

**WASCO COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION / AGENDA WEDNESDAY, FEBRUARY 15, 2017**  
**LOCATION: Wasco County Courthouse, Room #302**  
**511 Washington Street, The Dalles, OR 97058**

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

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

**NOTE:** With the exception of Public Hearings, the Agenda is subject to last minute changes; times are approximate – please arrive early. **Meetings are ADA accessible.** For special accommodations please contact the Commission Office in advance, (541) 506-2520. TDD 1-800-735-2900. If you require an interpreter, please contact the Commission Office at least 7 days in advance. **Las reuniones son ADA accesibles.** Por tipo de alojamiento especiales, por favor póngase en contacto con la Oficina de la Comisión de antemano, (541) 506-2520. TDD 1-800-735-2900.

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

9:00 a.m.

**CALL TO ORDER**

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

- Corrections or Additions to the Agenda
- [Discussion Items](#) (Items of general Commission discussion, not otherwise listed on the Agenda: [Wasco County 2017 Fair Queen Raffle](#); [January Financial Report](#); [Appointments](#); [Pine Hollow Agreement](#); [Common Interest & Joint Defense Agreement](#))
- [Consent Agenda](#) (Items of a routine nature: minutes, documents, items previously discussed.): [Minutes- 2.1.2017 Regular Session](#); [Transportation Resolution](#)

9:30 a.m.      [GIS Fee Waiver Request](#) – Tycho Granville

9:40 a.m.      [North Wasco Park & Rec District: Immediate Opportunity Project Report](#) – Scott Baker

9:50 a.m.      [Economic Development Commission Enhancement Projects](#) – Carrie Pipinich

RECESS

*The following public hearing will be held in the Tygh Valley Community Center*  
*57594 Tygh Valley Rd, Tygh Valley, OR.*

6:00 p.m.      [SOAK Outdoor Mass Gathering Permit Application Public Hearing](#) – Dustin Nilson

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

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



WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
FEBRUARY 15, 2017

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

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

**Public Comment**

Richard Murray appeared before the Board to say that he has been trying to meet since last March about problems that he has. He said that he has been trying to do a minor partition since last August and in October was told by the Planning Director that on advice of counsel she could not speak with him. He said that he would like to have a meeting with Mr. Stone there and County Counsel; the meeting could be recorded. He said that he has also had some things happen with the Sheriff's Department. He stated that he talked on the radio. He stated that he threatened to shoot a deputy for not doing his job, but the deputy did his job. He said that he will send a letter explaining why it happened. He added that he has a neighbor that creates a problem for him as well. He said that years ago he had a subdivision that took five years to obtain. He said that the Road Master would not sign off on it. He stated that he had gotten into a fight and then proposed to settle the matter with guns. He said that they then signed his subdivision. He advised the Board to think that over.

Commissioner Hege said that he is not sure he understands – you tried to submit a minor partition? Mr. Murray replied that the Planning Department can't talk to him because he has filed suit but he stated that he has not filed suit. He said that he is not suing the County but has filed a tort to start the clock for resolution – it is not a suit.

Chair Runyon said he has not received any requests from Mr. Murray to talk to him. Mr. Murray said that he wants to talk to the Board together and on the record. He said that if Mr. Stone did not tell them that, he has not done his job.

#### **Discussion Item - Raffle**

Fair Board Member Ken Polehn said that this year's Fair Queen wants to hold a raffle for a 10-day stay at her grandmother's time share unit. He stated that the Queen has done the research but the Fair Board wants to make sure that it is being done correctly. He stated that Finance Manager Siri Olson has been in communication with the State Gaming Commission and counseled that the raffle must be conducted under the umbrella of Wasco County rather than the Fair Board; he is here to ask permission to do so.

Ms. Olson stated that the raffle has to be held under the County's tax-exempt status and we cannot raise more than \$10,000 in a calendar year. She added that we need to be fiscally responsible for the funds that are raised which is the reason for the log sheets; all the funds raised will come into the Finance Department and be deposited into the Queen's fund which is actually a line item within the Fair Fund.

Chair Runyon asked if there are other counties that do this. Mr. Polehn responded that there are some rodeos that hold raffles but he does not know of any other counties that are doing that. Ms. Olson concurred saying that some of the high schools hold raffles but she is not aware of another fair that does so.

Chair Runyon stated that he needs more information before putting the County in the position of being responsible for gaming activities. Ms. White noted that there will not be another Board session until March 15<sup>th</sup> which will be only two weeks before the Queen's silent auction, leaving little time to hold the raffle. Chair Runyon said that he would still like to know more.

