identifying and preventing any unauthorized use or disclosure of Confidential Information. Grantee must advise Agency immediately if Grantee learns or has reason to believe any Confidential Information has been, or may be, used or disclosed in violation of the restrictions in this Section. Grantee must, at its expense, cooperate with Agency in seeking injunctive or other equitable relief, in the name of Agency or Grantee, to stop or prevent any use or disclosure of Confidential Information. At Agency’s request, Grantee must return or destroy any Confidential Information. If Agency requests Grantee to destroy any Confidential Information, Grantee must provide Agency with written assurance indicating how, when and what information was destroyed.
- 10.3 Identity Protection Law.** Grantee must have and maintain a formal written information security program that provides safeguards to protect Confidential Information from loss, theft, and disclosure to unauthorized persons, as required by the Oregon Consumer Information Protection Act, ORS 646A.600-628. If Grantee or its agents discover or are notified of a potential or actual “Breach of Security”, as defined by ORS 646A.602(1)(a), or a failure to comply with the requirements of ORS 646A.600-628, (collectively, “Breach”) with respect to Confidential Information, Grantee must promptly but in any event within one calendar day (i) notify the Agency Grant Manager of such Breach and (ii) if the applicable Confidential Information was in the possession of Grantee or its agents at the time of such Breach, Grantee must (a) investigate and remedy the technical causes and technical effects of the Breach and (b) provide Agency with a written root cause analysis of the Breach and the specific steps Grantee will take to prevent the recurrence of the Breach or to ensure the potential Breach will not recur. For the avoidance of doubt, if Agency determines notice is



required of any such Breach to any individual(s) or entity(ies), Agency will have sole control over the timing, content, and method of such notice, subject to Grantee's obligations under applicable law.

- 10.4 Subgrants/Contracts.** Grantee must require any subgrantees, contractors or subcontractors under this Grant who are exposed to or acquire Confidential Information to treat and maintain such information in the same manner as is required of Grantee under subsections 10.1 and 10.2 of this Section.
- 10.5 Background Check.** If requested by Agency and permitted by law, Grantee's employees, agents, contractors, subcontractors, and volunteers that perform Project activities must agree to submit to a criminal background check prior to performance of any Project activities or receipt of Confidential Information. Background checks will be performed at Grantee's expense. Based on the results of the background check, Grantee or Agency may refuse or limit (i) the participation of any Grantee employee, agent, contractor, subgrantee, or volunteer, in Project activities or (ii) access to Agency Personal Information or Grantee premises.

## SECTION 11: INDEMNITY/LIABILITY

- 11.1 Indemnity.** Grantee must defend, save, hold harmless, and indemnify the State of Oregon and Agency and their officers, employees and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature whatsoever, including attorneys' fees, resulting from, arising out of, or relating to the activities of Grantee or its officers, employees, subgrantees, contractors, subcontractors, or agents under this Grant (each of the foregoing individually or collectively a "Claim" for purposes of this Section). If legal limitations apply to the indemnification ability of Grantee, this indemnification must be for the maximum amount of funds available for expenditure, including any available contingency funds, insurance, funds available under ORS 30.260 to 30.300 or other available non-appropriated funds.
- 11.2 Defense.** Grantee may have control of the defense and settlement of any Claim subject to this Section. But neither Grantee nor any attorney engaged by Grantee may defend the Claim in the name of the State of Oregon, nor purport to act as legal representative of the State of Oregon or any of its agencies, without first receiving from the Attorney General, in a form and manner determined appropriate by the Attorney General, authority to act as legal counsel for the State of Oregon. Nor may Grantee settle any Claim on behalf of the State of Oregon without the approval of the Attorney General. The State of Oregon may, at its election and expense, assume its own defense and settlement in the event the State of Oregon determines Grantee is prohibited from defending the State of Oregon, or is not adequately defending the State of Oregon's interests, or an important governmental principle is at issue and the State of Oregon desires to assume its own defense. Grantee may not use any Grant Funds to reimburse itself for the defense of or settlement of any Claim.
- 11.3 Limitation.** Except as provided in this Section, neither Party will be liable for incidental, consequential, or other direct damages arising out of or related to this Grant, regardless of

whether the damages or other liability is based in contract, tort (including negligence), strict liability, product liability or otherwise. Neither Party will be liable for any damages of any sort arising solely from the termination of this Grant in accordance with its terms.

## **SECTION 12: INSURANCE**

- 12.1 Private Insurance.** If Grantee is a private entity, or if any contractors, subcontractors, or subgrantees used to carry out the Project are private entities, Grantee and any private contractors, subcontractors or subgrantees must obtain and maintain insurance covering Agency in the types and amounts indicated in Exhibit B.
- 12.2 Public Body Insurance.** If Grantee is a “public body” as defined in ORS 30.260, Grantee agrees to insure any obligations that may arise for Grantee under this Grant, including any indemnity obligations, through (i) the purchase of insurance as indicated in Exhibit B or (ii) the use of self-insurance or assessments paid under ORS 30.282 that is substantially similar to the types and amounts of insurance coverage indicated on Exhibit B, or (iii) a combination of any or all of the foregoing.

## **SECTION 13: GOVERNING LAW, JURISDICTION**

This Grant is governed by and construed in accordance with the laws of the State of Oregon without regard to principles of conflicts of law. Any claim, action, suit or proceeding (collectively “Claim”) between Agency or any other agency or department of the State of Oregon, or both, and Grantee that arises from or relates to this Grant must be brought and conducted solely and exclusively within the Circuit Court of Marion County for the State of Oregon; provided, however, if a Claim must be brought in a federal forum, then it will be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event may this Section be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, to or from any Claim or from the jurisdiction of any court. GRANTEE, BY EXECUTION OF THIS GRANT, HEREBY CONSENTS TO THE PERSONAL JURISDICTION OF SUCH COURTS.

## **SECTION 14: ALTERNATIVE DISPUTE RESOLUTION**

The Parties should attempt in good faith to resolve any dispute arising out of this Grant. This may be done at any management level, including at a level higher than persons directly responsible for administration of the Grant. In addition, the Parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation. Each Party will bear its own costs incurred for any mediation or non-binding arbitration.

## **SECTION 15: DEFAULT**

- 15.1 Grantee.** Grantee will be in default under this Grant upon the occurrence of any of the following events:
- 15.1.1** Grantee fails to use the Grant Funds for the intended purpose described in Exhibit A or otherwise fails to perform, observe or discharge any of its covenants, agreements or obligations under this Grant;
  - 15.1.2** Any representation, warranty or statement made by Grantee in this Grant or in any documents or reports relied upon by Agency to measure the Project, the expenditure of Grant Funds or the performance by Grantee is untrue in any material respect when made; or
  - 15.1.3** A petition, proceeding or case is filed by or against Grantee under any federal or state bankruptcy, insolvency, receivership or other law relating to reorganization, liquidation, dissolution, winding-up or adjustment of debts; in the case of a petition filed against Grantee, Grantee acquiesces to such petition or such petition is not dismissed within 20 calendar days after such filing, or such dismissal is not final or is subject to appeal; or Grantee becomes insolvent or admits its inability to pay its debts as they become due, or Grantee makes an assignment for the benefit of its creditors.
- 15.2 Agency.** Agency will be in default under this Grant if, after 15 days written notice specifying the nature of the default, Agency fails to perform, observe or discharge any of its covenants, agreements, or obligations under this Grant; provided, however, Agency will not be in default if Agency fails to disburse Grant Funds because there is insufficient expenditure authority for, or moneys available from, the Funding Source.

## SECTION 16: REMEDIES

- 16.1 Agency Remedies.** In the event Grantee is in default under Section 15.1, Agency may, at its option, pursue any or all of the remedies available to it under this Grant and at law or in equity, including, but not limited to: (i) termination of this Grant under Section 18.2, (ii) reducing or withholding payment for Project activities or materials that are deficient or Grantee has failed to complete by any scheduled deadlines, (iii) requiring Grantee to complete, at Grantee's expense, additional activities necessary to satisfy its obligations or meet performance standards under this Grant, (iv) initiation of an action or proceeding for damages, specific performance, or declaratory or injunctive relief, (v) exercise of its right of recovery of overpayments under Section 17 of this Grant or setoff, or both, or (vi) declaring Grantee ineligible for the receipt of future awards from Agency. These remedies are cumulative to the extent the remedies are not inconsistent, and Agency may pursue any remedy or remedies singly, collectively, successively or in any order whatsoever.
- 16.2 Grantee Remedies.** In the event Agency is in default under Section 15.2 and whether or not Grantee elects to terminate this Grant, Grantee's sole monetary remedy will be, within any limits set forth in this Grant, reimbursement of Project activities completed and accepted by Agency and authorized expenses incurred, less any claims Agency has against Grantee. In no event will Agency be liable to Grantee for any expenses related to termination of this

Grant or for anticipated profits.

## SECTION 17: WITHHOLDING FUNDS, RECOVERY

Agency may withhold from disbursements of Grant Funds due to Grantee, or Grantee must return to Agency within 30 days of Agency's written demand:

- 17.1 Any Grant Funds paid to Grantee under this Grant, or payments made under any other agreement between Agency and Grantee, that exceed the amount to which Grantee is entitled;
- 17.2 Any Grant Funds received by Grantee that remain unexpended or contractually committed for payment of the Project at the end of the Performance Period;
- 17.3 Any Grant Funds determined by Agency to be spent for purposes other than allowable Project activities; or
- 17.4 Any Grant Funds requested by Grantee as payment for deficient activities or materials.

## SECTION 18: TERMINATION

- 18.1 **Mutual.** This Grant may be terminated at any time by mutual written consent of the Parties.
- 18.2 **By Agency.** Agency may terminate this Grant as follows:
  - 18.2.1 At Agency's discretion, upon 30 days advance written notice to Grantee;
  - 18.2.2 Immediately upon written notice to Grantee, if Agency fails to receive funding, or appropriations, limitations or other expenditure authority at levels sufficient in Agency's reasonable administrative discretion, to perform its obligations under this Grant;
  - 18.2.3 Immediately upon written notice to Grantee, if federal or state laws, rules, regulations or guidelines are modified or interpreted in such a way that Agency's performance under this Grant is prohibited or Agency is prohibited from funding the Grant from the Funding Source; or
  - 18.2.4 Immediately upon written notice to Grantee, if Grantee is in default under this Grant and such default remains uncured 15 days after written notice thereof to Grantee.
- 18.3 **By Grantee.** Grantee may terminate this Grant as follows:
  - 18.3.1 If Grantee is a governmental entity, immediately upon written notice to Agency, if Grantee fails to receive funding, or appropriations, limitations or other expenditure authority at levels sufficient to perform its obligations under this Grant.

- 18.3.2** If Grantee is a governmental entity, immediately upon written notice to Agency, if applicable laws, rules, regulations or guidelines are modified or interpreted in such a way that the Project activities contemplated under this Grant are prohibited by law or Grantee is prohibited from paying for the Project from the Grant Funds or other planned Project funding; or
- 18.3.3** Immediately upon written notice to Agency, if Agency is in default under this Grant and such default remains uncured 15 days after written notice thereof to Agency.
- 18.4 Cease Activities.** Upon receiving a notice of termination of this Grant, Grantee must immediately cease all activities under this Grant, unless Agency expressly directs otherwise in such notice. Upon termination, Grantee must deliver to Agency all materials or other property that are or would be required to be provided to Agency under this Grant or that are needed to complete the Project activities that would have been performed by Grantee.

## SECTION 19: MISCELLANEOUS

- 19.1 Conflict of Interest.** Grantee by signature to this Grant declares and certifies the award of this Grant and the Project activities to be funded by this Grant, create no potential or actual conflict of interest, as defined by ORS Chapter 244, for a director, officer or employee of Grantee.
- 19.2 Nonappropriation.** Agency's obligation to pay any amounts and otherwise perform its duties under this Grant is conditioned upon Agency receiving funding, appropriations, limitations, allotments, or other expenditure authority sufficient to allow Agency, in the exercise of its reasonable administrative discretion, to meet its obligations under this Grant. Nothing in this Grant may be construed as permitting any violation of Article XI, Section 7 of the Oregon Constitution or any other law limiting the activities, liabilities or monetary obligations of Agency.
- 19.3 Amendments.** The terms of this Grant may not be altered, modified, supplemented or otherwise amended, except by written agreement of the Parties.
- 19.4 Notice.** Except as otherwise expressly provided in this Grant, any notices to be given under this Grant must be given in writing by email, personal delivery, or postage prepaid mail, to a Party's Grant Manager at the physical address or email address set forth in this Grant, or to such other addresses as either Party may indicate pursuant to this Section. Any notice so addressed and mailed becomes effective five (5) days after mailing. Any notice given by personal delivery becomes effective when actually delivered. Any notice given by email becomes effective upon the sender's receipt of confirmation generated by the recipient's email system that the notice has been received by the recipient's email system.
- 19.5 Survival.** All rights and obligations of the Parties under this Grant will cease upon termination of this Grant, other than the rights and obligations arising under Sections 11, 13, 14, 16, 17 and subsection 19.5 hereof and those rights and obligations that by their express terms survive termination of this Grant; provided, however, termination of this

Grant will not prejudice any rights or obligations accrued to the Parties under this Grant prior to termination.

- 19.6 Severability.** The Parties agree if any term or provision of this Grant is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions will not be affected, and the rights and obligations of the Parties will be construed and enforced as if the Grant did not contain the particular term or provision held to be invalid.
- 19.7 Counterparts.** This Grant may be executed in several counterparts, all of which when taken together constitute one agreement, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of the Grant so executed constitutes an original.
- 19.8 Compliance with Law.** In connection with their activities under this Grant, the Parties must comply with all applicable federal, state and local laws.
- 19.9 Intended Beneficiaries.** Agency and Grantee are the only parties to this Grant and are the only parties entitled to enforce its terms. Nothing in this Grant provides, is intended to provide, or may be construed to provide any direct or indirect benefit or right to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of this Grant.
- 19.10 Assignment and Successors.** Grantee may not assign or transfer its interest in this Grant without the prior written consent of Agency and any attempt by Grantee to assign or transfer its interest in this Grant without such consent will be void and of no force or effect. Agency's consent to Grantee's assignment or transfer of its interest in this Grant will not relieve Grantee of any of its duties or obligations under this Grant. The provisions of this Grant will be binding upon and inure to the benefit of the Parties hereto, and their respective successors and permitted assigns.
- 19.11 Contracts and Subgrants.** Grantee may not, without Agency's prior written consent, enter into any contracts or subgrants for any of the Project activities required of Grantee under this Grant. Agency's consent to any contract or subgrant will not relieve Grantee of any of its duties or obligations under this Grant.
- 19.12 Time of the Essence.** Time is of the essence in Grantee's performance of the Project activities under this Grant.
- 19.13 Records Maintenance and Access.** Grantee must maintain all financial records relating to this Grant in accordance with generally accepted accounting principles. In addition, Grantee must maintain any other records, whether in paper, electronic or other form, pertinent to this Grant in such a manner as to clearly document Grantee's performance. All financial records and other records, whether in paper, electronic or other form, that are pertinent to this Grant, are collectively referred to as "Records." Grantee acknowledges and agrees Agency and the Oregon Secretary of State's Office and the federal government and their duly authorized representatives will have access to all Records to perform examinations and audits and make excerpts and transcripts. Grantee must retain and keep accessible all

Records for a minimum of six (6) years, or such longer period as may be required by applicable law, following termination of this Grant, or until the conclusion of any audit, controversy or litigation arising out of or related to this Grant, whichever date is later.

**19.14 Headings.** The headings and captions to sections of this Grant have been inserted for identification and reference purposes only and may not be used to construe the meaning or to interpret this Grant.

**19.15 Grant Documents.** This Grant consists of the following documents, which are incorporated by this reference and listed in descending order of precedence:

- This Grant less all exhibits
- Exhibit A (the “Project”)
- Exhibit B (Insurance)

**19.16 Merger, Waiver.** This Grant and all exhibits and attachments, if any, constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Grant. No waiver or consent under this Grant binds either Party unless in writing and signed by both Parties. Such waiver or consent, if made, is effective only in the specific instance and for the specific purpose given.

## SECTION 20: SIGNATURES

EACH PARTY, BY SIGNATURE OF ITS AUTHORIZED REPRESENTATIVE, HEREBY ACKNOWLEDGES IT HAS READ THIS GRANT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS. The Parties further agree that by the exchange of this Grant electronically, each has agreed to the use of electronic means, if applicable, instead of the exchange of physical documents and manual signatures. By inserting an electronic or manual signature below, each authorized representative acknowledges that it is their signature, that each intends to execute this Grant, and that their electronic or manual signature should be given full force and effect to create a valid and legally binding agreement.

IN WITNESS WHEREOF, the Parties have executed this Grant as of the dates set forth below.

***[Signatures on next page]***

**STATE OF OREGON acting by and through its Department of Education on  
behalf of the Youth Development Division**

By: \_\_\_\_\_  
Procurement and Contract Specialist

\_\_\_\_\_  
Date

**Wasco County**

By: \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Federal Tax ID Number

**Approved for Legal Sufficiency in accordance with ORS 291.047**

By: via email on file at Agency  
Jake Hogue, DOJ Assistant Attorney General

August 3, 2021  
Date



## **EXHIBIT A THE PROJECT**

### **SECTION I. BACKGROUND AND GOALS**

Agency's Youth Development Division ("YDD") aligns systems and leverages community partnerships to ensure integrated, measurable, and accountable services for youth, ages 6 through 24 that support educational and career success, focus on crime prevention, and reduce high-risk behaviors.

YDD aims to ensure Oregon's youth have the opportunity to thrive and achieve their full potential. YDD's approach is to develop statewide policy and fund community-based programs, services, and initiatives for vulnerable and resilient youth that reduce barriers to education and employment success, expand access to positive activities, and build crucial social, emotional and mental health skills and competencies.

YDD values:

- Equitable access
- Equal opportunity
- Inclusion
- Youth-centered approaches and results
- Innovation

The YDD is allocated funds each biennium to support local Boards of County Commissioners to provide High-Risk Juvenile Crime Prevention Services.

The goal of this Grant is to provide funding to the Grantee to implement its High-Risk Juvenile Crime Prevention Plan ("Plan") that will achieve the following:

1. Reduction of juvenile arrest rate in Grantee's county; and
2. Reduction of juvenile recidivism rate in Grantee's county.

### **SECTION II. DEFINITIONS**

"Authorized Activities" means those activities authorized in Section IV of this Exhibit A.

"Board of County Commissioners" means the governing body, as defined in ORS 203.030, of a county AND includes a county court as described in ORS 203.111.

"Budget" means a budget developed by the Grantee as part of a juvenile crime prevention plan pursuant to OAR 423-120-0020 and approved by Agency.

"Costs of the Project" means Grantee's actual costs that are reasonable, necessary and directly related to the Project activities, eligible or permitted uses of the Grant Funds, and identified in Grantee's Budget.

“Juvenile Crime Prevention Funds” means state moneys distributed by the division to a county or tribe for the purpose of funding entities and programs that provide juvenile crime prevention services pursuant to OAR 423-120-0015.

“Juvenile Crime Prevention Plan” means a juvenile crime prevention plan developed under OAR 423-120-0015 for approval by the Youth Development Council.