Commissioner Hege said that in terms of raffles he does not really think of it as gaming. He asked if there are other issues for holding raffles versus an auction. Ms. Olson replied with the example of the Senior Center which holds bingo every week. Because they raise more than \$10,000 in a calendar year, they have to have a license. If we were not tax-

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exempt, we would have to have a license regardless of the amount of money raised. She said that accountability has been built into this raffle and we have communicated the rules to be followed.

Commissioner Hege asked if we have to file with the Gaming Commission. Ms. Siri replied that we do not but the raffle will be documented in the financial records which are audited annually. She stated that she does not expect the raffle proceeds to be substantial but it will probably be something that the auditors examine.

Chair Runyon said that it sounds t like there is enough time to delay the decision to gather more information.

Commissioner Kramer stated that the Fair Queen is responsible for raising her own funds to travel in representing the County and the Fair which is a unique circumstance for the County. He said that the Queen is a young lady of good standing and is doing well in representing the County. He stated that he thinks it is a great idea to move this forward – the funds raised are voluntary donations and not taxpayer dollars. He said that it is good for us and it is an educational piece for the Queen.

Chair Runyon stated that he wants time to look at the facts.

Commissioner Hege observed that based on Ms. Olson's conversation with the Gaming Commission; there is not a suggestion that we cannot hold the raffle. He said that his concern is the idea of the County engaging in "gaming." He pointed out that raffles are only successful if you can sell a lot of tickets. He said that he would not want to do it on a regular basis.

Mr. Stone said that it won't be branded as the County but needs to be done under our tax-exempt status to meet the State's requirements.

**{{{Commissioner Kramer moved to approve the Fair Board's request to hold a raffle as a fund raiser for the Queen's Fund. Commissioner Hege seconded the motion. Commissioners Kramer and Hege voted "yay;" Chair Runyon voted "nay." The motion passed.}}}**

Mr. Polehn announced that Clock Tower has run the Beer Garden at the County Fair, donating a portion of the proceeds to the Fair. He reported that they just presented the Fair Board with a donation check in the amount of \$5,000.

**\*\*\*The Board was in consensus to send a letter of appreciation to Clock Tower for**



**their support of the Fair.\*\*\***

Chair Runyon stated that this is the second meeting in a row where the Board has been asked to make a financially related decision under pressure of time. He stated that he wants more time for these types of decisions.

<b>Discussion Lists – Common Interest and Joint Defense Agreements</b>
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Mr. Stone explained that these are similar to an agreement signed at a previous session – it adds two more parties joining in the defense for the Union Pacific Railroad appeal; two more Tribes are entering into the agreement.

Commissioner Hege noted that this is an interesting situation where we find ourselves working with some groups that traditionally do not agree with our positions. He stated that his vote on the UPRR decision was not based on the testimony provided by these groups but we find ourselves on the same side.

**{{{Commissioner Kramer moved to approve the Common Interest and Joint Defense Agreement with the Yakama Tribes. Commissioner Hege seconded the motion which passed unanimously.}}}**

**{{{Commissioner Kramer moved to approve the Common Interest and Joint Defense Agreement with the Umatilla and Warm Springs Tribes. Commissioner Hege seconded the motion which passed unanimously.}}}**

<b>Agenda Item – GIS Fee Waiver Request</b>
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GIS Coordinator Tycho Granville stated that Cascade Utilities has requested GIS data to assist with their project; the fee for the data is \$415 for which they are requesting a waiver. He stated he has spoken with three of our GIS partners who are opposed to the waiver. He noted that the last request for a waiver was in 2013 and was denied.

Commissioner Hege said that there is no mention as to what the Board would base a decision to grant a waiver. Mr. Granville responded that the documents state only that it is at the discretion of the County.

Commissioner Hege noted that he had seen an earlier waiver request from Cascade Utilities for over \$1,000. Mr. Granville stated that the company had thought that if they were going to get the information for free, they might as well ask for more but have since

decided to reduce the request for only the information needed.

Commissioner Hege observed that this is a private company and he cannot see that a \$415 fee would stop the company's project. He said that he appreciates the services they will be offering in the more rural portions of the County – without a strong case, he cannot support the waiver, especially with our GIS partners in opposition.

Chair Runyon asked why they cannot get the information they need through our online interactive GIS map. Mr. Granville replied that they need the information in a format that can be imported into their own GIS system; they cannot get that through the online program.

**{{{Commissioner Hege moved to deny Cascade Utilities' request for a \$415 GIS fee waiver. Commissioner Kramer seconded the motion which passed unanimously.}}}**

#### **Discussion List – Pine Hollow Agreement**

County Clerk Lisa Gambie stated that this is the final document needed to allow South Wasco Park and Recreation District to own/lease properties at Pine Hollow Reservoir and apply for grant funding to support the repair of the boat ramps at the Reservoir. She stated that the agreement acknowledges that both Wasco County and Badger Irrigation District have entered into separate agreements with SWPRD to move this forward.

Commissioner Hege asked if County Counsel Kristen Campbell has reviewed the document. Ms. Gambie replied that she has.

Commissioner Hege noted that the deed shows him as Chair. Ms. White stated that it has been corrected.

**{{{Commissioner Hege moved to approve the Pine Hollow Agreement between Wasco County, South Wasco Park and Recreation District and Badger Irrigation District. Commissioner Kramer seconded the motion which passed unanimously.}}}**

#### **Agenda Item – NWPRD Immediate Opportunity Project Update**

North Wasco Park and Recreation District Executive Director Scott Baker stated that they have two ongoing projects using Enterprise Zone funding. He said that one is for

Movies in the Park. He stated that there will be an inflatable screen and they plan to have six movies over the course of the season. He stated that they are looking at Sirosis Park as one venue and perhaps using some of the school grounds to bring it to neighborhoods as a walk-to event.

Commissioner Hege asked about the licensing fees for movies. Mr. Baker replied that to get a recent movie, it is around \$350 for one night. He stated that it is an expense they have budgeted for and they will look for sponsors for the event. He said that it is usually not difficult to find sponsors for the movie events.

Mr. Baker went on to say that the Immediate Opportunity Project is to build shade structures at Thompson Skate Park and the Splash Park. He stated that some engineering challenges delayed installation and the weather has caused further delays. He stated that it is scheduled to go in before the 6-month deadline so he is hopeful that he will not have to ask for an extension.

Mr. Baker went on to say that they are building their summer schedule and anticipates a fun year. He said that he just started in this position in October; the community has been very welcoming and County staff has been wonderful to work with. Commissioner Hege pointed out that Mr. Baker was the assistant director in Hood River. He stated that these are great projects and he appreciates the report. He stated that he was on the interview committee and everyone was very excited to have Mr., Baker on board.

<b>Agenda Item – Economic Development Commission Enhancement Projects</b>
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MCEDD Project Manager Carrie Pipinich reviewed the report included in the Board Packet. She stated that they are beginning to flesh out the work plan for next year. She said that the ranking is a process in which the EDC Commissioners rank projects individually which is the beginning of the conversation. She stated that while they look at basic infrastructure, they are looking at readiness to proceed and thinking about equity across the County. EDC Chair Kathy Ursprung noted that outlying communities offer more opportunity to network and help with technology.

Ms. Pipinich stated that the EDC is seeking the Board's approval with any adjustments they may want to make.

Commissioner Hege said that he was at the ranking meeting and supports the work; he

stated that he has no changes. Chair Runyon commented that this process has come a long way in recent years. Commissioner Hege agreed saying there has been a good focus on economic development. Ms. Ursprung responded by saying that they continue to work on that process, moving it as close to perfection as they can.

Ms. Pipinich pointed out that the last two pages of the report show the progress of projects from last year. She said it was great to put it together and see the growth. She stated that the Enterprise Zone helped to move many of the projects forward.

Ms. Pipinich stated that the second piece in the packet looks at the broader conversation and committee structure. She stated that they want to have an active commission and are utilizing their skills and talents. She said that they have proposed a committee structure similar to last year. She noted that the big change is a widening of the Wamic group that has been looking at the water issues; they want to expand that to include the boat ramp issue.

Commissioner Kramer noted that Dufur Park and Recreation has accepted a bid and is ready to move forward with that Immediate Opportunity Project.

Commissioner Hege pointed out that Wasco County does not have any projects on the list. He stated that it is not that we do not have projects; we just need to organize them and start pursuing them. Ms. Pipinich said she would be happy to work with Mr. Stone on that. Mr. Stone commented that this was put out to the Management Team; we did not feel we were ready; we need to get through Strategic Planning first.

**{{{Commissioner Hege moved to approve the Economic Development Commission's Enhancement Projects Ranking List. Commissioner Kramer seconded the motion which passed unanimously.}}}**

<b>Discussion List – Financial Report</b>
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Ms. Olson reviewed the Finance Director's report included in the packet. She pointed out that the numbers are unaudited numbers and there may be differences based on the timing of transactions. She stated that we are 58% through the fiscal year and are on track. She noted that the few things that are off are due to grant timing or the collection of fees. She stated that NORCOR is at 66.2% of budget but that is largely due to the inclusion of their February fees being included in this calculation.