“Juvenile Crime Prevention Service” means a service provided to youth who:

- (a) Are at high risk of committing a juvenile crime;
- (b) Exhibit or are subject to more than one of the following:
  - (A) Anti-social behavior;
  - (B) Poor family functioning or poor family support;
  - (C) Failure in school;
  - (D) Substance abuse; or
  - (E) Negative peer association; and
- (c) Demonstrate at-risk behaviors that will result in the youth's imminent or increased involvement in the juvenile justice system.

### **SECTION III. PROJECT ACTIVITIES AND BUDGET**

Grantee’s approved Juvenile Crime Prevention Plan, on file with Agency, is incorporated into this Agreement.

Upon its completion and Agency’s written approval, Grantee’s Budget shall be incorporated into this Agreement.

Grantee shall implement Project activities that achieve the goal of this Grant and meet the needs of a targeted population of youth age 18 or younger in the county who:

- (1) Have more than one of the following at-risk factors:
  - (a) Antisocial behavior;
  - (b) Poor family functioning or poor family support;
  - (c) Failure in school;
  - (d) Substance abuse problems; or
  - (e) Negative peer association; and
- (2) Are clearly demonstrating any of those at-risk factors that have come to the attention of government or community agencies, schools or law enforcement and will lead to imminent or increased involvement in the juvenile justice system.

Agency will disburse Grant Funds only for the Costs of the Project activities that occur, including expenses incurred, during the Performance Period.

If Grantee subawards any of the Project Juvenile Crime Prevention Service, the award entered between the Grantee and the third party must include all parameters of the Grant Agreement between Agency and Grantee.

Grantee shall use the guidelines developed and provided by Agency pursuant to OAR 413-120-0015 to measure changes in juvenile crime and recidivism. The guidelines can be found at the following web address: <https://www.oregon.gov/youthdevelopmentdivision/Juvenile-Justice/Pages/JCP-Mission-Guidelines.aspx>

Grantee shall enter information related to assessing an individual's risk of committing a juvenile crime in the Juvenile Justice Information System operated by the Oregon Youth Authority ("OYA") or in the JCP Data Manager operated by Agency.

Grantee shall notify in writing and seek the approval of Agency's Grant Manager, identified in Section 4 of this Grant, of any changes to the Budget.

Grantee must return to Agency any Grant Funds that have not been obligated six months before the date on which this Grant Agreement ends

#### **SECTION IV. USES OF FUNDS**

Grantee must use Grant Funds in accordance with OAR 423-120-0010 to OAR 423-120-0040.

- (1) Except as provided in subsection (2) of Section IV of this Exhibit A, Grant Funds must be used by the Grantee programs that provide juvenile crime prevention services as specified in the Grantee's crime prevention plan.
- (2)(a) Except as provided in paragraph (b) of this subsection, Grantee may use up to 10 percent (10%) of juvenile crime prevention funds distributed to Grantee to pay expenses accrued, directly or indirectly, as a result of implementing the juvenile crime prevention plan.
- (b) If Grantee has been identified by the YDD to receive the minimum amount of juvenile crime prevention funds available to a county under OAR 423-120-0001 to 423-120-0050 may use up to 15 percent (15%) of Grant Funds distributed to Grantee to pay expenses accrued, directly or indirectly, as a result of implementing the juvenile crime prevention plan.
- (3) Grant Funds may not be used to replace other funds that the Grantee dedicated, before entering into this Grant Agreement, to fund entities and programs that provide juvenile crime prevention services during the term of this Agreement.

- (4) Grant Funds may not be used to fund an entity or program providing a juvenile crime prevention service if the entity or program is funded by another federal or state funding source and the use of Grant Funds is duplicative of the use of funds from the other funding source.

Grant Funds must be used in accordance with all applicable federal and state laws, rules, and regulations and all applicable circular letters issued by the United States Office of Management and Budget, including, but not limited to:

- (1) 75 U.S.C. 7501 to 7506 (requirements for single audits);
- (2) 42 U.S.C. 2000d to 2000d-7 (civil rights requirements for federally assisted programs);
- (3) 42 U.S.C. 12131 to 12134 and 12141 to 12165 (equality opportunity for individuals with disabilities when providing public services);
- (4) 29 U.S.C. 794 (nondiscrimination under federal grants and programs);
- (5) 20 U.S.C. 6081 to 6084 (prohibition against smoking in indoor facilities operated by a federal agency either directly or by contract);
- (6) 2 C.F.R. 225 (Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87)); and
- (7) 70 F.R. 41242 (Audits of State, Local Governments, and Non-Profit Organizations (OMB Circular A133)).

**Administrative Costs.** Grantee may be reimbursed for administrative costs, as a percentage of the Grant Funds disbursed under this Grant, in an amount that does not exceed 15%. The rates described in this paragraph override any other verbal or written rate(s) provided by Agency, including in any notice of award provided by Agency's Electronic Grants Management System ("EGMS").

**Budgetary Modifications.** Grantee may expend amounts that differ from the amounts and line items shown in the Budget by no more than 10% with Agency's prior written approval as long as the total amount expended for all categories does not exceed the total Grant Funds identified in Section 6 of this Grant and otherwise complies with the terms of this Grant. Any adjustments to a line item in the Budget that exceed 10% of the amount identified in the original Budget **or** any adjustments to the overall Budget that result in an increase to the total Grant Funds identified in Section 6 may not be done without an amendment to this Grant.

## SECTION V. PROJECT EVALUATION/REPORTING REQUIREMENTS

Using Agency provided reporting templates, Grantee will submit required reports, related reports and information as Agency may reasonably require. Required reports include Quarterly Reports and the Final Report. Grantee must submit the reports as indicated below:

REPORT	DUE DATE
Quarterly Reports	Within 30 days after the end of each quarter listed below : Quarter 1: July 1, 2021 – September 30, 2021 Quarter 2: October 1, 2021- December 31, 2021 Quarter 3: January 1, 2022 – March 31, 2022 Quarter 4: April 1, 2022 - June 30, 2022 Quarter 5: July 1, 2022 – September 30, 2022 Quarter 6: October 1, 2022 - December 31, 2022 Quarter 7: January 1, 2023 – March 31, 2023 Quarter 8: April 1, 2023 - June 30, 2023
Final Report	By August 1, 2023

If the Grant is terminated in accordance with Section 18, the final report is due within 30 days after the termination date. Final payment is contingent upon Agency's acceptance of the Final report. The obligation to deliver the Final Report shall survive the termination of this Agreement.

Agency will evaluate Grantee as reimbursement requests are made by the Grantee using the reimbursement form provided by the Agency. Agency will use data provided in reimbursement requests to monitor the Grantee. Grantee's failure to use the required reimbursement form may result in a delay or denial of reimbursement.

If the Performance Period begins prior to the Executed Date, any reports for Project activities shown in this Exhibit A as due prior to the Executed Date must be provided to Agency within 30 days of the Executed Date, if not already provided to Agency despite the lack of an executed Grant. Grantee will not be in default for failure to perform any reporting requirements prior to the Executed Date.

## SECTION VI. DISBURSEMENT PROVISIONS

Agency will disburse the Grant Funds using EGMS, on a cost incurred quarterly basis upon receipt of Grantee's request(s) for disbursement and in accordance with the Budget prepared by Grantee.

With each request for disbursement, Grantee must submit an expenditure report via email to Agency's Grant Manager identified in Section 4.

Grantee must send its requests for disbursement via email to Agency's Grant Manager identified in Section 4 of this Agreement.

Grantee may not use any funds disbursed under this Agreement to reimburse any person or entity for expenditures made, or to pay for any expenses incurred, before the effective date of the Agreement.

Grantee may not use any funds disbursed under this Agreement to reimburse any person or entity for expenditures made, or to pay for any expenses incurred, before the date on which the Youth Development Council approved Grantee's the juvenile crime prevention plan.

## EXHIBIT B

### INSURANCE

#### INSURANCE REQUIREMENTS

Grantee must obtain at Grantee's expense, and ***require its first tier contractors and subgrantees, if any, to obtain the insurance specified in this exhibit prior to performing under this Grant***, and must maintain it in full force and at its own expense throughout the duration of this Grant, as required by any extended reporting period or tail coverage requirements, and all warranty periods that apply. Grantee must obtain and require its first tier contractors and subgrantees, if any, to obtain the following insurance from insurance companies or entities acceptable to Agency and authorized to transact the business of insurance and issue coverage in Oregon. Coverage must be primary and non-contributory with any other insurance and self-insurance, with the exception of professional liability and workers' compensation. Grantee must pay and require its first tier contractors and subgrantees to pay, if any, for all deductibles, self-insured retention and self-insurance, if any.

#### WORKERS' COMPENSATION

All employers, including Grantee, that employ subject workers, as defined in ORS 656.027, shall comply with ORS 656.017 and provide workers' compensation insurance coverage for those workers, unless they meet the requirement for an exemption under ORS 656.126(2). Grantee shall require and ensure that each of its subgrantees, contractors, and subcontractors complies with these requirements. If Grantee is a subject employer, as defined in ORS 656.023, Grantee shall also obtain employers' liability insurance coverage with limits not less than \$500,000 each accident. If Grantee is an employer subject to any other state's workers' compensation law, Grantee shall provide workers' compensation insurance coverage for its employees as required by applicable workers' compensation laws including employers' liability insurance coverage with limits not less than \$500,000, and shall require and ensure that each of its out-of-state subgrantees, contractors, and subcontractors complies with these requirements.

#### COMMERCIAL GENERAL LIABILITY

##### ☒ Required

Commercial general liability insurance covering bodily injury and property damage in a form and with coverage that are satisfactory to Agency. This insurance must include personal and advertising injury liability, products and completed operations, contractual liability coverage for the indemnity provided under this Grant, and have no limitation of coverage to designated premises, project or operation. Coverage must be written on an occurrence basis in an amount of not less than \$1,000,000 per occurrence. Annual aggregate limit may not be less than \$2,000,000.

## **AUTOMOBILE LIABILITY INSURANCE**

☒ **Required** ☐ **Not required**

Automobile liability insurance covering Grantee's business use including coverage for all owned, non-owned, or hired vehicles with a combined single limit of not less than \$1,000,000 for bodily injury and property damage. This coverage may be written in combination with the commercial general liability insurance (with separate limits for commercial general liability and automobile liability). Use of personal automobile liability insurance coverage may be acceptable if evidence that the policy includes a business use endorsement is provided.

## **PROFESSIONAL LIABILITY**

☒ **Required** ☐ **Not required**

Professional liability insurance covering any damages caused by an error, omission or any negligent acts related to the activities performed under this Grant by the Grantee and Grantee's contractors, subgrantees, agents, officers or employees in an amount not less than \$1,000,000 per claim. Annual aggregate limit may not be less than \$2,000,000. If coverage is on a claims made basis, then either an extended reporting period of not less than 24 months must be included in the professional liability insurance coverage, or the Grantee must provide tail coverage as stated below.

## **PHYSICAL ABUSE AND MOLESTATION INSURANCE COVERAGE**

☒ **Required** ☐ **Not required**

Abuse and molestation insurance in a form and with coverage satisfactory to the State covering damages arising out of actual or threatened physical abuse, mental injury, sexual molestation, negligent: hiring, employment, supervision, investigation, reporting to proper authorities, and retention of any person for whom the Grantee, its contractors, subcontractors or subgrantees ("Covered Entity") is responsible including but not limited to any Covered Entity's employees and volunteers. Policy endorsement's definition of an insured must include the Covered Entity and its employees and volunteers. Coverage must be written on an occurrence basis in an amount of not less than \$1,000,000 per occurrence. Any annual aggregate limit may not be less than \$3,000,000. Coverage can be provided by a separate policy or as an endorsement to the commercial general liability or professional liability policies. The limits must be exclusive to this required coverage. Incidents related to or arising out of physical abuse, mental injury, or sexual molestation, whether committed by one or more individuals, and irrespective of the number of incidents or injuries or the time period or area over which the incidents or injuries occur, must be treated as a separate occurrence for each victim. Coverage must include the cost of defense and the cost of defense must be provided outside the coverage limit.



## **EXCESS/UMBRELLA INSURANCE**

A combination of primary and excess/umbrella insurance may be used to meet the required limits of insurance.

## **ADDITIONAL INSURED**

All liability insurance, except for workers' compensation, professional liability, and network security and privacy liability (if applicable), required under this Grant must include an additional insured endorsement specifying the State of Oregon, its officers, employees and agents as Additional Insureds, including additional insured status with respect to liability arising out of ongoing operations and completed operations, but only with respect to Grantee's activities to be performed under this Grant. Coverage must be primary and non-contributory with any other insurance and self-insurance. The Additional Insured endorsement with respect to liability arising out of Grantee's ongoing operations must be on ISO Form CG 20 10 07 04 or equivalent and the Additional Insured endorsement with respect to completed operations must be on ISO form CG 20 37 04 13 or equivalent.

## **WAIVER OF SUBROGATION**

Grantee waives, and must require its first tier contractors and subgrantees waive, rights of subrogation which Grantee, Grantee's first tier contractors and subgrantees, if any, or any insurer of Grantee may acquire against the Agency or State of Oregon by virtue of the payment of any loss. Grantee must obtain, and require its first tier contractors and subgrantees to obtain, any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the Agency has received a waiver of subrogation endorsement from the Grantee or the Grantee's insurer(s).

## **TAIL COVERAGE**

If any of the required insurance is on a claims made basis and does not include an extended reporting period of at least 24 months, Grantee must maintain, and require its first tier contractors and subgrantees, if any, maintain, either tail coverage or continuous claims made liability coverage, provided the effective date of the continuous claims made coverage is on or before the Effective Date of this Grant, for a minimum of 24 months following the later of (i) Grantee's completion and Agency's acceptance of all Project activities required under this Grant, or, (ii) Agency or Grantee termination of Grant, or, iii) the expiration of all warranty periods provided under this Grant.

## **CERTIFICATE(S) AND PROOF OF INSURANCE**

Grantee must provide to Agency a Certificate(s) of Insurance for all required insurance before performing any Project activities required under this Grant. The Certificate(s) must list the State of Oregon, its officers, employees and agents as a Certificate holder and as an endorsed Additional Insured. The Certificate(s) must also include all required endorsements or copies of the applicable policy language effecting coverage required by this Grant. If excess/umbrella insurance is used to meet the minimum insurance requirement, the Certificate of Insurance must include a list of all policies that fall under the excess/umbrella

insurance. As proof of insurance, Agency has the right to request copies of insurance policies and endorsements relating to the insurance requirements in this Grant. Grantee must furnish acceptable insurance certificates to: [ode.insurance@ode.state.or.us](mailto:ode.insurance@ode.state.or.us) or by mail to: Attention Procurement Services, Oregon Department of Education, 255 Capitol St NE, Salem OR, 97310 prior to commencing the work.

#### **NOTICE OF CHANGE OR CANCELLATION**

Grantee or its insurer must provide at least 30 days' written notice to Agency before cancellation of, material change to, potential exhaustion of aggregate limits of, or non-renewal of the required insurance coverage(s).

#### **INSURANCE REQUIREMENT REVIEW**

Grantee agrees to periodic review of insurance requirements by Agency under this Grant, and to provide updated requirements as mutually agreed upon by Grantee and Agency.

#### **STATE ACCEPTANCE**

All insurance providers are subject to Agency acceptance. If requested by Agency, Grantee must provide complete copies of insurance policies, endorsements, self-insurance documents and related insurance documents to Agency's representatives responsible for verification of the insurance coverages required under this Exhibit B.



## CONSENT ITEM

### Hazard Mitigation Grant Program

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[STAFF MEMO](#)

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[DESIGNATION RESOLUTION](#)

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## MEMORANDUM

**SUBJECT: FEMA HMAG Grant**

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TO: WASCO COUNTY BOARD OF COMMISSIONERS, TYLER STONE

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FROM: KELLY HOWSLEY-GLOVER, INTERIM PLANNING DIRECTOR

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DATE: 9/27/2021

Following our July application (approved by the Board in June, 2021) to FEMA for funds to inventory and assess public access roads in Wasco County, we were invited to submit a full application. Part of the FEMA required application materials is to submit a Designation of Agent for Grant administration. This is a joint project between Planning, Public Works and the Surveyor's Office for which I have been delegated the primary grant administrator for.

This grant will fund a team from Surveyor/Public Works to record imagery of our public access roads which Planning staff and fire professionals can then assess. We will be using this assessment to identify critical mitigation projects for access points, including reducing overgrowth in the right of way and improving access by fire apparatus and/or evacuation routes.

# DESIGNATION OF AGENT

## RESOLUTION

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASCO COUNTY  
(Governing Body) (Public Entity)

THAT DR. KELLY HOWSLEY-GLOVER, WASCO COUNTY PLANNING DIRECTOR  
(Name) (Title)

is hereby authorized to execute for and in behalf of

WASCO COUNTY,

a public entity established under the laws of the Oregon, all required forms and documents for the purpose of obtaining financial assistance for the Hazard Mitigation Grant Program (HMGP), or Hazard Mitigation Grant Program Post Fire (HMGP-PF), or the Building Resilient Infrastructure and Communities (BRIC) program under the Disaster Recovery Reform Act of 2018 (DRRA) or the Flood Mitigation Assistance (FMA) program, as pertains to federal mitigation grant programs indicated below (check all that apply):

☒ HMGP    ☐ HMGP-PF    ☐ BRIC    ☐ FMA

Passed and approved this 6<sup>TH</sup> day of October, 2021.

## CERTIFICATION

I, Scott C. Hege, duly elected Commission Chair  
(Name) (Title)

of Wasco County, do hereby certify that the above is a true and correct copy of  
(Public Entity)

a resolution passed and approved by the Board of Commissioners  
(Governing Body)

of Wasco County on the 6<sup>th</sup> day of October 2021.

\_\_\_\_\_  
(Signature)    Board Chair    October 6, 2021  
(Official Position) (Date)



## AGENDA ITEM

### Fee Schedule Ordinance

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[STAFF MEMO](#)

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[REDLINED ORDINANCE](#)

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[2021 WASCO COUNTY AMENDED UNIFORM FEE SCHEDULE ORDINANCE](#)

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[MOTION LANGUAGE](#)

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## MEMORANDUM

**SUBJECT: Fee Schedule Ordinance**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: KATHY CLARK**

**DATE: SEPTEMBER 8, 2021**

### **BACKGROUND INFORMATION:**

The Wasco County Fee Schedule is amended annually in the fall to become effective the first week of the following year. This summer Department Directors/Managers were notified to provide their Fee Scheduled revisions in time for the September hearings. For those Departments not having specific revisions, fees were increased by approximately 3% in those cases where the fees are not controlled by State Statute. The following is a summary of changes by department:

#### **FEES ACROSS ALL COUNTY DEPARTMENTS**

Fees were increased by approximately 3%.

#### **FINANCE DEPARTMENT**

Fees were increased by approximately 3%.

#### **INFORMATION SERVICES**

Fees were increased by approximately 3%.

#### **ASSESSMENT & TAXATION**

Fees were increased by approximately 3%.

#### **COUNTY CLERK**

Most County Clerk fees are dictated by State Statute. Those fees not controlled by statute were increased by approximately 3%.

#### **PUBLIC WORKS**

Fees were increased by approximately 3%.