Chair Runyon commented that he very much likes the summary and would like to see an edited version of it posted to our website for the public.

Commissioner Kramer asked for an explanation of the term linear as it applies to the budget. Commissioner Hege stated that it refers to bills that are consistent in their amount rather than those that fluctuate such as utilities.

Commissioner Kramer pointed out that the Commission on Children and Families was shut down a few years ago and yet still appears in the budget. Ms. White explained that the Commission had been the parent to Youth Think which still operates; that item still houses the Youth Think budget.

Further discussion ensued regarding the need for that item to be renamed to more accurately reflect its current purpose.

Commissioner Hege observed that the Youth Think budget is at 25% for their revenue and asked if that is a concern. Ms. Olson stated that it is in part due to the timing of their grant funding. Mr. Stone added that we are supporting them more than we have in previous budgets and that was planned.

Further discussion ensued regarding the posting of the financial summary outside of the Commission minutes. Chair Runyon suggested that it would be a good conversation to have with the Finance Director upon his return.

#### **Discussion Lists – Appointments**

**{{{Commissioner Hege moved to approve Order 17-008 appointing Robert Larsell to the Veterans Services Advisory Committee. Commissioner Kramer seconded the motion.**

#### DISCUSSION

Chair Runyon noted that Mr. Larsell is the father of the Committee Chair. He reported that the Committee is aware of the relationship.

**The motion passed unanimously.}}**

**{{{Commissioner Kramer moved to approve Order 17-009 appointing Loyal Quackenbush to the Fort Dalles Museum Commission. Commissioner Hege**

seconded the motion.

DISCUSSION

Chair Runyon noted that Mr. Quackenbush lives out of the area six months of the year. He reported that the Museum Commission is aware of the planned absence.

The motion passed unanimously.}}

{{{Commissioner Hege moved to approve Order 17-010 appointing Rod Runyon as alternate Wasco County representative to the Lower John Day Area Commission on Transportation. Commissioner Kramer seconded the motion which passed unanimously.}}

{{{Commissioner Kramer moved to approve Order 17-011 appointing Arthur Smith as Wasco County's representative to the Lower John Day Area Commission on Transportation. Commissioner Hege seconded the motion which passed unanimously.}}

{{{Commissioner Hege moved to approve Order 17-012 appointing Dave Anderson as Cities of Wasco County representative to the Lower John Day Area Commission on Transportation. Commissioner Kramer seconded the motion which passed unanimously.}}

{{{Commissioner Kramer moved to approve Order 17-013 appointing Dale McCabe as alternate Cities of Wasco County representative to the Lower John Day Area Commission on Transportation. Commissioner Hege seconded the motion which passed unanimously.}}

Chair Runyon pointed out that the Cities representatives appointments are for a term of two years while the County representatives appointments are at the pleasure of the Board.

<b>Consent Agenda – Minutes/Transportation Resolution</b>
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{{{Commissioner Hege moved to approve the Consent Agenda. Commissioner Kramer seconded the motion which passed unanimously.}}

### **Commission Call**

Chair Runyon reported that he and Commissioner Kramer spent a long time in Salem on Monday. He said that he wants to encourage anyone traveling to Salem to alert the AOC and LOC – they may have a bill that you could speak about. He said that it is helpful to have local people speak to the legislature.

Commissioner Kramer stated that he will be in Salem on Thursday and Friday for Justice Reinvestment meetings and to meet with Greg Smith on transportation. He added that he will also be testifying along with Hazardous Waste Coordinator David Skakel. He said that things are moving fast and testimony from locals is helpful.

Commissioner Hege pointed out that on our new site there is an easy way for the public to contact the Commissioners on the Your County/Your Voice page. He stated that he tested it and found that it works quickly.

Commissioner Hege asked Mr. Stone to report on his trip to Vancouver. Mr. Stone stated that he and Port of The Dalles Executive Director Andrea Klaas and Wasco County Planning Director Angie Brewer traveled to Vancouver on Monday to testify before the Gorge Commission regarding the need to engage local communities in the process for their Management Plan Update. He stated that although the update is supposed to occur every 10 years, this is the first update in 30 years. He stated that this is an important opportunity to create a plan that is more significant to our communities and we are working to help them be more engaged in the process. He said that one of our goals is to have them acknowledge the economic development portion of the act as we do the planning function that must adhere to the Management Plan.

Gorge Commissioner Rodger Nichols stated that he was present at that meeting and reported that the local testimony was impactful to the Board of Commissioners. He added that in preparation for this process, the Commission did a lot of work to be sure that the Scenic Area legal descriptions are accurate and reflect the intent of the Act. Mr. Stone commented that we will be getting a new layer of GIS information for those adjustments.

Chair Runyon commented that Wasco County had representation at a listening session in Hood River; it had been packed with environmentalists which made it easy to get lost.

Mr. Stone said that the Gorge Commission is actively soliciting feedback; there is a

comment form on the Gorge Commission site and a link on the County site. He encouraged the public to express their needs.

Chair Runyon recessed the session at 10:33 p.m.

<b>Agenda Item – Public Hearing for SOAK 2017 OMG Permit Application</b>
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Chair Runyon resumed the session at 6:13 p.m. at the Tygh Valley Community Center; he opened a public hearing for the PLAOMG 16-02-003 application requesting an Outdoor Mass Gathering permit for a music and art festival entitled “SOAK 2017,” (also known as “burning Man Portland”) May 25<sup>th</sup>-May 29<sup>th</sup>, 2017. Estimated attendance is 1,500-1,800 including staff and volunteers. Chair Runyon and Commissioner Hege were in attendance. Commissioner Kramer was absent (traveling to Salem for Thursday meetings).

Chair Runyon explained the process for the hearing and asked the following questions:

- Do any Commissioners wish to disqualify themselves for any personal or financial interest in this matter? There were none.
- Does any member of the audience wish to challenge the right of any Commissioner to hear this matter? There were none.
- Is there any member of the audience who wishes to question the jurisdiction of this body to act on behalf of Wasco County in this matter? There were none.
- Do any Commissioners need to disclose ex-parte contacts? There were none.

Chair Runyon called upon Senior Planner Dustin Nilson to present the staff report. Mr. Nilson reviewed the report included in the Board Packet. He noted that the gathering is to be held at the same site as last year. He stated that the maximum attendance increased by 300 last year but there is no increase being requested for this year.

Mr. Nilson reminded everyone that this is not a land use decision; so long as the applicant meets or demonstrates the ability to meet the requirements, the Board shall approve the application. He explained that the County cannot add additional regulations but can expand the definition of mass gathering.



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After a review of the report, Mr. Nilson stated that staff recommends approval with the listed conditions.

Chair Runyon called upon the applicant to present their request. Xandra Greene stated that this is the third year for the SOAK gathering and it will be almost an exact duplicate of last year's event. She said that they plan to cap attendance at 1,650. She went on to say that based on recommendations, the Life Flight landing zone has been moved from the parking lot area. She said that they are requesting an exception for the refuse container as they require attendees to pack out anything they bring in. She noted that they also ask attendees to bring their own water and therefore only have an additional water supply on-call rather than on-site.

Chris Schneider, Event Producer, stated that he believes they have worked out any kinks; the event went as planned last year. He said that in an effort to keep traffic from backing up, they have made some adjustments to the entry process. He said that they have an agreement with the Sheriff to increase patrols. They have engaged licensed security for the event plus volunteers; there will be at least one security staff on duty for every 84 attendees with a night crew of about 16.

Chair Runyon asked if there will be bands. Mr. Schneider replied that they do have bands with low amplification – much like you would find at a bar. He noted that last year, the sound could barely be heard in the event parking lot. He said that this is not a music festival and it is not the focus of the event. He commented that they had no complaints about noise from last year's event.

Chair Runyon asked if rain had been a problem last year. Mr. Schneider responded that the rain had been transitory. He reported that last year they had conducted on-site training with a bon fire before the event. He said that during the event, the wind conditions are carefully monitored; the first year they had delayed the start of a fire event waiting for the wind to die down. He reported that they have a hose around the burn area as well as a safety perimeter to make sure attendees do not get too close. He stated that they also have spotters on the ridge line to look for lofted embers.

Commissioner Hege asked about the height of the structures. Mr. Schneider replied that the major sculpture this year will be 20 feet high; the safety perimeter is determined by the height – 1.5 times wider than the structure is high.

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Commissioner Hege asked about the coordination with local EMS. Mr. Schneider replied that it went better last year than the first year. He said that they have an amateur radio operator on-site and access to a phone if needed. He said that on the Wednesday before the event, they invite local agencies to tour the site and EMS is welcome anytime.