#### **SURVEYOR'S OFFICE**

Increased by Director: *I've increased my fees by 5% and generally rounded to the nearest sensible number to accommodate recent increases to overhead.*

#### **COMMUNITY CORRECTIONS**

1. We still need to add the new fees for our electronic monitoring program
  - a. Electronic Monitoring Setup: \$25.00
  - b. Electronic Monitoring Daily Fee: \$5.00

2. I would like to make our Interstate Compact Fee \$100 (up from \$50). Many Oregon counties charge \$100 to \$150 and the workload for this process is fairly involved. Though this is a larger increase, we would waive the fee for non-Oregon residents new on supervision who are returning to their home State. This makes more sense and is what many other counties do.
3. I would like to round up most of our fees at this time to the next \$5 increment
4. I would like to keep our Travel Permit fee at \$5. It is intentionally kept low because we want it to be very accessible and encourage client honesty, but with a small level of skin in the game. It seems reasonable to keep this one the same given that we are increasing other fees more than 3%.
5. Our supervision fees may go away January 1<sup>st</sup>... but this hasn't been completely decided at the legislative level or with OACCD's approach to it. We are leaving it as is, contingent upon the outcome, and will change it later to \$0 if necessary.

Remaining fees have been eliminated by SB817

#### SHERIFF'S OFFICE

Several fees in the Sheriff's Department are set by statute. The Sheriff requested an increase of \$5 for fingerprinting. All other increases are approximately 3%.

#### YOUTH SERVICES

All existing fees have been eliminated SB817

#### PLANNING DEPARTMENT

See Director's Memo.

#### GIS SERVICES

Revisions made by Information Services Director

#### BUILDING CODES

Staff asks for direction regarding the Building Codes fees which will remain unchanged until we pursue the State process for approval of proposed revisions and return to the Board for a vote.

#### SECOND HEARING INSTRUCTIONS

Today's hearing is the second reading of the title of the Ordinance (unless any Commissioner requests it be read in its entirety) and the Board may take action at this time or continue the hearing to a future date. Motion language is included at the end of this section of the Board Packet





IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF AMENDING WASCO COUNTY'S UNIFORM FEE SCHEDULE FOR VARIOUS COUNTY DEPARTMENTS

**ORDINANCE ~~20-0021~~-001**

THE BOARD OF COMMISSIONERS OF WASCO COUNTY OREGON DOES ORDAIN AS FOLLOWS:

Section 1. PURPOSE

Wasco County provides core services to all citizens which are paid for through the annual tax base. On the whole, the County endeavors to proactively provide access to services in alignment with our Vision and Mission statements.

In some instances, special services are required or necessitated by various state statutes, or to meet the needs of citizens who have requests outside of core services. The purpose of this Ordinance is to outline the fees to be collected by Wasco County Departments for performing services, and to establish a uniform fee schedule.

Section 2. AUTHORITY

The Ordinance is enacted pursuant to the authority granted to general law Counties by [ORS 203.035-ORS 203.065](#) and by [ORS 192.440](#).

Section 3. FEE SCHEDULE

Fees shall be charged and collected by the indicated Department before the filing, recording or copying of subject documents shall be completed. A table of all County fees can be found in Appendix A, B and C. Other fees may apply as assessed under Oregon Revised Statutes.

Section 4. ENACTMENT PROVISIONS (1)

(1) CONFORMANCE WITH LAW

Except as expressly provided herein, this Ordinance shall in no way be a substitute for or eliminate the necessity of conforming with any and all State and Federal laws, rules and regulations including but not limited to the payment of all other fees required by law and other Ordinances which are now or may be in the future in effect which relate to the requirements provided in the Ordinance.

(2) SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portion of this Ordinance.

(3) EFFECTIVE DATE

This Ordinance shall take effect on ~~August 18, 2020~~January 4, 2022 upon its adoption, and all previous orders, resolutions or ordinances setting fees conflicting with the provisions of this Ordinance are hereby repealed and will be of no further force and effect.

Regularly passed and adopted by the Board of Commissioners of the County of Wasco, State of Oregon, by a \_\_\_ to \_\_\_ vote on this ~~6th~~<sup>20</sup>~~th~~ day of ~~May, 2020~~October, 2021.

WASCO COUNTY BOARD  
OF COMMISSIONERS

ATTEST:

\_\_\_\_\_  
Kathy Clark  
Executive Assistant

\_\_\_\_\_  
Scott C. Hege, Commission Chair

\_\_\_\_\_  
Kathleen B. Schwartz, Vice-Chair

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven D. Kramer, County Commissioner

\_\_\_\_\_  
Kristen Campbell  
Wasco County Counsel

## APPENDIX A: County Fee Schedule

Fees Across All County Departments		
Service Description	Fee Amount	Applicable Statute
<b>Miscellaneous Copies/Printing/Transmission</b>		
Black and white copies <i>8.5" x 11" or 8.5" x 14"</i>	<del>\$0.25</del> <u>26</u> per page	County Ordinance
Black and white copies <i>11" x 17"</i>	<del>\$1.00</del> <u>1.03</u> per page	County Ordinance
Color copies <i>(any size listed above)</i>	<del>\$1.00</del> <u>1.03</u> per page	County Ordinance
Providing content on media <i>(zip disk, jump drive, CD, etc.)</i>	<del>\$15.00</del> <u>15.45</u> per media plus actual costs of services	County Ordinance
Printing computer labels	<del>\$40.00</del> <u>41.20</u> plus actual printing and label cost	County Ordinance
Electronic transmission of documents <i>(Fax, email, FTP, or similar transmission.</i> <i>If printing of copies is required to redact information or to get records into the appropriate form, subset, etc., copy fees and research time will also apply.)</i>	<del>\$5.00</del> <u>5.15</u> per transmission plus actual costs of services	County Ordinance
<b>Research and Professional Services Fees</b>		
Basic Research Fee <i>(Only upon availability of staff)</i>	<del>\$40.00</del> <u>41.20</u> per hour, one hour minimum, <i>unless specified by Department fee schedule</i>	County Ordinance
Professional Services / Complex Analysis	See specific Department fee schedule	County Ordinance
<b>Public Record Request Fees</b>		
Certification of a Public Record <i>(Birth certificates, licenses, etc.)</i>	\$3.75 per record	<a href="#">ORS 205.320</a>
<i>Public records request, general (Cost is request-dependent and is sum of research, copies, transmission, etc.)</i>		
Administrative Services		
Service Description	Fee Amount	Applicable Statute
<b>FINANCE DEPARTMENT</b>		
Placing a stop payment on a Wasco County issued check	<del>\$33.00</del> <u>34.00</u> per check	County Ordinance
Returned item (non-sufficient funds, closed account, etc.) deposited to Wasco County bank account	<del>\$25.00</del> <u>26.00</u> per check	County Ordinance
<b>INFORMATION SERVICES DEPARTMENT</b>		

Professional Services	<del>\$120.00</del> <u>124.00</u> per hour	County Ordinance
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GIS Mapping : *See Appendix C*

## LEGAL SERVICES

County Counsel Fees. <i>Please contact Administrative Services for estimate.</i>	At current hourly rate	County Ordinance
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## Land-based and Civil Services

Service Description	Fee Amount	Applicable Statute
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### ASSESSMENT AND TAXATION DEPARTMENT

Assessment mapping changes and new plat	<del>\$540.00</del> <u>556.00</u> base fee	County Ordinance
Additional lot created	<del>\$50.00</del> <u>51.00</u> each	County Ordinance
Additional map affected	<del>\$50.00</del> <u>51.00</u> each	County Ordinance
Lot line adjustment	<del>\$250.00</del> <u>257.00</u> each	County Ordinance
Calculation of farm/forest disqualifications ( <i>To be applied against penalty if the account is disqualified within 90 days</i> )	<del>\$40.00</del> <u>41.00</u> per hour, one hour minimum	County Ordinance

### CLERK'S OFFICE

Land-based Recording Fees *All documents presented for recording must be "required or permitted by law to be recorded"*

Deed and Mortgage Records	\$105.00 for the 1st page,	<a href="#">ORS 205.320</a>
<u>Breakdown of fees:</u>	<u>\$5.00 for each page after</u>	and County Ordinance
Clerk Recording Fee	\$5.00 per page	
Public Land Corner Preservation Fund	\$10.00 per document	
Geographic Information Systems (GIS) Fund	\$19.00 per document	
Assessment & Taxation Fund	\$10.00 per document	
Oregon Land Information System (OLIS) Fund	\$1.00 per document	
Affordable Housing Alliance Fund	\$60.00 per document	

Lien Records	\$76.00 for the 1st page,	<a href="#">ORS 205.320</a>
<u>Breakdown of fees:</u>	<u>\$5.00 for each page after</u>	and County Ordinance
Clerk Recording Fee	\$5.00 per page	
Assessment & Taxation Fund	\$10.00 per document	
Oregon Land Information System (OLIS) Fund	\$1.00 per document	
Affordable Housing Alliance Tax	\$60.00 per document	

Partition Plat, Replat, and Property Line Adjustment Plat		<a href="#">ORS 205.320</a>
Surveyor Fee, Property Line Adjustment Plat, Single-Parcel Partition Plat or Replat	<i>See Surveyor's Office fees</i>	and County Ordinance

Assessor and Tax Collector Fees	<i>See Assessment and Taxation</i>	
Recording Base Fee ( <i>includes A&amp;T Fund, OLIS Fund, GIS Fund, Public Land Corner Preservation Fund, General Clerk Fee</i> )	\$90.00 per document	

Affordable Housing Alliance Fund	\$60 per document	
Clerk Recording Fee	\$5.00 per page	
County Court Approval (if required)	\$10.00	
Copy Fees	\$3.00 per page	
<b>Subdivision and Subdivision Replat;</b>		<a href="#">ORS 205.320</a>
Surveyor Fee, Subdivision and Subdivision Replat,	<i>See Surveyor's Office fees</i>	and County Ordinance
Condominium	<i>See Assessment and Taxation</i>	
Assessor and Tax Collector Fees	\$90.00 per document	
Recording Base Fee, 20 lots or less	\$110.00 per document	
Recording Base Fee, 21 lots or more		
<i>(includes A&amp;T Fund, OLIS Fund, GIS Fund, Public Land Corner Preservation Fund, General Clerk Fee)</i>	\$60.00 per document	
Affordable Housing Alliance Fund	\$5.00 per page	
Clerk Recording Fee	\$10.00	
County Court Approval (if required)	\$3.00 per page	
Copy Fees		
<b>Non Standard Documents</b>	\$20.00 per document	<a href="#">ORS 205.327</a>
<b>Documents Describing More Than One Transaction</b>	\$5 per additional transaction or title	<a href="#">ORS 205.236(4)</a>
<b>Location of Record</b> <i>(land records are available online free of charge. See the Digital Research Room on the Wasco County website)</i>	\$3.75 location fee plus \$0.25 per page	<a href="#">ORS 205.320</a>
<b>Recording Image Subscription</b> <i>(download of images recorded in the Clerk's office and provided on media)</i>	\$0.25 per page/image plus cost of media if applicable	County Ordinance
<b>Marriage Fees</b>		
<b>Marriage License</b>	\$50.00	<a href="#">ORS 205.320</a> and <a href="#">ORS 106.045</a>
<b>Civil Marriage Ceremony</b> <i>(in office, by appointment only)</i>	\$117.00	Senate Bill 27
<b>Staff Witness for Ceremony</b>	<del>\$15.00</del> <a href="#">16.00</a> per staff member	County Ordinance
<b>Certified Copy of Marriage License</b>	\$7.75	<a href="#">ORS 205.320</a>
<b>Time Waiver of 3-day Waiting Period</b>	<del>\$15.00</del> <a href="#">16.00</a>	County Ordinance
<b>Certificate of Parental Consent for Marriage of a Minor</b>	<del>\$15.00</del> <a href="#">16.00</a> per minor	County Ordinance
<b>Amending a Filed Marriage Record</b>	\$25.00	
<b>Domestic Partnership Declaration</b>		
<b>Registration</b>	\$50.00	<a href="#">ORS 205.320</a>
<b>Certified Copy of a Domestic Partnership Declaration</b>	\$7.75	<a href="#">ORS 205.320</a>
<b>Elections Reports</b>		
<b>Request for List of Electors</b>	\$25.00 plus 2.5¢ per 100 names	<a href="#">OAR 165-002-0020</a> Section

**PLANNING DEPARTMENT***See Appendix B*

County and ORS

**PUBLIC WORKS DEPARTMENT**

Petition for Road Vacation	<del>\$500.00</del> <u>\$15.00</u>	County Ordinance
Permit for Mass Gathering	<del>\$500.00</del> <u>\$15.00</u>	County Ordinance
Permit for Motor Vehicle Road Rally	<del>\$1000.00</del> <u>\$1030.00</u>	County Ordinance

**SURVEYOR'S OFFICE**

Survey Filing (Reviewed, filed and indexed)	<del>\$185.00</del> <u>\$195.00</u> plus <del>\$50.55</del>	<u>ORS 209.260</u>
Property Line Adjustment Survey Filing (Reviewed, filed and indexed)	<del>\$250.00</del> <u>\$265.00</u> plus <del>\$50.00</del> <u>\$55.00</u> per page over 2 pages	<u>ORS 209.260</u>
<b>Property Line Adjustment Plat Review</b> (Reviewed, filed and indexed)	<del>\$480.00</del> per plat	<del>ORS 92.100 and County Ordinance</del>
Single-Parcel Partition Plat, or Single Parcel Replat Review (Reviewed, filed and indexed)	<del>\$480.00</del> <u>\$500.00</u> per plat	<u>ORS 92.100</u> and County Ordinance
Multiple-Parcel Partition Plat or Replat Review (Reviewed, filed and indexed)	<del>\$625.00</del> <u>\$655.00</u> per plat	<u>ORS 92.100</u> and County Ordinance
Subdivision or Subdivision Replat Review (Reviewed, field-checked, filed and indexed)	<del>\$700.00</del> <u>\$735.00</u> per subdivision plus <del>\$65.00</del> <u>\$70.00</u> per lot	<u>ORS 205.350</u> and County Ordinance
Condominium Plat Review (Reviewed, field-checked, filed and indexed)	<del>\$750.00</del> <u>\$790.00</u> per condominium, plus \$70.00 per unit	<u>ORS 205.350</u> and County Ordinance
Re-check or Re-design Review	50% of the original review fee	County Ordinance
Affidavit <b>Review of</b> (Correction, Consent, Post-Monumentation, etc.)	<del>\$50.00</del> <u>\$55.00</u> per affidavit recorded	<u>ORS 92.170</u> and County Ordinance
Marking the Record Upon the Surveyor's Copy of an Original Plat <b>(For Road Vacation, etc.)</b>	<del>\$15.00</del> <u>\$55.00</u> per recorded document	<u>ORS 271.230(2)</u> and County Ordinance
Research	<del>\$75.00</del> <u>\$80.00</u> per hour after the first hour	County Ordinance
Large Format Printing or Copying	<del>\$1.00</del> <u>\$1.05</u> per square foot, <del>\$2.00</del> <u>\$2.05</u> minimum	County Ordinance

Public Safety Services		
Service Description	Fee Amount	Applicable Statute
<b>COMMUNITY CORRECTIONS DEPARTMENT</b>		
Community Service Work Program Placement	<del>\$35.00</del> <u>40.00</u>	County Ordinance
DNA Sample Draw	<del>\$10.00</del> <u>25.00</u>	County Ordinance
Drug Testing	\$20.00 per sample for in-lab tests \$10.00 for instant tests	County Ordinance
Inter-County Transfer Request	<del>\$25.00</del> <u>50.00</u>	County Ordinance
Interstate Compact	<del>\$50.00</del> <u>100.00</u>	County Ordinance
Probation/Post Prison/Parole Supervision	\$40.00-per month	County Ordinance
Travel Permit	\$5.00 each permit	County Ordinance
Treatment Program Intake	<del>\$150.00</del> <u>155.00</u>	County Ordinance
Treatment Assessment	<del>\$150.00</del> <u>155.00</u>	County Ordinance
Treatment Assessment Update	<del>\$80.00</del> <u>85.00</u>	County Ordinance
Unexcused Assessment No-Show Fee	<del>\$50.00</del> <u>55.00</u>	County Ordinance
Treatment: Individual Counseling Session	<del>\$125.00</del> <u>130.00</u>	County Ordinance
Treatment: Group Session	<del>\$45.00</del> <u>50.00</u>	County Ordinance
<del>Sex Offender Assessment</del>	<del>\$1,000.00</del>	<del>County Ordinance</del>
<del>Sex Offender Treatment Planning Session</del>	<del>\$90.00</del>	<del>County Ordinance</del>
<del>Sex Offender Individual Counseling Session</del>	<del>\$125.00</del>	<del>County Ordinance</del>
<del>Sex Offender Group Counseling Session</del>	<del>\$45.00</del>	<del>County Ordinance</del>
<del>Sex Offender Chaperone Training Session</del>	<del>\$200.00</del>	<del>County Ordinance</del>
Program Curriculum Book	<del>\$25.00</del> <u>30.00</u>	
<u>Electronic Monitoring Setup</u>	<u>\$25.00</u>	<u>County Ordinance</u>
<u>Electronic Monitoring Daily Fee</u>	<u>\$5.00</u>	<u>County Ordinance</u>

## SHERIFF'S OFFICE

Civil Fees	Per Statute	<a href="#">ORS 21.300</a>
Concealed Handgun License	Per Statute	<a href="#">ORS 166.291(5)(a)</a>
Fingerprinting	<del>\$15.00</del> <u>20.00</u> per card or <del>\$15.00</del> <u>20.00</u> for electronic submission	County Ordinance
OLCC Liquor License ( <i>regular and special event</i> )	\$25.00 per permit	<a href="#">ORS 471.166 (7)</a>
Real Property Foreclosure Sheriff Sale	\$800.00 deposit ( <i>Applicants will be billed for actual costs and employee time.</i> )	<a href="#">ORS 18.930(5)</a>
Sheriff Incident Reports* ( <i>No charge for victim for first copy</i> )	1-24 pages: <del>\$15.00</del> <u>15.45</u> per report 25-49 pages: <del>\$20.00</del> <u>20.60</u> per report 50+ pages: <del>\$50.00</del> <u>51.50</u> per report	County Ordinance
Videos	<del>\$15.00</del> <u>15.45</u> plus staff time*	County Ordinance

\* Research/Staff Time – fee is based on salary and fringe benefits of the employee charged with the task (such as document research, retrieval, review or redaction), converted to an hourly rate. Time is charged in 15-minute increments with a 15-minute minimum. Call the Sheriff's Office for an estimate when research or staff time is needed.

## YOUTH SERVICES DEPARTMENT

### Supervision

Formal Probation at time of Adjudication	<del>\$30.00</del>	County Ordinance
Formal Accountability Agreements	<del>\$10.00</del>	County Ordinance
Drug Testing	<del>\$15.00</del> per sample for in-lab tests <del>\$7.50</del> for instant tests	County Ordinance
Online Educational Classes	<del>\$100.00</del>	County Ordinance
Processing Request for Expunction	<del>\$60.00</del>	County Ordinance
Videos	<del>\$15.00</del> plus staff time*	County Ordinance

## BUILDING CODES DEPARTMENT

See Appendix D	County Ordinance
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# Wasco County Planning Department Fees

Effective **January 1, 2021** per County Commissioner Order **#XX-XXX**

**Consolidated Permit Process:** For applications requiring more than one type of review, the full fee shall be paid for the primary/most expensive review and 50% for each additional review. Type I fees accompanying Type II-IV reviews will be waived.