Chair Runyon opened the hearing to public testimony. Virginia Fuller (the only member of the public in attendance) with South Wasco Ambulance Service stated that she is just here to listen. She expressed concern regarding the new landing spot. She stated that it is not legal for the Cracker Jack crew to transport patients even if it is just to the landing site. She said that there was one ground and one air transport at last year's event. She stated that the Cracker Jack team is a sharp outfit and well qualified but not certified to transport. She said it would be wonderful if they can transport to the landing site, but she believes it would be illegal to do so.

Chair Runyon noted that the applicant is asking for an exemption for the refuse container. He said that his concern is that when you don't have something, that is just when you need it. Mr. Nilson responded that it is covered under condition J; they will provide a plan for unanticipated refuse storage – that obligates them to take care of it. Chair Runyon added that there is a letter from the Justesens saying that the site was cleaner following the event than it had been prior to the event.

Commissioner Hege asked about the water situation. Mr. Nilson responded that Tygh Valley has the means to provide water. The event planners do not believe they will need it, but it is available.

Chair Runyon asked if there was anyone opposed to the event who wished to be heard. There were none.

Chair Runyon closed the public testimony portion of the hearing.

Commissioner Hege asked if there will be any other changes from last year's event. Mr. Schneider stated they may to a little more land improvement. Ms. Greene stated that they will be repositioning the porta potties for easier use.

Commissioner Hege said that he appreciates the professionalism of the organizers for both outdoor mass gatherings that are held annually in Wasco County. He said that he commends the integrity of the organizations and appreciate the positive economic impact

that they bring to the County. He noted that some attendees return after attending the festival which is an added benefit.

{{{Commissioner Hege moved to approve the application for an Outdoor Mass Gathering as proposed in planning file number PLAOMG 16-02-003, and to accept the findings and conditions contained in the Summary and Staff Report dated February 8, 2017. Chair Runyon seconded the motion which passed unanimously.}}}

Chair Runyon closed the hearing and adjourned the session at 6:44 p.m.

<b>Summary of Actions</b>
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**Motions Passed**

- To approve the Fair Board's request to hold a raffle as a fund raiser for the Queen's Fund.
- To approve the Common Interest and Joint Defense Agreement with the Yakama Tribes.
- To approve the Common Interest and Joint Defense Agreement with the Umatilla and Warm Springs Tribes.
- To deny Cascade Utilities' request for a \$415 GIS fee waiver.
- To approve the Pine Hollow Agreement between Wasco County, South Wasco Park and Recreation District and Badger Irrigation District.
- To approve the Economic Development Commission's Enhancement Projects Ranking List.
- To approve Order 17-008 appointing Robert Larsell to the Veterans Services Advisory Committee.
- To approve Order 17-009 appointing Loyal Quackenbush to the Fort Dalles Museum Commission.
- To approve Order 17-010 appointing Rod Runyon as alternate Wasco County representative to the Lower John Day Area Commission on Transportation.
- To approve Order 17-011 appointing Arthur Smith as Wasco County's representative to the Lower John Day Area Commission on Transportation.
- To approve Order 17-012 appointing Dave Anderson as Cities of Wasco



County representative to the Lower John Day Area Commission on Transportation.

- To approve Order 17-013 appointing Dale McCabe as alternate Cities of Wasco County representative to the Lower John Day Area Commission on Transportation.
- To approve the Consent Agenda:
  - 2.1.2017 Regular Session Minutes
  - Resolution 17-002 Supporting State Transportation Funding Package.
- To approve the application for an Outdoor Mass Gathering as proposed in planning file number PLAOMG 16-02-003, and to accept the findings and conditions contained in the Summary and Staff Report dated February 8, 2017.

Consensus

- To send a letter of appreciation to Clock Tower for their support of the Fair.

Wasco County  
Board of Commissioners

  
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Rod L. Runyon, Board Chair

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

  
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Steven D. Kramer, County Commissioner



**WASCO COUNTY BOARD OF COMMISSIONERS  
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**DISCUSSION LIST**

**ACTION AND DISCUSSION ITEMS:**

1.     [Wasco County - Wasco County Rodeo Queen Fund-Raising Raffle](#) – Ken Polehn
2.     [Monthly Financial Report](#) – Siri Olson
3.     [Appointments](#)
4.     [Pine Hollow Agreement](#)
5.     [Common Interest & Joint Defense Agreements](#)

**Discussion Item**  
**Wasco County/Fair Queen Raffle**

- [Staff Memo](#)
- [Raffle Guidelines](#)

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## MEMORANDUM

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**TO:** BOARD OF COUNTY COMMISSIONERS  
**FROM:** KATHY WHITE  
**SUBJECT:** WASCO COUNTY RAFFLE FOR THE BENEFIT OF THE WASCO COUNTY FAIR AND RODEO  
**DATE:** 2/14/2017

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### BACKGROUND INFORMATION

The Wasco County Fair Board received a high value item for the Queen's auction and have determined that it would be more appropriate as a raffle item. State gaming laws allow for a federally tax exempt public entity to hold a raffle without a license so long as the cumulative handle of proceeds does not exceed \$10,000 in a calendar year. While the Fair cannot hold the raffle, the County – as the “parent” organization – qualifies to do so. I have included a set of guidelines we are asking the Fair Board to follow when conducting the raffle.