Type I – Ministerial	Fee	
Address – New or Change	<b>\$75</b>	\$79
Land Use Verification Letter (Not Involving Land Use Decision)	<b>\$150</b>	\$158
Marijuana Production	<b>\$1,000/\$76</b>	\$1,044 + \$80/hour after 10 hrs
Non-Structural Sign-Off – MNN (e.g., LUCS)	<b>\$90</b>	\$95
Structural Without Land Use Application – MNS	<b>\$316</b>	\$326
Telecommunications Tower – Collocation	<b>\$1,600</b>	\$1,674

Type II – Administrative	Fee	
Conditional Uses		
• Aggregate and Other Subsurface Resources	<b>\$2,540</b>	\$2,661
• Exclusive Farm Use, Non-Farm Dwelling	<b>\$2,040</b>	\$2,136
• Farm Ranch Recreation	<b>\$1,640</b>	\$1,716
• F-F(10) Dwelling Without Farm or Forest Use	<b>\$1,340</b>	\$1,401
• Other	<b>\$1,340</b>	\$1,401
• Power Generating Facility (EFSC approval and required review)	<b>\$76</b>	\$80/hr
• Power Generating Facility (Commercial)	<b>\$5,040+\$1,000</b>	\$5,286 + \$1,000/tower
• Power Generating Facility (Non-Commercial)	<b>\$1,640+\$1,000</b>	\$1,940 + \$1,000/tower
Extension of Time for Land Use Approval		\$535
Legal Parcel Determination	<b>\$540+\$76</b>	\$540 + \$80/hour after 5 hours
LUDO Interpretation or Similar Use Determination	<b>\$76</b>	\$80/hr
Major Modification of Approval (notice is required)	<b>\$116+\$76</b>	\$116 + \$80/hr
National Scenic Area (NSA)		
• Expedited (Used listed in Section 3.110 of Wasco County NSALUDO)	<b>\$640</b>	\$1,960
• Expedited (Removal or Demolition)	<b>\$340</b>	\$351
• Full Review (Fences and Accessory Structures Less Than 500 SQ)	<b>\$1,040</b>	\$1,086
• Full Review	<b>\$1,840</b>	\$4,401
Non-Conforming Use Review (verification, restoration or alteration)	<b>\$1,040</b>	\$1,086
Partition, Property Line Adjustment, or Replat (not involving public or private roads)		
• Property Line Adjustment	<b>\$1,569</b>	\$1,642
• Partition or Replat	<b>\$1,569</b>	\$1,642
Site Plan Review (parking, loading, and home occupations)	<b>\$640</b>	\$666
Subject to Standards		
• Aggregate Overlay Significant Determination	<b>\$640</b>	\$666
• Dwelling (Accessory, Large Tract Forest, Lot-of-Record, Primary, Relative)	<b>\$1,340</b>	\$1,401
• EPDs (Environmental Protection Districts)	<b>\$690</b>	\$719
• Guest House	<b>\$540</b>	\$561
• Rural Residential (R-R(10)) Dwelling	<b>\$690</b>	\$719
• Marijuana Processing and/or Wholesale	<b>\$2,040+\$76</b>	\$2,136 + hourly rate of \$80 after 20 hours
• Other	<b>\$690</b>	\$719
• Utility Facilities Necessary for Public Service	<b>\$2,540</b>	\$2,570

Temporary Use Permit	\$740	\$771
Temporary Use Permit Renewal (e.g., Medical Hardship Dwelling)	\$440	\$456
Variance (Administrative) – Less Than 50% Deviation From Stated Standard	\$740	\$771

### Type III Action – Planning Commission

### Fee

Appeal to Planning Commission: ORS 215.416(11)(b); full refund if upheld	\$250	\$250
Mobile Home Park / RV Park	\$2,140	\$2,241
Other Reviews Directed to Planning Commission by Ordinance	\$1,540	\$1,611
Partition, Property Line Adjustment, or Replat (involving public or private roads approvals)		
• Property Line Adjustment	\$1,969	\$2,062
• Single Parcel Partition or Replat	\$1,969	\$2,062
• Multiple Parcel Partition or Replat	\$1,969	\$2,062
Planned Unit Development – Preliminary/Final Plat Review	\$3,640 \$790 \$50	Prelim. \$3,816 Final \$830 + \$50 per lot
Subdivision – Preliminary/Final Plat Review	\$4,140 \$790 \$50	Prelim. \$4,160 Final \$830 + \$50. Per lot
Variance – 50% or Greater Deviation From Stated Standard	\$1,040	\$1,086

### Type IV Action – Board of County Commissioners

### Fee

Appeal to Board of Commissioners	\$1,240	\$1,296
Goal Exception	\$1,740+\$76	\$1,821 + hourly rate of \$80/hour after 20 hours
Zone Change	\$1,740+\$76	\$1,821 + hourly rate of 80/hour after 20 hours
Open Space Lands Tax Assessment	\$940	\$981
Road Dedication	\$900	\$945
Road Naming/Re-Addressing (full fee + half fee for each address changed); not land use decision	\$200	\$210
Subdivision Lot Line Vacation per ORS 368.326	\$384	\$403

### Miscellaneous

### Fee

Amendment to Land Use Application Request (after pre-notice; prior to approval)	\$350	\$368
Complex Projects – As Determined by Planning Director (See Policy and Process)	\$76	\$80/hr
Continuance/Extension Request of Planning Commission or Board Hearings	\$350	\$525
LUBA Remand and Review	\$300	\$315
Outdoor Mass Gathering		
• Less than 3000 people	\$2,500	\$2,625
• 3,000 or more, or 120 hrs or more	\$4,500	\$4,725
Pre-Application Conference - \$250 of the \$500 applies towards land use application if applied for within 90 days of conference.	\$500	\$525
Research / Records Request	\$45	\$47/hr
Withdrawal of Application – Refunds		
• Before completeness is determined		75% Total
• After completeness is determined		50% Total
• After Pre-Notice or Notice of Decision is mailed		No Refund
Withdrawal of Appeal After Received		No Refund
Work Commenced Without Required Land Use Approval	Additional 100% of Total Review Fee	
Work Commenced in NSA Without Required Land Use Approval	Additional 100% of Total Review Fee	

<b>Code Compliance</b>	<b>Fee</b>
Administrative Overhead hourly rate	<b>\$76</b> \$80/hr
Appeal to Hearing's Officer	<b>\$100</b> \$100
Continued Non-Compliance	<b>\$50</b> \$52/month
Recordation of Compliance Document	<b>\$101</b> \$101
<i>Other compliance penalty charges exist as established in Compliance Ordinance (WCCCNAO)</i>	

## **FEE SCHEDULE ATTACHMENT - POLICY & PROCESS**

- MNN: There is no fee for LUCS issued with a building permit.
- MNS: Examples include building permits, manufacture home placement permit and agricultural exempt permit applications.
- Fee Waivers:
  - 1) **Applicability**: A Fee Waiver is applicable to Planning Department fees only. All "Other Departmental Fees" must be paid in full or documentation provided that they have been waived, at the time of application submittal.
  - 2) **Ministerial Sign off with Administrative Review**: If an applicant pays for and receives approval of Type II (Administrative/Discretionary) review, all ministerial sign offs associated with that review shall be waived. This includes Building Permit Application, Manufactured Home Placement Permit Application, Agricultural Exempt Permit Application, Land Use Compatibility Statement, Water Rights Application, and Department of State Lands Permit Application.
  - 3) **Individuals**: Any individual may request a Fee Waiver from the Planning Director of any development review or appeal fees. To be granted a waiver (or portion of a fee waiver) an individual must provide documentation of household income at or below 150% of the federal poverty level. To prove a hardship, applicants must provide federal tax returns, pay stubs or annual benefit statements. Assistance will be provided based on the availability of funding. Waivers must be approved and granted by the Planning Director prior to submittal of an application or appeal.
  - 4) **Appeal**: Any organization or individual may appeal the Planning Director's decision not to grant a Fee Waiver (or portion thereof) to the Board of County Commissioners.
- Complex Projects: Complex projects involve more resources of the planning and other county departments due to their complexity and their overall impacts on the community. As such, complex projects may even require the hiring of outside assistance. For these types of large-scale projects that require a great deal of departmental resources to review, the county will require the applicant to sign a memorandum of agreement to compensate the county for actual costs incurred to complete the review and process in a timely manner. The agreement shall include details with regards to deposit and the scheduling of payments. If an applicant refuses to enter into a memorandum of agreement or if the applicant and the county fail to reach an agreement, the application will not be processed.

## **FEE SCHEDULE ATTACHMENT – ADDITIONAL FEE WAIVER SPECIFICS**

As part of a fee waiver request, the planning director can require documentation of income at or below 150% of the federal poverty level (FPL) to prove financial need. 150% of the federal poverty level is a measure frequently used by other agencies nationwide to prove individuals' financial need. This measure can be

adjusted for household size. Those at or below 150% of the federal poverty level are in poverty. The percentage of the federal poverty level of an individual's income can be calculated using online calculators ([http://www.lccaa.net/eligibility\\_calculator](http://www.lccaa.net/eligibility_calculator), <http://www.safetyweb.org/fpl.php>).

Documentation that the County can accept to serve as proof of income includes:

- Tax returns (use the adjusted gross income figure)
- Pay stubs (use two months of them)(calculators are available online)
- Annual benefit statements for social security and other benefits, or cancelled checks from the Social Security Administration.

An alternate method to prove an individual's financial need is to require institutional documentation of receipt of public assistance such as TANF (food stamps), SNAP (food stamps for families), Section 8 housing, Medicaid, etc..

**The following chart outlines 150% of the federal poverty level.**

<b>2021 Federal Poverty Guidelines - 150% of the Federal Poverty Level (FPL)</b>								
<b>Household Size</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>150%</b>	<b>\$19,320</b>	<b>\$26,130</b>	<b>\$32,940</b>	<b>\$39,750</b>	<b>\$46,560</b>	<b>\$53,370</b>	<b>\$60,180</b>	<b>\$66,990</b>

<b>2019 Federal Poverty Guidelines</b>								
<b>Household Size</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>100%</b>	\$12,880	\$17,420	\$21,960	\$26,500	\$31,040	\$35,580	\$40,120	\$44,660
<b>150%</b>	\$19,320	\$26,130	\$32,940	\$39,750	\$46,560	\$53,370	\$60,180	\$66,990

## Appendix C: GIS Services

<b>GIS Services - Standard Labor Rate \$60/Hour</b>		
<b>Map Prices - Custom Maps</b>		
<b>Size</b>	<b>Price</b>	<b>Additional Copies (ea)</b>
8.5 x 11	<del>\$7.00</del> <u>\$8.00</u>	<del>\$4.00</del> <u>\$1.50</u>
11 x 17	<del>\$8.00</del> <u>\$9.00</u>	<del>\$4.50</del> <u>\$2.00</u>
18 x 24	<del>\$12.00</del> <u>\$13.00</u>	<del>\$12.00</del> <u>\$13.00</u>
24 x 36	<del>\$15.00</del> <u>\$16.00</u>	<del>\$15.00</del> <u>\$16.00</u>
24 x 40	<del>\$25.00</del> <u>\$26.00</u>	<del>\$25.00</del> <u>\$26.00</u>
36 x 48	<del>\$35.00</del> <u>\$36.00</u>	<del>\$35.00</del> <u>\$36.00</u>
Maps which take longer than 15 minutes to make (excluding printing time) are charged at our shop rate		
	<b>Available Data Layers</b>	<a href="#"><u>(Fees allowed per ORS 190.050)</u></a>
<b>Layer</b>	<b>Price</b>	<b>Notes</b>
<a href="#"><u>Addresses</u></a>	<del>\$52.00</del> <u>\$52.00 Each</u>	
Extract of Assessor's Database	<del>\$300.00</del> <u>\$308.00</u>	<a href="#"><u>Table Schema</u></a>
Roads	<del>\$50.00</del> <u>\$52.00 Each</u>	
<a href="#"><u>Tax Code Areas</u></a>	<del>\$47.00</del> <u>\$47.00</u>	
Taxlot Maps	N/A	<a href="#"><u>See Also The Oregon Map</u></a>
Taxlots	\$1/parcel or <del>\$1,500</del> <u>\$1,508</u> for entire County	<a href="#"><u>See Also Our Online Map</u></a>
<b>Other Groups/Layers - <del>\$45.00</del><u>\$48.00</u> each</b>	<b>Contains</b>	<b>Notes</b>
<a href="#"><u>Labor Rate</u></a>	<del>\$86.00</del> <u>\$86.00 per hour</u>	
Administrative Boundaries	Columbia Gorge Urban Renewal District, City of The Dalles Watershed, School Districts, NWCPUD Subdivisions, Transition Lands Study Area, Wasco County Boundary	
Populated Places	City Limits, Urban Growth Boundaries, Rural Service Centers	<a href="#"><u>See Also State Data</u></a>
Tax Codes	Tax Codes	
Zoning - Cities	Zoning - Cities	
Zoning - Environmental Protection Districts	Zoning - Environmental Protection Districts	
Zoning - Wasco County	Zoning - Wasco County	
<p>We require payment in advance from companies we have not done business with in the past. Credit card payments get charged an additional amount (depending on how much the base purchase is) to match what the companies charge the County. Checks should be made out to Wasco County GIS, and sent with a note stating which layers are being requested. Send it to:</p> <p>Wasco County IS Department Attn: GIS 2705 E 2nd St, The Dalles, OR 97058</p>		



**2020 Proposed Fee Schedule Wasco County  
Building Codes Services**

	WASCO COUNTY (CURRENT)	WASCO COUNTY (PROPOSED)
<b>STRUCTURAL PERMIT FEES</b>		
In accordance with OAR 918-050-0100(1)(c) and (2)(c)(A), Building Valuation is determined per the ICC Building Valuation Data Table current as of April 1 of each year.		
<b>Valuation:</b>		
\$1-\$2,000.00	\$60.00	\$69.00
\$2,001.00-\$25,000.00	\$60.00 for the first \$2,000.00 plus \$9.40 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00	\$69.00 for the \$2,000.00 plus \$10.81 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00-\$50,000.00	\$276.20 for the first \$25,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00	\$317.63 for the \$25,000.00 plus \$8.05 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00-\$100,000.00	\$451.20 for the first \$50,000.00 plus \$4.70 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00	\$518.88 for the first \$50,000.00 plus \$5.41 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 and up	\$686.20 for the first \$100,000.00 plus \$3.90 for each additional \$1,000.00 or fraction thereof.	\$789.13 for the first \$100,000.00 plus \$4.49 for each additional \$1,000.00 or fraction thereof.
<b>OTHER INSPECTIONS AND FEES</b>		
Residential Fire Sprinkler 13R (standalone/closed system) fee includes plan review (13D multipurpose/continuous loop requires Plumbing)		
0 to 2000 sq. ft. area covered	\$98.00	\$112.70
2001 to 3600 sq. ft. area covered	\$103.50	\$119.03
3601 to 7200 sq. ft. area covered	\$139.75	\$160.71
7201 sq. ft. and greater	\$186.25	\$214.19
Prescriptive solar photovoltaic system-fee includes plan review	\$160.00	\$184.00
Non-Prescriptive solar photovoltaic system-requires plan review	Use structural Permit Fee table above	Use structural Permit Fee table above
Phased plan review - \$60.00 application fee plus 10% of the total project building permit fee not exceed \$1500.00 for each phase (in addition to standard structural plan review)	Phased plan review - \$69.00 application fee plus 20% of the total project building permit fee not exceed \$1500.00 for each phase (in addition to standard structural plan review)	
Deferred plan review – 65% of the building permit fee calculated using the deferred portion valuation with a \$156.00 minimum (in addition to standard structural plan review)	Deferred plan review – 65% of the building permit fee calculated using the deferred portion valuation with a \$179.40 minimum (in addition to standard structural plan review)	
After hours inspections outside of normal business hours	\$ 78.00 per hour	\$89.70 per hour during work week. Double time rate with 4 hour minimum on



**2020 Proposed Fee Schedule Wasco County  
Building Codes Services**

(minimum charge 2 hours)		<b>weekends and holidays</b>
Re-Inspection fee	\$78.00 per each	<b>\$89.70 per each</b>
Inspections for which no fee is specifically indicated	\$78.00 per hour	<b>\$89.70 per hour</b>
Demolition Permit Fee	Not Specified	<b>\$130.00 (Residential) \$215.00 (Commercial)</b>
Pre-Application Consultation/Consultation Fee	Not Specified	<b>\$89.70 1 hour minimum</b>
Temporary Certificate of Occupancy	Not Specified	<b>\$160.00 for 30 days only (Residential) \$320.00 for 30 days only (Commercial)</b>
Ag Exempt Request Fee	Not Specified	<b>\$50.00</b>
Plan Review Fees	65% of structural permit fee	<b>65% of structural permit fee</b>
Fire and Life Safety Plan Review Fees	40% of structural permit fee	<b>40% of structural permit fee</b>
Additional plan review required by changes, additions, or revisions to approved plans	\$65.00 per hour (Residential) \$78.00 per hour (Commercial)	<b>\$74.75 per hour (Residential) \$89.70 per hour (Commercial)</b>
Expedited Plan Review Fee	Not Specified	<b>\$320.00 per hour 2 hour minimum Overtime Fee (if applicable 1.5 times the Base Rate)</b>
<b>MECHANICAL PERMIT FEES</b>		
<b>ONE &amp; TWO FAMILY DWELLINGS:</b>		
<b>Minimum permit fee</b>	\$60.00 (Residential)	<b>\$69.00 (Residential)</b>
<b>Furnace/Burner including ducts and vents</b>		
Up to 100K BTU/hr.	\$12.00	<b>\$13.80</b>
Greater than 100K BTU/hr.	\$12.00	<b>\$13.80</b>
<b>Heating/Cooling/Stove/Vents</b>		
Ductwork only	\$12.00	<b>\$13.80</b>
Unit Heater (suspended, wall, and floor)	\$12.00	<b>\$13.80</b>
Wood/Gas/Pellet fireplace insert or free standing stoves	\$12.00	<b>\$13.80</b>
Repair/alter/add to mechanical appliance	\$12.00	<b>\$13.80</b>
Evaporative cooler (permanent)	\$12.00	<b>\$13.80</b>
Air Conditioner	\$12.00	<b>\$13.80</b>
Ventilation system, not a portion of HVAC system	\$12.00	<b>\$13.80</b>
Ventilation fan connected to a single duct	\$9.00	<b>\$10.35</b>
Attic/Crawl space fans	\$9.00	<b>\$10.35</b>
Range hood/other kitchen equipment	\$9.00	<b>\$13.35</b>





**2020 Proposed Fee Schedule Wasco County  
Building Codes Services**

Clothes dryer exhaust	\$9.00	\$10.35
Floor furnace including vent	\$12.00	\$13.80
Hydronic hot water system	\$24.00	\$27.60
<b>Gas Piping Outlets</b>		
1-4 outlets	\$24.00	\$27.60
Additional outlets	\$3.00	\$3.45
Exterior medium pressure ea. 100'	\$24.00	\$27.60
<b>Air-handling units including ducts/Heat pumps/Mini split system</b>		
Any size	\$12.00	\$13.80
<b>Incinerators</b>		
Domestic – installation or relocation	\$12.00	\$13.80
<b>Miscellaneous Fees</b>		
Hourly Rate (number of hours)	\$78.00	\$89.70
Other heat/cool/vent/appliance (not indicated)	\$12.00	\$13.80
<b>COMMERCIAL:</b>		
<b>Minimum permit fee</b>	\$60.00 (Commercial)	\$69.00 (Commercial)
<b>Valuation:</b>		
Up to \$3,500.00	\$60.00	\$69.00
\$3,501 to \$10,000.00 – for the 1 <sup>st</sup> \$3,500.00 plus \$1.20/\$100.00 or portion thereof above \$3,500.00	\$60.00	\$69.00 for the 1 <sup>st</sup> \$3,500.00 plus \$1.38/\$100.00 or portion thereof above \$3,500.00
Over \$10,001.00 – for the 1 <sup>st</sup> \$10,000.00 plus \$3.00/\$1,000.00 or portion thereof above \$10,000.00	\$138.00	\$158.70 for the 1 <sup>st</sup> \$10,000.00 plus \$3.45/\$1,000.00 or portion thereof above \$10,000.00
Investigative Fee	Actual Cost	Actual Cost
Re-inspection fee	Not Specified	\$89.70
After hours inspections outside of normal business hours (minimum charge 2 hours)	\$ 78.00 per hour	\$89.70 per hour during work week. Double time rate with 4 hour minimum on weekends and holidays
Plan Review Fee, if required	50% of subtotal	50% of subtotal
<b>Request by government agency under ORS 190</b>	Not Specified	Cost of Inspector plus, travel & mileage to and from areas requested for inspections
Expedited Plan Review Fee	Not Specified	\$245.00 per hour 2 hour minimum Overtime Fee (if applicable 1.5 times the Base Rate)





**2020 Proposed Fee Schedule Wasco County  
Building Codes Services**

<b>PLUMBING PERMIT FEES</b>		
<b>NEW SINGLE FAMILY DWELLINGS</b>		
Minimum Permit Fee - Residential	\$60.00	\$69.00
New single family dwelling 1 bath/ 1 kitchen – includes the 1 <sup>st</sup> 100' of each site utility, hose bibbs, icemakers, underfloor low-point drains, and rain drain packages	\$252.00	\$289.80
Each add'l bath (1/2 bath counts as whole)	\$90.00	\$103.50
Each add'l kitchen	\$60.00	\$69.00
Each add'l 100' of site utilities or fraction thereof; storm, water, and sanitary sewer	\$36.00	\$41.40
Each fixture residential (for new, additions, and alterations)	\$24.00	\$27.60
Re-pipe water supply	Not Specified	\$100.00
<b>Manufactured Dwellings</b>		
Site utilities-first 30 lineal feet refer to Manufactured Home Permit		
Each additional 100' of site utilities of fraction thereof	\$36.00	\$41.40
<b>RV and Manufactured Dwelling Parks</b>		
Base Fee (include the 1 <sup>st</sup> 10 or fewer spaces	\$384.00	\$441.60
Each additional space	\$33.00	\$37.95
<b>COMMERCIAL</b>		
Minimum Permit Fee – Commercial	\$60.00	\$69.00
Each fixture (for new, additions, and alterations)	\$24.00	\$27.60
Site utilities ea. 100' or fraction thereof	\$36.00	\$41.40
<b>Residential fire sprinkler 13D (continuous loop/multipurpose) – fee includes plan review</b>		
0 to 2000 sq. ft., area covered	\$98.00	\$112.70
2001 to 3600 sq. ft., area covered	\$103.50	\$119.03
3601 to 7200 sq. ft., area covered	\$139.75	\$160.71
7201 sq. ft. and greater	\$186.25	\$214.19
<b>Miscellaneous Fees</b>		



**2020 Proposed Fee Schedule Wasco County  
Building Codes Services**

Backflow device/backwater valve	\$24.00	\$27.60
Re-Inspection fee	\$78.00	\$89.70
Inspections which no fee specified	\$78.00	\$89.70
<b>Request by government agency under ORS 190</b>	Not Specified	<b>Cost of Inspector plus, travel &amp; mileage to and from areas requested for inspections</b>
<b>Medical Gas Piping</b>		
\$1 to \$10,00 valuation	\$270.00	\$310.50
\$10,000.00 and greater Valuation	\$270 for the 1 <sup>st</sup> \$10,000.00 plus \$1.80 for each add'l \$100.00 or fraction thereof	<b>\$310.50 for the 1st \$10,000.00 plus \$2.07 for each add'l \$100.00 or fraction thereof</b>
Investigative Fee	Actual Cost	<b>Actual Cost</b>
Re-inspection fee	Not Specified	\$89.70
After hours inspections outside of normal business hours (minimum charge 2 hours)	\$ 78.00 per hour	<b>\$89.70 per hour during work week. Double time rate with 4 hour minimum on weekends and holidays</b>
Plan Review fee, if required	50% of subtotal	<b>50% of subtotal</b>
Expedited Plan Review Fee	Not Specified	<b>\$245.00 per hour 2 hour minimum Overtime Fee (if applicable 1.5 times the Base Rate)</b>
<b>ELECTRICAL PERMIT FEES</b>		
<b>NEW SINGLE FAMILY DWELLINGS-SERVICE AND ATTACHED GARAGE INCLUDED</b>		
Minimum Permit Fee - Residential	\$78.00	\$89.70
1,000 sq. ft. or less	\$127.00	\$146.05
Each additional 500 sq. ft. or portion thereof	\$23.00	\$26.45
Limited Energy	\$30.00	\$34.50
Each manufactured home or modular dwelling service or feeder	\$78.00	\$89.70
<b>New Multifamily – total # of units</b>		
Use 1 and 2 Family rates above for largest sq. ft. unit – cost of largest unit ____/2 x number of remaining number		
Multifamily limited energy, by floor	\$54.00	\$62.10
<b>Services or Feeders (installation, alteration, relocation)</b>		
200 amps or less	\$95.00	\$109.25
201 to 400 amps	\$113.00	\$129.95
401 to 600 amps	\$187.00	\$215.05



**2020 Proposed Fee Schedule Wasco County  
Building Codes Services**

601 to 1,000 amps	\$245.00	\$281.75
Over 1,000 amps or volts	\$563.00	\$647.45
Reconnect Only	\$63.00	\$72.45
<b>Temp. Services or Feeders (installation, alteration, relocation)</b>		
200 amps or less	\$63.00	\$72.45
201 to 400 amps	\$86.00	\$98.90
401 to 600 amps	\$125.00	\$143.75
601 to 1,000 amps	\$204.00	\$234.60
Over 1,000 amps or volts	\$469.00	\$539.35
<b>Branch Circuits (new, alteration, extension per panel)</b>		
Fee for branch circuits with purchase of a service or feeder fee:		
Each branch circuit	\$4.80	\$5.52
Fee for branch circuits without purchase of a service or feeder fee:		
First branch circuit	\$65.00	\$74.75
Additional branch circuits	\$4.80	\$5.52
<b>Miscellaneous (service or feeder not included)</b>		
Each pump or irrigation circle	\$78.00	\$89.70
Each sign or outline lighting	\$78.00	\$89.70
Signal, circuit or a limited-energy panel, alteration or extension	\$63.00 Commercial \$78.00 Residential	\$72.45 Commercial \$89.70 Residential
Hourly rate (number of hours)	\$78.00	\$89.70
<b>Request by government agency under ORS 190</b>	Not Specified	<b>Cost of Inspector plus, travel &amp; mileage to and from areas requested for inspections</b>
Investigative fee	Actual Cost	<b>Actual Cost</b>
Re-inspection fee	Not Specified	\$89.70
After hours inspections outside of normal business hours (minimum charge 2 hours)	\$ 78.00 per hour	<b>\$89.70 per hour during work week. Double time rate with 4 hour minimum on weekends and holidays</b>
Master Individual Inspection Fee	Not Specified	<b>\$89.70 per hour (minimum 2hours)</b>
Plan Review fee, if required	50% of subtotal	<b>50% of subtotal</b>
Expedited Plan Review Fee	Not Specified	<b>\$245.00 per hour 2 hour minimum Overtime Fee (if applicable 1.5 times the Base Rate)</b>
Minimum Permit Fee – Commercial	\$78.00	\$89.70
<b>MANUFACTURED DWELLING PERMIT FEES</b>		



**2020 Proposed Fee Schedule Wasco County  
Building Codes Services**

Installation fee (includes placement, concrete slabs/runners/foundations when prescriptive, electrical feeder, and plumbing/cross-over connections up to 30 lineal feet)	\$192.00	\$220.80
Re-inspection fee	\$78.00	\$89.70
State fee	\$30.00	\$34.50
Investigative fee	Actual Cost	Actual Cost
<b>RENEWABLE ENERGY SYSTEMS PERMIT FEES</b>		
5kva or less	\$95.00	\$109.25
5.01 to 15kva	\$113.00	\$129.95
15.01 to 25kva	\$187.00	\$215.05
Solar ea. Add'l kva 25.01 to 100 max	\$7.50	\$8.63
Wind 25.01 to 50kva	\$245.00	\$281.75
Wind 50.01 to 100 kva	\$563.00	\$800.00
Wind 100.01 or greater	Not Specified	\$920.00
Service or feeders of 601 to 1,000 amps-additional to previous range	\$245.00	\$281.75
Service or feeders over 1,000 amps or volts-additional to previous range	\$563.00	\$647.45
Re-inspection fee	\$78.00	\$89.70
Plan Review, if required	50% of subtotal	50% of subtotal
<b>RV PARK &amp; ORGANIZATIONAL CAMP PERMIT FEES</b>		
<b>VALUATION:</b>		
\$1.00 to \$500.00	\$15.00	\$17.25
\$501.00 to \$2,000.00	\$15.00 for the first \$500.00, plus \$2.00 for each additional \$1,000.00 or fraction thereof, to and including \$2,000.00	\$17.25 for the first \$500.00, plus \$2.30 for each additional \$1,000.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$45.00 for the first \$2,000.00, plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00	\$51.75 for the first \$2,000.00, plus \$10.35 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$252.00 for the first \$25,000.00, plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00	\$289.80 for the first \$25,000.00, plus \$7.48 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$414.50 for the first \$50,000.00, plus \$4.50 for each additional \$1,000.00 or	\$476.68 for the first \$50,000.00, plus \$5.18 for each additional \$1,000.00 or fraction thereof,



**2020 Proposed Fee Schedule Wasco County  
Building Codes Services**

	fraction thereof, to and including \$100,000.00	<b>to and including \$100,000.00</b>
\$100,001.00 to \$500,000.00	\$639.50 for the first \$100,00.00, plus \$3.50 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00	<b>\$735.43 for the first \$100,00.00, plus \$4.03 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00</b>
\$500,001.00 to \$1,000,000.00	\$2,039.50 for the first \$5,000.00, plus \$2.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	<b>\$2,345.43 for the first \$5,000.00, plus \$2.30 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00</b>
Over \$1,000,001.00	\$3,539.50 for the first \$1,000,00.00, plus \$2.00 for each additional \$1,000.00 or fraction thereof	<b>\$4,070.43 for the first \$1,000,00.00, plus \$2.30 for each additional \$1,000.00 or fraction thereof</b>
<b>MISCELLANEOUS BUILDING FEES</b>		
<b>Request by government agency under ORS 190 (IGA)</b>	Not Specified	<b>Cost of Inspector plus, travel &amp; mileage to and from areas requested for inspections</b>
Permit Reinstatement fee – to renew already expired permit, as eligible; subject to State Surcharge	Not Specified	<b>\$100.00, plus State Surcharge (Only applicable to expired permits that fall within the current code cycle of permit)</b>
Permit Extension fee – to extend expiration on active permit	Not Specified	<b>\$80.00 (For first time only) After first extension \$50.00 each</b>
<b>Refund Processing Fee - for repayment of costs of administration</b>	Not Specified	<b>\$100.00 or 25% of any fee to be refunded, whichever is less for the processing of a permit application</b>
Copy fees	Not Specified	<b>\$1.00 for each</b>



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF AMENDING WASCO COUNTY'S UNIFORM FEE SCHEDULE FOR VARIOUS COUNTY DEPARTMENTS

**ORDINANCE 21-001**

THE BOARD OF COMMISSIONERS OF WASCO COUNTY OREGON DOES ORDAIN AS FOLLOWS:

Section 1. PURPOSE

Wasco County provides core services to all citizens which are paid for through the annual tax base. On the whole, the County endeavors to proactively provide access to services in alignment with our Vision and Mission statements.

In some instances, special services are required or necessitated by various state statutes, or to meet the needs of citizens who have requests outside of core services. The purpose of this Ordinance is to outline the fees to be collected by Wasco County Departments for performing services, and to establish a uniform fee schedule.

Section 2. AUTHORITY

The Ordinance is enacted pursuant to the authority granted to general law Counties by [ORS 203.035-ORS 203.065](#) and by [ORS 192.440](#).

Section 3. FEE SCHEDULE

Fees shall be charged and collected by the indicated Department before the filing, recording or copying of subject documents shall be completed. A table of all County fees can be found in Appendix A, B, C and D. Other fees may apply as assessed under Oregon Revised Statutes.

Section 4. ENACTMENT PROVISIONS (1)

(1) CONFORMANCE WITH LAW

Except as expressly provided herein, this Ordinance shall in no way be a substitute for or eliminate the necessity of conforming with any and all State and Federal laws, rules and regulations including but not limited to the payment of all other fees required by law and other Ordinances which are now or may be in the future in effect which relate to the requirements provided in the Ordinance.

(2) SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portion of this Ordinance.

(3) EFFECTIVE DATE

This Ordinance shall take effect on January 4, 2022 upon its adoption, and all previous orders, resolutions or ordinances setting fees conflicting with the provisions of this Ordinance are hereby repealed and will be of no further force and effect.

Regularly passed and adopted by the Board of Commissioners of the County of Wasco, State of Oregon, by a \_\_ to \_\_ vote on this 6th<sup>th</sup> day of October, 2021.

ATTEST:

WASCO COUNTY BOARD  
OF COMMISSIONERS

\_\_\_\_\_  
Kathy Clark  
Executive Assistant

\_\_\_\_\_  
Scott C. Hege, Commission Chair

\_\_\_\_\_  
Kathleen B. Schwartz, Vice-Chair

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven D. Kramer, County Commissioner

\_\_\_\_\_  
Kristen Campbell  
Wasco County Counsel

## APPENDIX A: County Fee Schedule

Fees Across All County Departments		
Service Description	Fee Amount	Applicable Statute
<b>Miscellaneous Copies/Printing/Transmission</b>		
Black and white copies <i>8.5" x 11" or 8.5" x 14"</i>	\$0.26 per page	County Ordinance
<b>Black and white copies</b> <i>11" x 17"</i>	\$1.03 per page	County Ordinance
<b>Color copies</b> <i>(any size listed above)</i>	\$1.03 per page	County Ordinance
<b>Providing content on media</b> <i>(zip disk, jump drive, CD, etc.)</i>	\$15.45 per media plus actual costs of services	County Ordinance
<b>Printing computer labels</b>	\$41.20 plus actual printing and label cost	County Ordinance
<b>Electronic transmission of documents</b> <i>(Fax, email, FTP, or similar transmission.</i> <i>If printing of copies is required to redact information or to get records into the appropriate form, subset, etc., copy fees and research time will also apply.)</i>	\$5.15 per transmission plus actual costs of services	County Ordinance
<b>Research and Professional Services Fees</b>		
<b>Basic Research Fee</b> <i>(Only upon availability of staff)</i>	\$41.20 per hour, one hour minimum, <i>unless specified by Department fee schedule</i>	County Ordinance
<b>Professional Services / Complex Analysis</b>	See specific Department fee schedule	County Ordinance
<b>Public Record Request Fees</b>		
<b>Certification of a Public Record</b> <i>(Birth certificates, licenses, etc.)</i>	\$3.75 per record	<a href="#"><u>ORS 205.320</u></a>
<b>Public records request, general (Cost is request-dependent and is sum of research, copies, transmission, etc.)</b>		
Administrative Services		
Service Description	Fee Amount	Applicable Statute
<b>FINANCE DEPARTMENT</b>		
<b>Placing a stop payment on a Wasco County issued check</b>	\$34.00 per check	County Ordinance
<b>Returned item (non-sufficient funds, closed account, etc.) deposited to Wasco County bank account</b>	\$26.00 per check	County Ordinance
<b>INFORMATION SERVICES DEPARTMENT</b>		
<b>Professional Services</b>	\$124.00 per hour	County



		Ordinance
GIS Mapping : <i>See Appendix C</i>		
<b>LEGAL SERVICES</b>		
County Counsel Fees. <i>Please contact Administrative Services for estimate.</i>	At current hourly rate	County Ordinance
<b>Land-based and Civil Services</b>		
Service Description	Fee Amount	Applicable Statute
<b>ASSESSMENT AND TAXATION DEPARTMENT</b>		
Assessment mapping changes and new plat	\$556.00 base fee	County Ordinance
Additional lot created	\$51.00 each	County Ordinance
Additional map affected	\$51.00 each	County Ordinance
Lot line adjustment	\$257.00 each	County Ordinance
Calculation of farm/forest disqualifications (To be applied against penalty if the account is disqualified within 90 days)	\$41.00 per hour, one hour minimum	County Ordinance
<b>CLERK'S OFFICE</b>		
Land-based Recording Fees <i>All documents presented for recording must be "required or permitted by law to be recorded"</i>		
Deed and Mortgage Records	\$105.00 for the 1st page,	<a href="#">ORS 205.320</a> and County Ordinance
<b><u>Breakdown of fees:</u></b>	<b><u>\$5.00 for each page after</u></b>	
Clerk Recording Fee	\$5.00 per page	
Public Land Corner Preservation Fund	\$10.00 per document	
Geographic Information Systems (GIS) Fund	\$19.00 per document	
Assessment & Taxation Fund	\$10.00 per document	
Oregon Land Information System (OLIS) Fund	\$1.00 per document	
Affordable Housing Alliance Fund	\$60.00 per document	
Lien Records	\$76.00 for the 1st page,	<a href="#">ORS 205.320</a> and County Ordinance
<b><u>Breakdown of fees:</u></b>	<b><u>\$5.00 for each page after</u></b>	
Clerk Recording Fee	\$5.00 per page	
Assessment & Taxation Fund	\$10.00 per document	
Oregon Land Information System (OLIS) Fund	\$1.00 per document	
Affordable Housing Alliance Tax	\$60.00 per document	
<b>Partition Plat, Replat, and Property Line Adjustment Plat</b>		<a href="#">ORS 205.320</a> and County Ordinance
Surveyor Fee, Property Line Adjustment Plat, Single-Parcel Partition Plat or Replat	See Surveyor's Office fees	
Assessor and Tax Collector Fees	See Assessment and Taxation	
Recording Base Fee (includes A&T Fund, OLIS Fund, GIS Fund, Public Land Corner Preservation Fund, General Clerk Fee)	\$90.00 per document	
Affordable Housing Alliance Fund	\$60 per document	