# WASCO COUNTY RAFFLE FOR THE BENEFIT OF

## WASCO COUNTY FAIR AND RODEO

- The proposed raffle **must** be run under the County umbrella – I would suggest the language above so that people are clear about sponsorship of the raffle.
- Log sheets should be kept for accountability (see example below)
- Please keep track of the starting and ending numbers for the tickets.
- All deposits from the raffle **must** be separate from any other deposits and accompanied by log sheets.
- April 3<sup>rd</sup> is the deadline for bringing raffle proceeds in to the County for deposit.
- **TICKET SALES MAY NOT EXCEED \$10,000**
- **ALL TICKET SALES MUST BE MADE IN PERSON – TICKETS MAY NOT BE MAILED AND PAYMENT CANNOT BE TAKEN THROUGH AN ONLINE TRANSACTION.**



### Raffle Ticket Instruction Sheet

**Instructions:**

- Remember raffle ticket prices: 1 ticket for \$5 or 3 tickets for \$10.
- Sell raffle tickets to friends, family, neighbors, etc.
- When you have sold a raffle ticket make sure the donor *completely fills out* the top stub of the ticket (name, address, city, phone). **YOU (the swimmer) KEEP THIS STUB.**
- Tear off the bottom portion of the raffle ticket and give to the donor.
- Record your sale in the table below making sure you note whether your donor bought an individual ticket or a set of 3.
- Keep this sheet, all raffle ticket stubs, and raffle ticket money until Carly's Crossing (Sunday, Aug. 16<sup>th</sup>).
- Turn in this sheet, raffle ticket stubs, raffle ticket money, and any unsold raffle tickets at the Carly's Crossing registration table.

Name	Quantity Purchased	Amount Received	Cash/Check
Eg. John Smith	1	\$5.00	Cash
Eg. Sue Jones	3	\$10.00	Check
1.			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			



## **Agenda Item**

### **Financial Report**

- [Finance Director's January 2017 Report](#)
- [January 2017 Financials](#)

## **Wasco County Financial Report – through January 31<sup>st</sup>, 2017**

This review is on unaudited numbers and is for the use of Management. There may be differences due to timing or year-end entries that may result in a difference from audited figures.

As of the end of January, 58% of the budget year was completed. This number is one factor to consider in determining if the County is proceeding according to the budget plan.

### **Discussion of Revenues**

#### **General Fund**

- Property taxes are up to 92% of the budget execution – this is 4.7% about last year which is equal to \$359 thousand to date. This is also on track historically as last year at this time property tax was at 91.6% of budget execution.
- License fees and permits are at 71.4% of budget execution, compared to 79.1% at the same time last year. However, due to the higher budgeted in fiscal year 2017, the actual increase over last year is \$154 thousand to date. Last year the county brought in about \$79 thousand per month for the last 5 months of the fiscal year. This year should easily match that amount – specifically the solid waste host fee will be higher even.
- Transfers are up \$454 thousand over last fiscal year at this point, however, the budget execution is at 58% so there is nothing happening here outside of the budget plan

#### **Public Works Fund**

- The Intergovernmental Revenue – Non Single Audit is \$371 thousand ahead of last year and at 55% of the budget execution. Last year at this time, the budget execution was at 45%. This is primarily due to the Motor Vehicle Funds received. This revenue source is doing well.
- Petroleum products sold is down by \$40 thousand. This appears to be a timing issue and is in the process of being caught up.

#### **Community Corrections Fund**

- Revenue is down \$109 thousand compared to last fiscal year. This is due to not having the same treatment grant received last fiscal year for \$103 thousand.

#### **Commission on Children's and Families Fund**

- Currently this fund is only at 25% of the planned revenue and is \$59 thousand less than the prior fiscal year. This decrease in revenue is primarily due to not receiving the State Healthy Start funds for fiscal year 2017. The amount was not budgeted, so this is as planned. The timing on receipts for the other grants are the reason for the low budget execution percentage.