Clerk Recording Fee	\$5.00 per page	
County Court Approval (if required)	\$10.00	
Copy Fees	\$3.00 per page	
<b>Subdivision and Subdivision Replat;</b>		<a href="#">ORS 205.320</a>
Surveyor Fee, Subdivision and Subdivision Replat,	<i>See Surveyor's Office fees</i>	and
Condominium	<i>See Assessment and Taxation</i>	County
Assessor and Tax Collector Fees	\$90.00 per document	Ordinance
Recording Base Fee, 20 lots or less	\$110.00 per document	
Recording Base Fee, 21 lots or more		
<i>(includes A&amp;T Fund, OLIS Fund, GIS Fund, Public Land Corner Preservation Fund, General Clerk Fee)</i>	\$60.00 per document	
Affordable Housing Alliance Fund	\$5.00 per page	
Clerk Recording Fee	\$10.00	
County Court Approval (if required)	\$3.00 per page	
Copy Fees		
<b>Non Standard Documents</b>	\$20.00 per document	<a href="#">ORS 205.327</a>
<b>Documents Describing More Than One Transaction</b>	\$5 per additional transaction or title	<a href="#">ORS 205.236(4)</a>
<b>Location of Record</b> <i>(land records are available online free of charge. See the Digital Research Room on the Wasco County website)</i>	\$3.75 location fee plus \$0.25 per page	<a href="#">ORS 205.320</a>
<b>Recording Image Subscription</b> <i>(download of images recorded in the Clerk's office and provided on media)</i>	\$0.25 per page/image plus cost of media if applicable	County Ordinance
<b>Marriage Fees</b>		
<b>Marriage License</b>	\$50.00	<a href="#">ORS 205.320</a> and <a href="#">ORS 106.045</a>
<b>Civil Marriage Ceremony</b> <i>(in office, by appointment only)</i>	\$117.00	Senate Bill 27
<b>Staff Witness for Ceremony</b>	\$16.00 per staff member	County Ordinance
<b>Certified Copy of Marriage License</b>	\$7.75	<a href="#">ORS 205.320</a>
<b>Time Waiver of 3-day Waiting Period</b>	\$16.00	County Ordinance
<b>Certificate of Parental Consent for Marriage of a Minor</b>	\$16.00 per minor	County Ordinance
<b>Amending a Filed Marriage Record</b>	\$25.00	
<b>Domestic Partnership Declaration</b>		
<b>Registration</b>	\$50.00	<a href="#">ORS 205.320</a>
<b>Certified Copy of a Domestic Partnership Declaration</b>	\$7.75	<a href="#">ORS 205.320</a>
<b>Elections Reports</b>		
<b>Request for List of Electors</b>	\$25.00 plus 2.5¢ per 100 names	<a href="#">OAR 165-002-0020</a> Section 1

**PLANNING DEPARTMENT***See Appendix B*

County and ORS

**PUBLIC WORKS DEPARTMENT**

Petition for Road Vacation	\$515.00	County Ordinance
Permit for Mass Gathering	\$515.00	County Ordinance
Permit for Motor Vehicle Road Rally	\$1030.00	County Ordinance

**SURVEYOR'S OFFICE**

Survey Filing (Reviewed, filed and indexed)	\$195.00 plus \$55 per page over 2 pages	<a href="#">ORS 209.260</a>
Property Line Adjustment Survey Filing (Reviewed, filed and indexed)	\$265.00 plus \$55.00 per page over 2 pages	<a href="#">ORS 209.260</a>
Single-Parcel Partition Plat, or Single Parcel Replat Review (Reviewed, filed and indexed)	\$500.00 per plat	<a href="#">ORS 92.100</a> and County Ordinance
Multiple-Parcel Partition Plat or Replat Review (Reviewed, filed and indexed)	\$655.00 per plat	<a href="#">ORS 92.100</a> and County Ordinance
Subdivision or Subdivision Replat Review (Reviewed, field-checked, filed and indexed)	\$735.00 per subdivision plus \$70.00 per lot	<a href="#">ORS 205.350</a> and County Ordinance
Condominium Plat Review (Reviewed, field-checked, filed and indexed)	\$790.00 per condominium, plus \$70.00 per unit	<a href="#">ORS 205.350</a> and County Ordinance
Re-check or Re-design Review	50% of the original review fee	County Ordinance
Affidavit Review (Correction, Consent, Post-Monumentation, etc.)	\$55.00 per affidavit recorded	<a href="#">ORS 92.170</a> and County Ordinance
Marking the Record Upon the Surveyor's Copy of an Original Plat (For Road Vacation, etc.)	\$55.00 per recorded document	<a href="#">ORS 271.230(2)</a> and County Ordinance
Research	\$80.00 per hour after the first hour	County Ordinance
Large Format Printing or Copying	\$1.05 per square foot, \$2.05 minimum	County Ordinance

Public Safety Services		
Service Description	Fee Amount	Applicable Statute
<b>COMMUNITY CORRECTIONS DEPARTMENT</b>		
Community Service Work Program Placement	\$40.00	County Ordinance
DNA Sample Draw	\$25.00	County Ordinance
Drug Testing	\$20.00 per sample for in-lab tests \$10.00 for instant tests	County Ordinance
Inter-County Transfer Request	\$50.00	County Ordinance
Interstate Compact	\$100.00	County Ordinance
Probation/Post Prison/Parole Supervision	\$40.00 per month	County Ordinance
Travel Permit	\$5.00 each permit	County Ordinance
Treatment Program Intake	\$155.00	County Ordinance
Treatment Assessment	\$155.00	County Ordinance
Treatment Assessment Update	\$85.00	County Ordinance
Unexcused Assessment No-Show Fee	\$55.00	County Ordinance
Treatment: Individual Counseling Session	\$130.00	County Ordinance
Treatment: Group Session	\$50.00	County Ordinance
Program Curriculum Book	\$30.00	
Electronic Monitoring Setup	\$25.00	County Ordinance
Electronic Monitoring Daily Fee	\$5.00	County Ordinance
<b>SHERIFF'S OFFICE</b>		
Civil Fees	Per Statute	<a href="#">ORS 21.300</a>
Concealed Handgun License	Per Statute	<a href="#">ORS 166.291(5)(a)</a>
Fingerprinting	\$20.00 per card or \$20.00 for electronic submission	County Ordinance
OLCC Liquor License ( <i>regular and special event</i> )	\$25.00 per permit	<a href="#">ORS 471.166 (7)</a>
Real Property Foreclosure Sheriff Sale	\$800.00 deposit ( <i>Applicants will be billed for actual costs</i> )	<a href="#">ORS 18.930(5)</a>

	<i>and employee time.)</i>	
<b>Sheriff Incident Reports*</b> <i>(No charge for victim for first copy)</i>	1-24 pages: \$15.45 per report 25-49 pages: \$20.60 per report 50+ pages: \$51.50 per report	County Ordinance
<b>Videos</b>	\$15.45 plus staff time*	County Ordinance
* Research/Staff Time – <i>fee is based on salary and fringe benefits of the employee charged with the task (such as document research, retrieval, review or redaction), converted to an hourly rate. Time is charged in 15-minute increments with a 15-minute minimum. Call the Sheriff's Office for an estimate when research or staff time is needed.</i>		County Ordinance
<b>BUILDING CODES DEPARTMENT</b>		
See Appendix D		County Ordinance

# Wasco County Planning Department Fees

Effective January 4, 2022 per County Commissioner Ordinance 21-001

**Consolidated Permit Process:** For applications requiring more than one type of review, the full fee shall be paid for the primary/most expensive review and 50% for each additional review. Type I fees accompanying Type II-IV reviews will be waived.

Type I – Ministerial	Fee
Address – New or Change	\$79
Land Use Verification Letter (Not Involving Land Use Decision)	\$158
Marijuana Production	\$1,044 + \$80/hour after 10 hrs
Non-Structural Sign-Off – MNN (e.g., LUCS)	\$95
Structural Without Land Use Application – MNS	\$326
Telecommunications Tower – Collocation	\$1,674

Type II – Administrative	Fee
Conditional Uses	
• Aggregate and Other Subsurface Resources	\$2,661
• Exclusive Farm Use, Non-Farm Dwelling	\$2,136
• Farm Ranch Recreation	\$1,716
• F-F(10) Dwelling Without Farm or Forest Use	\$1,401
• Other	\$1,401
• Power Generating Facility (EFSC approval and required review)	\$80/hr
• Power Generating Facility (Commercial)	\$5,286 + \$1,000/tower
• Power Generating Facility (Non-Commercial)	\$1,940 + \$1,000/tower
Extension of Time for Land Use Approval	\$535
Legal Parcel Determination	\$540 + \$80/hour after 5 hours
LUDO Interpretation or Similar Use Determination	\$80/hr
Major Modification of Approval (notice is required)	\$116 + \$80/hr
National Scenic Area (NSA)	
• Expedited (Used listed in Section 3.110 of Wasco County NSALUDO)	\$1,960
• Expedited (Removal or Demolition)	\$351
• Full Review (Fences and Accessory Structures Less Than 500 SQ)	\$1,086
• Full Review	\$4,401
Non-Conforming Use Review (verification, restoration or alteration)	\$1,086
Partition, Property Line Adjustment, or Replat (not involving public or private roads)	
• Property Line Adjustment	\$1,642
• Partition or Replat	\$1,642
Site Plan Review (parking, loading, and home occupations)	\$666
Subject to Standards	
• Aggregate Overlay Significant Determination	\$666
• Dwelling (Accessory, Large Tract Forest, Lot-of-Record, Primary, Relative)	\$1,401
• EPDs (Environmental Protection Districts)	\$719
• Guest House	\$561
• Rural Residential (R-R(10)) Dwelling	\$719
• Marijuana Processing and/or Wholesale	\$2,136 + hourly rate of \$80 after 20 hours
• Other	\$719
• Utility Facilities Necessary for Public Service	\$2,570

Temporary Use Permit	\$771
Temporary Use Permit Renewal (e.g., Medical Hardship Dwelling)	\$456
Variance (Administrative) – Less Than 50% Deviation From Stated Standard	\$771

<b>Type III Action – Planning Commission</b>	<b>Fee</b>
Appeal to Planning Commission: ORS 215.416(11)(b); full refund if upheld	250
Mobile Home Park / RV Park	\$2,241
Other Reviews Directed to Planning Commission by Ordinance	\$1,611
Partition, Property Line Adjustment, or Replat (involving public or private roads approvals)	
• Property Line Adjustment	\$2,062
• Single Parcel Partition or Replat	\$2,062
• Multiple Parcel Partition or Replat	\$2,062
Planned Unit Development – Preliminary/Final Plat Review	Prelim. \$3,816 Final \$830 + \$50 per lot
Subdivision – Preliminary/Final Plat Review	Prelim. \$4,160 Final \$830 + \$50. Per lot
Variance – 50% or Greater Deviation From Stated Standard	\$1,086

<b>Type IV Action – Board of County Commissioners</b>	<b>Fee</b>
Appeal to Board of Commissioners	\$1,296
Goal Exception	\$1,821 + hourly rate of \$80/hour after 20 hours
Zone Change	\$1,821 + hourly rate of 80/hour after 20 hours
Open Space Lands Tax Assessment	\$981
Road Dedication	\$945
Road Naming/Re-Addressing (full fee + half fee for each address changed); not land use decision	\$210
Subdivision Lot Line Vacation per ORS 368.326	\$403

<b>Miscellaneous</b>	<b>Fee</b>
Amendment to Land Use Application Request (after pre-notice; prior to approval)	\$368
Complex Projects – As Determined by Planning Director (See Policy and Process)	\$80/hr
Continuance/Extension Request of Planning Commission or Board Hearings	\$525
LUBA Remand and Review	\$315
Outdoor Mass Gathering	
• Less than 3000 people	\$2,625
• 3,000 or more, or 120 hrs or more	\$4,725
Pre-Application Conference - <i>\$250 of the \$500 applies towards land use application if applied for within 90 days of conference.</i>	\$525
Research / Records Request	\$47/hr
Withdrawal of Application – Refunds	
• Before completeness is determined	75% Total
• After completeness is determined	50% Total
• After Pre-Notice or Notice of Decision is mailed	No Refund
Withdrawal of Appeal After Received	No Refund
Work Commenced Without Required Land Use Approval	Additional 100% of Total Review Fee
Work Commenced in NSA Without Required Land Use Approval	Additional 100% of Total Review Fee

<b>Code Compliance</b>	<b>Fee</b>
Administrative Overhead hourly rate	\$80/hr
Appeal to Hearing's Officer	\$100
Continued Non-Compliance	\$52/month
Recordation of Compliance Document	\$101
<i>Other compliance penalty charges exist as established in Compliance Ordinance (WCCCNAO)</i>	

## **FEE SCHEDULE ATTACHMENT - POLICY & PROCESS**

- MNN: There is no fee for LUCS issued with a building permit.
- MNS: Examples include building permits, manufacture home placement permit and agricultural exempt permit applications.
- Fee Waivers:
  - 1) **Applicability**: A Fee Waiver is applicable to Planning Department fees only. All "Other Departmental Fees" must be paid in full or documentation provided that they have been waived, at the time of application submittal.
  - 2) **Ministerial Sign off with Administrative Review**: If an applicant pays for and receives approval of Type II (Administrative/Discretionary) review, all ministerial sign offs associated with that review shall be waived. This includes Building Permit Application, Manufactured Home Placement Permit Application, Agricultural Exempt Permit Application, Land Use Compatibility Statement, Water Rights Application, and Department of State Lands Permit Application.
  - 3) **Individuals**: Any individual may request a Fee Waiver from the Planning Director of any development review or appeal fees. To be granted a waiver (or portion of a fee waiver) an individual must provide documentation of household income at or below 150% of the federal poverty level. To prove a hardship, applicants must provide federal tax returns, pay stubs or annual benefit statements. Assistance will be provided based on the availability of funding. Waivers must be approved and granted by the Planning Director prior to submittal of an application or appeal.
  - 4) **Appeal**: Any organization or individual may appeal the Planning Director's decision not to grant a Fee Waiver (or portion thereof) to the Board of County Commissioners.
- Complex Projects: Complex projects involve more resources of the planning and other county departments due to their complexity and their overall impacts on the community. As such, complex projects may even require the hiring of outside assistance. For these types of large-scale projects that require a great deal of departmental resources to review, the county will require the applicant to sign a memorandum of agreement to compensate the county for actual costs incurred to complete the review and process in a timely manner. The agreement shall include details with regards to deposit and the scheduling of payments. If an applicant refuses to enter into a memorandum of agreement or if the applicant and the county fail to reach an agreement, the application will not be processed.

## **FEE SCHEDULE ATTACHMENT – ADDITIONAL FEE WAIVER SPECIFICS**

As part of a fee waiver request, the planning director can require documentation of income at or below 150% of the federal poverty level (FPL) to prove financial need. 150% of the federal poverty level is a measure frequently used by other agencies nationwide to prove individuals' financial need. This measure can be



adjusted for household size. Those at or below 150% of the federal poverty level are in poverty. The percentage of the federal poverty level of an individual's income can be calculated using online calculators ([http://www.lccaa.net/eligibility\\_calculator](http://www.lccaa.net/eligibility_calculator), <http://www.safetyweb.org/fpl.php>).

Documentation that the County can accept to serve as proof of income includes:

- Tax returns (use the adjusted gross income figure)
- Pay stubs (use two months of them)(calculators are available online)
- Annual benefit statements for social security and other benefits, or cancelled checks from the Social Security Administration.

An alternate method to prove an individual's financial need is to require institutional documentation of receipt of public assistance such as TANF (food stamps), SNAP (food stamps for families), Section 8 housing, Medicaid, etc..

**The following chart outlines 150% of the federal poverty level.**

<b>2021 Federal Poverty Guidelines - 150% of the Federal Poverty Level (FPL)</b>								
<b>Household Size</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>150%</b>	<b>\$19,320</b>	<b>\$26,130</b>	<b>\$32,940</b>	<b>\$39,750</b>	<b>\$46,560</b>	<b>\$53,370</b>	<b>\$60,180</b>	<b>\$66,990</b>

<b>2019 Federal Poverty Guidelines</b>								
<b>Household Size</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>100%</b>	\$12,880	\$17,420	\$21,960	\$26,500	\$31,040	\$35,580	\$40,120	\$44,660
<b>150%</b>	\$19,320	\$26,130	\$32,940	\$39,750	\$46,560	\$53,370	\$60,180	\$66,990

## Appendix C: GIS Services

<b>GIS Services - Standard Labor Rate \$60/Hour</b>		
<b>Map Prices - Custom Maps</b>		
<b>Size</b>	<b>Price</b>	<b>Additional Copies (ea)</b>
8.5 x 11	\$8.00	\$1.50
11 x 17	\$9.00	\$2.00
18 x 24	\$13.00	\$13.00
24 x 36	\$16.00	\$16.00
24 x 40	\$26.00	\$26.00
36 x 48	\$36.00	\$36.00
Maps which take longer than 15 minutes to make (excluding printing time) are charged at our shop rate		
	<b>Available Data Layers</b>	<a href="#">(Fees allowed per ORS 190.050)</a>
<b>Layer</b>	<b>Price</b>	<b>Notes</b>
Addresses	\$52.00 Each	
Extract of Assessor's Database	\$308.00	<a href="#">Table Schema</a>
Roads	\$52.00 Each	
Tax Code Areas	\$47.00	
Taxlot Maps	N/A	<a href="#">See Also The Oregon Map</a>
Taxlots	\$1/parcel or \$1,150 for entire County	<a href="#">See Also Our Online Map</a>
<b>Other Groups/Layers - \$48.00 each</b>	<b>Contains</b>	<b>Notes</b>
<b>Labor Rate</b>	\$86.00 per hour	
Administrative Boundaries	Columbia Gorge Urban Renewal District, City of The Dalles Watershed, School Districts, NWCPUD Subdivisions, Transition Lands Study Area, Wasco County Boundary	
Populated Places	City Limits, Urban Growth Boundaries, Rural Service Centers	<a href="#">See Also State Data</a>
Tax Codes	Tax Codes	
Zoning - Cities	Zoning - Cities	
Zoning - Environmental Protection Districts	Zoning - Environmental Protection Districts	
Zoning - Wasco County	Zoning - Wasco County	
<p>We require payment in advance from companies we have not done business with in the past. Credit card payments get charged an additional amount (depending on how much the base purchase is) to match what the companies charge the County. Checks should be made out to Wasco County GIS, and sent with a note stating which layers are being requested. Send it to:</p> <p>Wasco County IS Department  Attn: GIS  2705 E 2nd St, The Dalles, OR 97058</p>		

## BCD FEE SCHEDULE

Each additional 500 sq. ft. or portion thereof	\$23.00
Limited energy	\$30.00
Each manuf. home or modular dwelling service or feeder	\$78.00

### **New Multifamily – total # of units:**

Use 1&2 Family rates above for largest sq ft unit – cost of largest unit	
Multifamily limited energy, by floor	\$54.00

### **Services or feeders (installation, alteration, relocation)**

200 amps or less	\$95.00
201 to 400 amps	\$113.00
401 to 599 amps	\$187.00
600 to 1,000 amps	\$245.00
Over 1,000 amps or volts	\$563.00
Reconnect only	\$63.00

### **Temp. services or feeders (installation, alteration, relocation)**

200 amps or less	\$63.00
201 to 400 amps	\$86.00
401 to 599 amps	\$125.00
600 to 1,000 amps	\$204.00
Over 1,000 amps or volts	\$469.00

### **Branch circuits (new, alteration, extension per panel)**

Fee for branch circuits with purchase of a service or feeder fee:	
Each branch circuit	\$4.80

### **Fee for branch circuits without purchase of a service or feeder fee:**

First branch circuit	\$65.00
Add'l branch circuits	\$4.80

### **Miscellaneous (service or feeder not included)**

Each pump or irrigation circle	\$78.00
Each sign or outline lighting	\$78.00
Signal, circuit or a limited-energy panel, alteration or extension	\$63.00 Com/ \$78.00 Res
Hourly rate (number of hours)	\$78.00

### **Minimum Permit Fee - Residential**

\$78.00

### **Minimum Permit Fee - Commercial**

\$60.00

### **Plan Review if Required ( 50% of Subtotal)**

## **MECHANICAL PERMIT**

### **Furnace/burner including ducts and vents:**

Furnace up to 100k BTU/hr	\$12.00
Furnace greater than 100k BTU/hr	\$18.00

### **Heating/cooling/stove/vents**

Ductwork – no appliance/fixture	\$12.00
Suspended heater, recessed wall or floor mounted	\$12.00
Chimney/liner/flue/vent/gas or wood fireplace insert	\$12.00
Repair/alter/add to mechanical appliance	\$12.00
Evaporative cooler other than portable	\$12.00
Air conditioner	\$12.00
Ventilation system, not a portion of HVAC	\$12.00
Ventilation fan connected to single duct	\$9.00
Attic/crawl space fans	\$9.00
Range hood/other kitchen equipment	\$9.00
Clothes dryer exhaust	\$9.00

# BCD FEE SCHEDULE

Floor furnace including vent	\$12.00
Hydronic hot water system	\$24.00
<b>Gas piping</b>	
One to four outlets	\$24.00
Additional outlets	\$3.00
Exterior medium pressure ea 100'	\$24.00
<b>Air-handling units including ducts</b>	
Any size	\$12.00
<b>Heat pump/Mini split system</b>	
Per each	\$12.00
<b>Incinerators</b>	
Domestic – installation or relocation	\$12.00
<b>Miscellaneous fees</b>	
Hourly rate (number of hours)	\$78.00
Other heat/cool/vent/appliance, not indicated	\$12.00
<b>Commercial installations Valuation: \$ _____</b>	
Up to \$3,500	\$60.00
\$3,501 to \$10,000 – for 1 <sup>st</sup> \$3,500	\$60.00
plus \$1.20/\$100 or portion thereof above \$3,500	
Over \$10,001 – for 1 <sup>st</sup> \$10,000	\$138.00
plus \$3.00/\$1000 or portion thereof above \$10,000	
<b>Minimum Permit Fee</b>	\$60.00
Plan review, if req – 50% of subtotal	

## PLUMBING PERMIT

### Residential

New single family dwelling 1 bath/1 kitchen – incl's 1 <sup>st</sup> 100' of ea site utility, hose bibbs, icemakers, underfloor low-point drains, and rain drain	\$252.00
Ea additional bath (1/2 bath counts as whole)	\$90.00
Ea additional kitchen	\$60.00
Ea additional 100' of site utilities or fraction thereof	\$36.00
Each fixture – Addition/Alteration – <i>complete fixture list on reverse &amp;</i>	\$24.00

### Manufactured dwellings

Site utilities -1 <sup>st</sup> 30 lineal ft <i>included in Manuf. Home Permit</i>	N/A
Ea additional 100' of site utilities or fraction thereof	\$36.00

### RV & manufactured dwelling parks

Base fee (incl. the first 10 or fewer spaces)	\$384.00
Each additional space	\$33.00

### Commercial

Site utilities ea. 100' or fraction thereof	\$36.00
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### Residential Fire Sprinkler 13D (Fee includes Plan Review)

0 to 2000 sq ft, area covered	\$98.00
2001 to 3600 sq ft, area covered	\$103.50
3601 to 7200 sq ft, area covered	\$139.75
7201 sq ft and greater	\$186.25

### Miscellaneous fees

Backflow device/backwater valve	\$24.00
Reinspection/each	\$78.00
Inspections which no fee specified/hour	\$78.00

Requested by government agency under ORS 190

As agreed

**Medical gas piping Valuation: \$ \_\_\_\_\_**

# BCD FEE SCHEDULE

\$1 to \$10,000	\$270.00
\$10,0001 and up - \$270 for the 1 <sup>st</sup> \$10,000 <i>plus \$1.80 for ea addt'l \$100</i>	
<b>Fixture List – RES &amp; COM</b>	
Absorption valve	\$24.00
Alternate potable water heating system	\$24.00
Catch basin or area drain	\$24.00
Clothes washer	\$24.00
Dishwasher	\$24.00
Drinking fountain	\$24.00
Drywell, leach line or trench drain	\$24.00
Ejectors/sump pump	\$24.00
Expansion tank	\$24.00
Fixture cap	\$24.00
Floor drain/floor sink/hub drain	\$24.00
Garbage disposal	\$24.00
Hose bib	\$24.00
Ice maker	\$24.00
Primer	\$24.00
Septic abandonment	\$24.00
Sink/basin/lavatory	\$24.00
Swimming pool piping	\$24.00
Tub/shower/shower pan	\$24.00
Urinal	\$24.00
Water closet	\$24.00
Water heater	\$24.00
<b>Commercial Fixtures Only</b>	
Interceptor/grease trap	\$24.00
Manholes	\$24.00
Roof drain	\$24.00

**12% Surcharge is added to each permit**



## MOTION

**SUBJECT:** Fee Schedule Ordinance

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**NO CHANGES:** I move to approve Ordinance 21-001 in the matter of Amending the Wasco County Uniform Fee Schedule.

**WITH CHANGES (BE SPECIFIC):** I move to approve Ordinance 21-001 in the matter of Amending the Wasco County Uniform Fee Schedule with the following changes:

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_



## AGENDA ITEM

### Executive Session

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[PURSUANT TO ORS 192.660\(2\)\(G\) TRADE NEGOTIATIONS/192.660\(2\)\(H\) CONSULTING WITH LEGAL COUNSEL](#)

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[NO DOCUMENTS HAVE BEEN SUBMITTED FOR THIS ITEM – RETURN TO AGENDA](#)

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## AGENDA ITEM

### Vacation of Planning Appeal Decision

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[REQUEST LETTER](#)

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[VACATION RESOLUTION](#)

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[MOTION LANGUAGE](#)

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**Ty K. Wyman**

Admitted in Oregon and Washington  
twyman@dunn-carney.com

**Direct** 503.417.5478

September 16, 2021

**Via E-mail:** [kcampbell@campbellphillipslaw.com](mailto:kcampbell@campbellphillipslaw.com)

Kristen Campbell  
Wasco County Counsel  
P.O. Box 2449  
The Dalles, OR 97058

Re: Union Pacific - Mosier Double Track Project  
County File No.: PLASAR-15-01-0004  
Our File No.: UNI45-86

Dear Kristen:

As you know, we represent Union Pacific Railroad Co., applicant for the referenced Scenic Area Review permit. The County signed on Sept. 1 a Settlement and Release Agreement with UPRR, the Gorge Commission, the Columbia River Treaty Tribes, and three interest groups. Pursuant to Section 2.5(a) thereof, UPRR hereby withdraws the application it tendered for the referenced permit (dated Jan. 9, 2015) and asks the County to vacate its resulting decisions (dated Sept. 26, 2016, by the Planning Commission, and dated Nov. 11, 2016, by the Board of Commissioners).

Thank you for your ongoing assistance. I plan to follow up with you regarding fulfillment of this request. Should you have any questions in the interim, please do not hesitate to call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Ty K. Wyman", is written over a light blue rectangular background.

Ty K. Wyman

TKW:car

cc: Josh Newton: [jn@karnopp.com](mailto:jn@karnopp.com)  
Brent H. Hall: [brenthall@ctuir.org](mailto:brenthall@ctuir.org)  
Marcus Shirzad: [marcus@yakamanation-olc.org](mailto:marcus@yakamanation-olc.org)  
Gary Kahn: [gkahn@rke-law.com](mailto:gkahn@rke-law.com)  
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Client Team

DCAPDX\3947774.v1



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF VACATING THE DECISION IN THE WASCO COUNTY BOARD OF COMMISSIONERS LAND  
USE PLANNING CASE PLASAR-15-01-000

**RESOLUTION #21-008**

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

WHEREAS, on January 9, 2015, Union Pacific Railroad Company ("UPRR") submitted an application ("Application") to Wasco County for the expansion of an existing railroad siding on either side of Mosier, Oregon ("Mosier Project"); and

WHEREAS, on September 26, 2016 the Wasco County Planning Commission approved the Application subject to certain conditions of approval; and

WHEREAS, on November 2, 2016, the Wasco County Board of Commissioners ("Wasco County BOC") determined that the Mosier Project adversely affected the subject Treaty Tribes' treaty-reserved rights in violation of the Columbia Gorge National Scenic Area Act and its corresponding Wasco County National Scenic Area Land Use Development Ordinance and denied the application on that basis ("Wasco County's Decision"); and

WHEREAS, UPRR appealed Wasco County's Decision to the Columbia River Gorge Commission ("Gorge Commission") which affirmed Wasco County's Decision; and

WHEREAS, UPRR appealed the Gorge Commission's decision to the Oregon Court of Appeals ("COA") in Case No. 166300 (pending); and

WHEREAS, UPRR also commenced United States District Court ("District Court") Case No. 3:17-cv-00038 seeking further review of the Mosier Project. The District Court dismissed the action based on the failure to join the Treaty Tribes as parties, whom the court determined were necessary and indispensable to the action; and

WHEREAS, UPRR commenced the Ninth Circuit Case No. 17-35207 (pending) challenging the District Court's decision; and

WHEREAS, the COA appeal and the Ninth Circuit appeal have been stayed and/or abated while the Parties participated in mediation; and

WHEREAS, pursuant to the mediation, the Parties entered into a Settlement Agreement ("Agreement") dated September 1, 2021 to resolve the claims between them pertaining to Mosier Project;

WHEREAS, pursuant to the Paragraph 2.3(a) of the Agreement, UPRR has withdrawn the Application; and

WHEREAS, pursuant to Paragraph 2.5(a) UPRR has requested that the Wasco County BOC vacate its November 11, 2016 decision and the September 26, 2016 decision of the Planning Commission.

NOW, THEREFORE, IT IS HEREBY RESOLVED: Pursuant to Paragraph 2.3(a) of the Agreement, the Wasco County Board of Commissioners hereby recognizes that the Application has been withdrawn; and

IT IS HEREBY FURTHER RESOLVED: Pursuant to Paragraph 2.5(a) of the Agreement, the Wasco County Board of Commissioners hereby vacates its November 11, 2016 decision and the September 26, 2016 Planning Commission decision.

DATED this 6<sup>TH</sup> day of October, 2021.

APPROVED AS TO FORM

Wasco County Board of Commissioners

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Kristen Campbell, County Counsel

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Scott C. Hege, Chair

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Kathleen B. Schwartz, Vice-Chair

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Steven D. Kramer, County Commissioner



## **MOTION**

**SUBJECT:** Vacation of Planning Appeal Decision

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I move to approve Resolution 21-008 vacating the decision in the Wasco County Board of Commissioners Land Use Planning Case PLASAR-15-01-000.



## AGENDA ITEM

### VSAC Funding Request

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[VIETNAM MEMORIAL FAQs](#)

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[VIETNAM MEMORIAL CONCEPT AND DESIGN](#)

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[FUNDING REQUEST](#)

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## Vietnam War Memorial on the Oregon State Capitol Grounds

*"Let us honor our warriors and remember the fallen"*

### FAQ's

#### Frequently Asked Questions about the Vietnam War Memorial on the Oregon State Capitol Grounds

##### **How much will it cost?**

We currently are estimating the cost at 2.7 million dollars.

##### **Where will it be located?**

The location of the Vietnam War Memorial on the Oregon State Capitol Grounds will be in the southwest sector; west of the Capitol building and south of the Oregon World War II Memorial.

##### **When will it be built?**

We hope to have this Memorial completed by Veterans Day, 2023. This is conditional upon receiving the needed funding.

##### **I am from a different state. Who is this Vietnam Memorial to honor?**

We intend for this Memorial to honor all who served in Vietnam and all who served during the Vietnam Era. The Memorial Stone will honor those from Oregon who died.

##### **Whose names will be on the Memorial Stone in the Vietnam War Memorial on the Oregon State Capitol Grounds?**

The Memorial Stone will list the names of the Oregonians who died in Vietnam. The list to be used is provided by the Department of Defense based upon the Home of Record.

##### **Can family or friends request that a name of a military member killed in Vietnam be included on the Memorial Stone who has a Home of Record outside of Oregon?**

Yes. Any such request must include evidence that the subject military member attended High School in Oregon before joining the Military. The Vietnam War Memorial Fund Steering Committee will review each request for compliance of this stipulation. If approved by the Steering Committee, that name will appear on the Memorial Stone with a marking to designate a Home of Record outside of Oregon.



## Vietnam War Memorial on the Oregon State Capitol Grounds

*"Let us honor our warriors and remember the fallen"*

# Concepts and Design

The design for the Vietnam War Memorial on the Oregon State Capitol Grounds is shown on this page. After eighteen months of research and meetings, our Steering Committee accepted and adopted this design on July 31, 2019. The layout design was approved by the Oregon State Parks and Recreation Commission on February 25, 2021. The Memorial Site has been set aside by state statute.

The Memorial will be located in the southwest corner of Willson Park in Salem, Oregon. This is one of two parks that surround the State Capitol Building. The Memorial elements and attributes are described below. You can also [view an image of the design plan here by clicking here](#).

### 1. Memorial Monument

The Memorial Monument is a set of black granite columns that will include names of all Oregonians who died in Vietnam listed by their home of record. It will include a salute to all branches of the military. In addition, one of the columns will contain a tribute to those who served in Vietnam and suffered in our homeland because of that service.

### 2. Brothers Benches

Four benches will honor the Oregon Vietnam Double Gold Star families. The Oregonians that lost two sons in Vietnam are the Rowden, Wright, Evans and Johnson families.

### 3. MIA - POW Stations

These stations will honor all Missing in Action (MIA) and Prisoners of War (POW) from all conflicts.

#### **4. Nurses Station**

A sculpture by Oregon artist Rip Caswell depicts a nurse attending to a wounded soldier.

#### **6. Water Feature**

A swale using natural irrigation will feature vegetation similar to Vietnam native grasses and vegetation.

#### **7. A Soldier's Return**

A sculpture by Oregon artist Libby Carruth depicts the struggles of the returning Vietnam warriors.

#### **8. Meeting & Gathering Station**

A large area near the Vegetation and Water Feature will be used for gatherings and discussions. This area will be conducive to Vietnam veterans sharing their experiences and other events. Plans include electrical outlets for a public address system.

#### **9. Persian Gulf War Memorial**

A memorial stone will be placed to honor the six Oregonians who died in Operation Desert Storm.

#### **10. Gold Star Families Memorial Monument**

A memorial plaque will honor the 6,000+ Oregon Gold Star Families.

#### **11. Purple Heart State Plaque**

A display will honor all Purple Heart recipients from Oregon.

#### **12. Virtual Vietnam War History and Memorial Interpretation**

In addition to displays within the Memorial, an "In The Cloud" system will be available for visitors to enhance their visit to the Oregon Vietnam War Memorial.

[Virtual Tour of the Proposed Vietnam War Memorial on the Oregon State Capitol Grounds](#)

[Endorsements](#)





## Vietnam War Memorial on the Oregon State Capitol Grounds

*"Let us honor our warriors and remember the fallen"*

September 8, 2021 via email

Commissioner Schwartz,

In July, I sent you a letter with information about the Vietnam War Memorial on the Oregon State Capitol Grounds. Since that writing, we are able to advise that we have great news!

The governor signed Senate Bill 319 in July. This bill establishes a Vietnam War Memorial on the Oregon State Capitol Grounds to the south of the World War II Memorial. In February, the Oregon Parks and Recreation Commission approved the design for the Vietnam War Memorial on the Oregon State Capitol Grounds.

The major permissions are now in place to allow this project to come to fruition.

You can see the design at: <http://vietnamwarmemorialfund.org/>

Many counties made a significant contribution to the World War II Memorial which was dedicated in 2014.

We are asking each county to honor their Vietnam Veterans and their families by contributing to the Vietnam Memorial as they can. To date, Lincoln, Linn and Klamath counties have contributed. We are grateful for their support!

Will you consider following their lead?

If you have any questions, please feel free to contact me.

I look forward to hearing from you.

Steve Bates  
President  
Vietnam War Memorial Fund  
P O Box 1448  
Boring, Oregon 97009  
(503) 663-6271



## AGENDA ITEM

### **Shaniko City Council Appointments**

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[NOTICE OF COUNCIL VACANCIES](#)

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[QUALIFICATION FORM](#)

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## NOTICE OF APPOINTMENT OF CITY OF SHANIKO COUNCIL MEMBERS

Due to the resignation of the entire City Council, the Wasco County Board of County Commissioners will appoint three persons to serve as the City Council and conduct business on the City's behalf pursuant to ORS 221.160(2). **The appointments will be discussed at the October 6, 2021 BOCC session** via Zoom.

*Zoom link is available on the Wasco County website on this page:*

[https://www.co.wasco.or.us/departments/board\\_of\\_county\\_commissioners/agenda\\_board\\_packet\\_and\\_minutes.php](https://www.co.wasco.or.us/departments/board_of_county_commissioners/agenda_board_packet_and_minutes.php)

Anyone interested in being considered for appointment should submit an application to Wasco County **no later than 4 pm on October 5, 2021.**

Applications can be mailed to:

Wasco County Board of Commissioners

ATTN: Kathy Clark

511 Washington St, Suite 101

The Dalles OR 97058

or email to [kathyc@co.wasco.or.us](mailto:kathyc@co.wasco.or.us), or fax to 541-506-2551. You can also deliver to the Wasco County Clerk's Office, Suite 201 in the courthouse, M-F 9 am-noon and 1-4pm.

*Applications are available at the Shaniko City Hall and Post Office, or by contacting Kathy Clark at the email address above. Questions? Call Lisa Gambee at 541-506-2535.*

## INFORMATION AND QUALIFICATION FORM

### City of Shaniko, City Council

#### APPOINTED VOLUNTEER POSITION

#### BACKGROUND

Due to the resignation of the entire city council, the Wasco County Board of County Commissioners will appoint three persons to serve as the City Council and conduct business on the City's behalf pursuant to ORS 221.160(2). Appointed positions will have a term that ends the first Monday in January, 2023.

All elected positions for the City of Shaniko will go on the ballot again for the November 8, 2022 General Election due to the vacancies and appointments.

Anyone interested in being considered for appointment should submit this application to Wasco County by **4 pm on October 5, 2021**. Applications can be mailed, faxed or emailed per the instructions on the back.

#### APPLICATION

Please provide personal qualifications for the specific volunteer position in the area below. Supplementary information may be attached. Do not provide confidential information.

**POSITION DESCRIPTION:** Per City of Shaniko charter, City Council members must be a registered voter of the City and have resided in the City continuously for a twelve (12) month period immediately preceding the appointment. The three people appointed to fill the quorum will have all powers of the City, and can appoint to fill the remaining available positions. The term of the appointments ends the first Monday in January 2023.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone (home) \_\_\_\_\_ Phone (work) \_\_\_\_\_

E-mail address: \_\_\_\_\_

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

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

Number of years as a City of Shaniko resident: \_\_\_\_\_

Why do you want to serve on the City of Shaniko City Council?

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

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

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

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

**General Comments (vocational/professional licenses, awards, recognition, etc.)**

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

**Do you have any conflicts of interest?**

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

**Are there comments you wish to make that would help us in our decision regarding appointing you as a City of Shaniko City Councilor?**

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

**Send the completed form no later than 4 pm on October 5, 2021 to:**

Wasco County Board of Commissioners  
ATTN: Kathy Clark  
511 Washington St, Suite 101  
The Dalles, OR 97058

Or email a copy to [kathyc@co.wasco.or.us](mailto:kathyc@co.wasco.or.us) , or fax to 541-506-2551. You can also deliver to the Wasco County Clerk's Office, Suite 201 in the courthouse, Monday-Friday, 9 am-noon and 1-4pm.

*Additional comments or a resume may be attached to the application.*



## AGENDA ITEM

### **Opioid Settlement**

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[MOU REGARDING THE ALLOCATION OF POTENTIAL OPIOID SETTLEMENT FUNDS](#)

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[MOTION LANGUAGE](#)

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# **Memorandum of Understanding between the Cities and Counties of Oregon Regarding Allocation of Potential Opioid Settlement Funds**

## **I. RECITALS**

- A. Whereas the people of the cities and counties of Oregon have been harmed by malfeasance and misfeasance committed by certain entities within the Pharmaceutical Supply Chain (including, but not limited to, “McKesson, Cardinal Health, AmeriSourceBergen and Jansen Pharmaceuticals, and its parent Johnson & Johnson”);
- B. Whereas certain cities and counties, through their elected representatives and counsel, have filed lawsuits and been engaged in long-standing litigation (the “Litigating Entities”) against certain entities committing malfeasance against the people of the cities and counties of Oregon;
- C. Whereas certain entities named above and charged with malfeasance have made offers to settle the claims brought by the Litigating Entities *and* to settle the claims of the remaining cities and counties of Oregon (“Non-litigating Entities”);
- D. Whereas the Litigating Entities and the Non-litigating Entities of Oregon (collectively, “Participating Local Governments”) share a common desire to abate and alleviate the impacts of the misfeasance and malfeasance of opioids throughout the cities and counties of Oregon;
- E. Whereas the Participating Local Governments are the entities primarily responsible for addressing the harms caused by the opioid epidemic in Oregon, now and in the future, the Participating Local Governments desire for settlement funds from the litigation to be paid directly to the cities and counties and not pass through the State of Oregon;

- F. Whereas the Participating Local Governments desire that any settlement funds be used to directly address the opioid epidemic and funds be protected through accountability and protection from mismanagement, transfers and use of funds must be accounted for using as a basis the Generally Accepted Principles of Accounting (GAAP) as modified and interpreted by the Governmental Standards Board (GASB), Oregon Budget Law and reviewed periodically by an independent national Certified Public Accounting firm;
- G. Whereas the State of Oregon chose not to file lawsuits against certain entities within the Pharmaceutical Supply Chain, have no cognizable legally filed claims pending against those entities, and do not primarily offer opioid treatment and abatement as the cities and counties do, the vast majority of settlement funds for abatement should be paid to the Participating Local Governments that will actually expend the resources to address the opioid epidemic;
- H. Whereas the State of Oregon has refused to engage in meaningful negotiations regarding potential allocation of settlement funds between the State of Oregon and the Participating Local Governments, and insist the majority of potential settlement funds be administered at the state level, the Participating Local Governments will act independently in litigating or resolving its claims against members of the Pharmaceutical Supply Chain;
- I. Now therefore, the Participating Local Governments enter into this Memorandum of Understanding (“MOU”) relating to the allocation and use of the proceeds of any opioids settlements. Namely, any settlement proceeds intended for the Participating Local Governments to abate the opioid crisis should be paid directly to the Participating Local Governments and not pass through or be unnecessarily reduced by the State of Oregon;
- J. Now therefore, this MOU has been drafted collaboratively to jointly engage in negotiations regarding allocation with the State of Oregon regarding potential settlement funds and engage the Pharmaceutical



Supply Chain regarding the manner in which settlement funds, if any, are paid to the Participating Local Governments;

- K. This MOU is drafted to maintain all Participating Local Governments' existing or potential legal claims (to the extent legally cognizable) while allowing parties to cooperate in exploring all possible means of resolution;
- L. Nothing in this MOU should alter or change the right of any Participating Local Government to pursue its own claims. The purpose of this MOU is to join the Participating Local Governments to negotiate an allocation agreement with the State, engage the Pharmaceutical Supply Chain participants in possible settlement, or continue litigation against the Pharmaceutical Supply Chain participants;
- M. County Counsels and City Attorneys will bring any allocation agreement with the State or proposed settlement agreement with the Pharmaceutical Supply Chain participants to its respective Board for final approval.

## **II. OPIOID REMEDIATION AND USE OF FUNDS**

There is no dispute between the cities, counties, other state subdivisions, and all states of the United States that opioid funds obtained through settlement or verdict against the Pharmaceutical Supply Chain, less administrative costs, must be used exclusively for opioid abatement and must not be directed to non-remediation uses.

As discussed above, there is dispute between the Oregon Participating Local Governments and the State of Oregon as to allocation of any potential settlement proceeds paid by the Pharmaceutical Supply Chain participants.

## **III. DIVISION OF POTENTIAL SETTLEMENT FUNDS AMONG AND BETWEEN OREGON PARTICIPATING LOCAL ENTITIES**

- A. Under the proposed settlement agreements by the Pharmaceutical Supply Chain participants and by Order of Judge Polster, the Multi-District Litigation (MDL) judge, allocation of funds between local entities in Oregon, and throughout the various subdivisions in the

United States, shall be made pursuant to a court approved allocation model that takes into account the impact of the opioid epidemic on specific local entities.

- B. Under the proposed settlement agreements, the division of funds will generally be made as follows:
1. **Step 1** - The division of funds identified in Section II among the Local Entities within Oregon shall be distributed in accordance with the “Allocation Model” contained in the Distributor Master Settlement Agreement and J&J Master Settlement Agreement. The Allocation Model uses three factors, based on reliable, detailed, and objective national data, to determine the share that each county and city will receive. These factors address the most critical causes and effects of the opioid crisis and are weighted equally (1/3, 1/3, 1/3): (1) the amount of opioids shipped to the county and city; (2) the number of opioid deaths that occurred in that county and city; and (3) the number of people who suffer opioid use disorder in that county and city. As for jurisdictions in the state of Oregon, the allocation percentages are coincidentally similar to population percentages for most counties.
  2. **Step 2** - Counties and the incorporated cities and towns within their territory may distribute the funds allocated among themselves in any alternative manner the entities choose. For example, if specific cities and counties decide to distribute funds directly to the county for abatement, the entities may do so. If the county and cities cannot agree on how to allocate the funds, the Allocation Map reflects a default allocation that will apply.
  3. **Step 3** - If the default allocation is used and a county’s or city’s share is less than a certain amount, annually, then that amount will instead be distributed to the county in which the city lies to be used for the benefit of county residents, including those who resided in that city.

#### **IV. DISBURSEMENT PROCESS FOR OPIOID ABATEMENT UNDER PROPOSED AGREEMENTS**

The Participating Local Governments will report to their governing bodies on the expenditure of all National Opioid Settlement Funds, and report to the MDL Court pursuant to Court Order.

#### **V. ATTORNEY FEES AND ADMINISTRATIVE COSTS UNDER THE PROPOSED SETTLEMENT AGREEMENTS**

- A. In no event will Participating Local Governments pay attorney fees or costs in excess of the Contingency Cap Order of MDL Judge Polster, dated August 6, 2021. The purpose of Judge Polster's Order is to maximize the funds going directly to opioid abatement.
- B. Any governmental entity that seeks attorney fees and costs from the potential settlement of litigation described herein against the Pharmaceutical Supply Chain shall seek those fees and expenses first from a national Common Benefit Fund, and second, from a Back-Stop Fund to be created by the Oregon Participating Local Governments. In addition, the parties agree that the Oregon Participating Local Governments will create a supplemental fund (the "Backstop Fund") for attorney fees and costs not paid by the national Common Benefit Fund.
- C. Any payments described in V. above shall be paid at the time and dates stated in the Distributor Master Settlement Agreement, or in accordance with the MDL Court Order.

#### **VI. COUNTERPARTS, ELECTRONIC SIGNATURES, AND AUTHORITY TO SIGN**

- A. This MOU may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- B. The Parties approve the use of electronic signatures for execution of this MOU. The Parties agree not to deny the legal effect or enforceability of the MOU solely because it is in electronic format.

- C. Each party represents that all procedures necessary to authorize such Party's execution of this MOU have been performed and that the person signing for such Party has been authorized to execute the MOU.
- D. In the event any provision or part of this MOU is found to be invalid or unenforceable, only that particular provision or part so found, and not the entire MOU, will be inoperative.
- E. This MOU contains the entire agreement between the Parties and supersedes and cancels all previous negotiations and agreements, if any.

(Signatures on Following Pages)

**BAKER COUNTY**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Kim Mosier  
County Counsel

**BENTON COUNTY**

Dated: 9/13/2021 | 10:34 AM PDT  
\_\_\_\_\_

\_\_\_\_\_  
*Vance M. Croney*  
Vance Croney  
County Counsel

**CLACKAMAS COUNTY**

Dated: 9/14/2021 | 9:00 AM PDT  
\_\_\_\_\_

\_\_\_\_\_  
*Stephen Madkour*  
Stephen Madkour  
County Counsel

**CLATSOP COUNTY**

Dated: 9/14/2021 | 8:19 AM PDT  
\_\_\_\_\_

\_\_\_\_\_  
*Joanna Lyons-Antley*  
Joanna Lyons-Antley  
County Counsel

**COLUMBIA COUNTY**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Sarah Hanson  
County Counsel

**COOS COUNTY**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Nathaniel Greenhalgh-Johnson  
County Counsel

**CROOK COUNTY**

Dated: 9/21/2021 | 11:26 AM PDT  
\_\_\_\_\_

\_\_\_\_\_  
*Eric Blaine*

Eric Blaine  
County Counsel

**CURRY COUNTY**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Anthony Pope  
County Counsel

**DESCHUTES COUNTY**

Dated: 9/10/2021 | 7:15 AM PDT  
\_\_\_\_\_

\_\_\_\_\_  
*David Doyle*

David Doyle  
County Counsel

**DOUGLAS COUNTY**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Paul Meyer  
County Counsel

**GILLIAM COUNTY**

Dated: 9/15/2021 | 4:16 PM PDT

*Carrie Connelly*

Carrie Connelly  
County Counsel

**GRANT COUNTY**

Dated: 9/14/2021 | 5:07 PM PDT

*Dominic Carollo*

Dominic Carollo  
County Counsel

**HARNEY COUNTY**

Dated: 9/14/2021 | 5:07 PM PDT

*Dominic Carollo*

Dominic Carollo  
County Counsel

**HOOD RIVER COUNTY**

Dated: 9/13/2021 | 10:23 AM PDT

*Lisa Knight Davies*

Lisa Knight Davies  
County Counsel

**JACKSON COUNTY**

Dated: \_\_\_\_\_

Joel Benton  
County Counsel

**JEFFERSON COUNTY**

Dated: 9/17/2021 | 9:15 AM PDT

*Alexa Gassner*

Alexa Gassner  
County Counsel

**JOSEPHINE COUNTY**

Dated: 9/14/2021 | 2:54 PM PDT

*Wally Hicks*

Wally Hicks  
County Counsel

**KLAMATH COUNTY**

Dated: 9/14/2021 | 9:13 AM PDT

*Marcus Henderson*

Marcus Henderson  
County Counsel

**LAKE COUNTY**

Dated: 9/16/2021 | 8:22 AM PDT

*Jim Bailey*

Jim Bailey  
County Counsel

**LANE COUNTY**

Dated: 9/10/2021 | 6:25 AM PDT

*Stephen Dingle*

Stephen Dingle  
County Counsel



**LINCOLN COUNTY**

Dated: 9/13/2021 | 9:33 AM PDT

*Kristin Yullie*

Kristin Yullie  
County Counsel

**LINN COUNTY**

Dated: 9/14/2021 | 2:25 PM PDT

*Eugene T. Karandy II*

Gene Karandy  
County Counsel

**MALHEUR COUNTY**

Dated: 9/10/2021 | 9:13 AM PDT

*Stephanie Williams*

Stephanie Williams  
County Counsel

**MARION COUNTY**

Dated: 9/23/2021 | 5:37 PM PDT

*Jane Vetto*

Jane Vetto  
County Counsel

**MORROW COUNTY**

Dated: 9/10/2021 | 10:42 AM PDT

*Justin Nelson*

Justin Nelson  
County Counsel

**MULTNOMAH COUNTY**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Jenny Madkour  
County Counsel

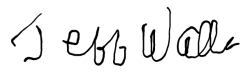
**POLK COUNTY**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Morgan Smith  
County Counsel


**SHERMAN COUNTY**

Dated: 9/9/2021 | 7:13 PM PDT  
\_\_\_\_\_

\_\_\_\_\_  
  
Jeff Wallace  
County Counsel

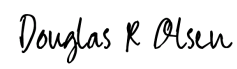
**TILLAMOOK COUNTY**

Dated: 9/15/2021 | 10:03 AM PDT  
\_\_\_\_\_

\_\_\_\_\_  
  
Joel Stevens  
County Counsel

**UMATILLA COUNTY**

Dated: 9/28/2021 | 2:07 PM PDT  
\_\_\_\_\_

\_\_\_\_\_  
  
Doug Olsen  
County Counsel

**UNION COUNTY**

Dated: 9/10/2021 | 11:54 AM PDT

Wyatt Baum

Wyatt Baum  
County Counsel

**WALLOWA COUNTY**

Dated: 9/16/2021 | 9:03 AM PDT

Paige Sully

Paige Sully  
County Counsel

**WASCO COUNTY**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Kristen Campbell  
County Counsel

**WASHINGTON COUNTY**

Dated: 9/20/2021 | 10:36 AM PDT

Brad Anderson

Brad Anderson  
County Counsel

**WHEELER COUNTY**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Kristen Campbell  
County Counsel

**YAMHILL COUNTY**

Dated: 9/16/2021 | 8:07 AM PDT

*Christian Boenisch*

Christian Boenisch  
County Counsel



## MOTION

**SUBJECT: Opioid MOU**

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I move to approve the Memorandum of Understanding between the Cities and Counties of Oregon Regarding Allocation of Potential Opioid Settlement Funds.



## AGENDA ITEM

### Executive Session

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[PURSUANT TO ORS 192.660\(2\)\(H\) CONSULTING WITH LEGAL COUNSEL](#)

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[NO DOCUMENTS HAVE BEEN SUBMITTED FOR THIS ITEM – RETURN TO AGENDA](#)

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## MEMORANDUM

**SUBJECT: Fee Schedule Update**

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TO: WASCO COUNTY BOARD OF COMMISSIONERS, TYLER STONE

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FROM: KELLY HOWSLEY-GLOVER, INTERIM PLANNING DIRECTOR

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DATE: 10/1/2021

Based on the Board of County Commissioner Work Session conversation (9/29/21) I have analyzed the current Planning Department fees against staff time tracking data to determine the rates of subsidy.

This analysis requires the following disclaimers: fees are determined by the average time (based on available time tracking data) it takes staff to complete a specific type of review. Some review types did not have enough data to represent a statistically significant average. Therefore the numbers do not represent a whole picture of actual subsidies or costs affiliated with reviews.

For the County, the calculated average subsidy rate is 25%. The calculated average subsidy rate for the National Scenic Area is currently 50.5%. To provide some additional context for this gap, it's important to state that we haven't had a significant revision to our fees since 2014. In those seven years, we have seen the following shifts that have increased staff time necessary to review National Scenic Area permits: changes adopted from the last Management Plan update that have increased analysis requirements; increased litigation risk resulting in additional noticing, analysis, comment responses, etc.; a constrained property market resulting in more problematic properties/complex applications. It is likely these changes have resulted in significant increases in time for staff to review development applications, widening the gap between subsidy rates so that the National Scenic Area is, on average, subsidized at a rate that is double non Scenic Area lands.

These factors of change also influence the other work that we do that is not fee supported. As indicated by our annual reporting to the Department of Land Conservation and Development for reimbursement related to the National Scenic Area grant, the grant award typically covers half of our calculated expenses to administer the National Scenic Area Program. The Planning Director has traditionally itemized the following expenses: staff time to process permits, code enforcement actions, special projects and legislative action, public outreach, and National Scenic Area specific meetings. The itemization does not include the following: customer service and

inquiries; staff time to coordinate complex applications or topics; working with applicants on complex projects to ensure complete applications; Planning Director review; and legal fees. Legal fees are disproportionately accrued for National Scenic Area issues due to the complexity and high litigation risk, and represent a significant cost to Wasco County. I estimate that, except for legal fees, these additional services costs an additional \$15,000 to \$25,000 a year.

Customer service involves aspects relevant to non-National Scenic Area residents, but also involves additional work including: advising on visual subordination regulations to help customers prepare an application and helping applicants produce detailed site plans. Even when staff limits the amount of unpaid work they do on behalf of citizens, the average expenditure of time between NSA and non-NSA typically favors NSA.

We anticipate the permitting work will increase in complexity and required time with many of the updates to the National Scenic Area Management Plan. Wasco County should anticipate additional time required to: work with customers to understand the new Building in the Scenic Area guide; options with new no loss wetland policy and removal of many variances; increased litigation risk over site plans; requirement to advise on Firewise principles; and the requirement to evaluate conditions of approval related to vegetative screening five years after approval. These are new aspects of implementing the program that we don't have time tracking data. I think it is fair to project that this will increase the average time of applications by at least five hours.

Understanding the difficulties with making a fair comparison between National Scenic Area and non-NSA planning programs, if the Board elects to pursue a fee increase for expedited and full reviews at a subsidy rate of 25%, consistent with non-NSA permits, the respective fees would be \$1,332 and \$2,996. If you consider the average additional time required, following the Management Plan update, the fees would be \$1,433 and \$3,194.

While I recognize these fees are a substantial increase from current fees, these increases are necessary to maintain the current level of service citizens expect from Wasco County. If the Board of County Commissioners feels these fees will unnecessarily burden residents, I would remind you that per the Columbia River Gorge Commission (CRGC), they do not charge permitting fees. We provide the service, which is not statutorily required, to best serve our residents, but it is considered a "special service...to meet the needs of citizens who have requests outside core services" (Uniform Fee Schedule). While residents would still have to submit a joint permit for Wasco County review, in the case CRGC implemented the Management Plan directly, its likely the complexity of local review would be substantially reduced, leading to fees more on par with current fees.



Without adjusting the fees by the recommended amount, it is likely the Planning Department would need to significantly reduce or charge for the many additional services we offer above statutory requirements, including free consultations, consulting over visual subordination, post application follow up, and necessary code updates.

Finally, I would encourage the Board to support future efforts to recommend legislative updates to the Oregon Revised Statutes to require the Columbia River Gorge Commission to be responsible for costs affiliated with mandatory updates to our Ordinance, including noticing citizens. This would be consistent with statutory requirements for the Department of Land Conservation and Development when mandatory amendments and noticing are required to local ordinances. DLCD has been very clear with the statutory obligations within the National Scenic Area for noticing residents commensurate with ORS 215.503, which CRGC has opted not to fulfill. As a result, Wasco County has been obligated to notice residents at the cost of \$2,000 to \$3,000 a notice. This comes out of our Department budget at the expense of other projected costs. With more anticipated mandatory updates, including current Climate Change work underway and amendments to the zoning maps, Wasco County should continue to advocate for transparency with our citizens consistent with Oregon state law but equally, should not be unduly burdened by unfunded mandates.