### **Expenditures**

#### **General Fund**

- County Clerk is \$30 thousand over last year and at 65% budget execution. This is due to the election workers so this is not linear. Overall, the Clerk is at 59% budget execution so is in good shape to come in on plan.
- The Sheriff's Office is at 88% budget execution for the capital outlay in the Emergency Management area. This is due to the nonlinear nature of the expense and is proceeding according to the budget plan. Overall the Sheriff's Office is at 55% execution so is under the planned budgetary expense.
- The NorCor expense is at 66.2% budget execution due to the timing of the payments. The payment for February is included in the report.

#### Public Works Fund

- The Public Works fund is currently at 51% of budget execution. This is well within expectations as it is under the 58% linear expectation.

#### Summary

Wasco County is within the budget and shows no indications of missing it. Revenues are on track and the expenses are also proceeding as expected. There may be minor bumps in places, but these are being resolved. The timing issues from the last report have mostly been addressed – some are out of the County's control as we are dependent on outside agencies. All in all, the budget progress is looking good.



# Wasco County Monthly Report

## General Fund Revenue - January 2017

Filters

Fd	(Multiple Items)
Cat	(Multiple Items)

Data							
Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current Year Budget Executed	Prior Year Budget Executed	Year to Year % Change	Current Year - Prior Year
<b>Revenue</b>							
<b>GENERAL FUND</b>							
NON-DEPARTMENTAL RESOURCES-R							
GENERAL FUND RESOURCES-R							
PROPERTY TAXES-R	8,596,285	7,911,810	7,553,146	92.0%	91.6%	4.7%	358,663.64
LICENSES FEES & PERMITS-R	876,500	625,639	472,000	71.4%	79.1%	32.6%	153,639.17
INTERGOV'T REV - NON SINGLE AUDIT-R	528,480	313,526	351,243	59.3%	68.9%	-10.7%	(37,716.79)
INTERGOV'T REV - SINGLE AUDIT-R	3,200	-	-	0.0%	0.0%	#DIV/0!	-
INVESTMENT EARNINGS-R	32,200	32,269	20,894	100.2%	74.1%	54.4%	11,374.75
RENTS-R	1,335	1,344	1,314	100.7%	98.4%	2.3%	29.75
MISCELLANEOUS-R	134,277	111,474	114,779	83.0%	74.6%	-2.9%	(3,304.80)
TRANSFERS IN-R	1,482,882	865,014	440,783	58.3%	56.5%	96.2%	424,231.43
GENERAL FUND RESOURCES-R Total	11,655,159	9,861,076	8,954,159	84.6%	86.8%	10.1%	906,917.15
NON-DEPARTMENTAL RESOURCES-R Total	11,655,159	9,861,076	8,954,159	84.6%	86.8%	10.1%	906,917.15
ASSESSMENT & TAXATION-R							
ASSESSMENT & TAXATION-R	17,550	24,112	26,052	137.4%	122.3%	-7.4%	(1,940.27)
ASSESSMENT & TAXATION-R Total	17,550	24,112	26,052	137.4%	122.3%	-7.4%	(1,940.27)
COUNTY CLERK-R							
COUNTY CLERK-R	125,600	99,156	88,938	78.9%	77.5%	11.5%	10,218.34
ELECTIONS-R	9,100	1,519	9,821	16.7%	95.8%	-84.5%	(8,301.64)
COUNTY CLERK-R Total	134,700	100,675	98,758	74.7%	79.0%	1.9%	1,916.70
SHERIFF-R							
EMERGENCY MANAGEMENT-R	110,487	24,134	27,559	21.8%	28.2%	-12.4%	(3,425.21)
MARINE PATROL-R	52,145	26,226	43,308	50.3%	83.1%	-39.4%	(17,082.06)
LAW ENFORCEMENT-R	283,460	131,053	146,932	46.2%	50.6%	-10.8%	(15,878.87)



## Wasco County Monthly Report

### General Fund Revenue - January 2017

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current	Prior Year	Year to	Current Year - Prior Year
				Year Budget Executed	Budget Executed	Year % Change	
SHERIFF-R Total	446,092	181,413	217,800	40.7%	49.5%	-16.7%	(36,386.14)
ADMINISTRATIVE SERVICES-R							
INFORMATION TECHNOLOGY-R	106,250	70,117	42,147	66.0%	40.5%	66.4%	27,970.05
EMPLOYEE & ADMINISTRATIVE SERVICES-R	2,650	4,016	598	151.5%	23.0%	571.2%	3,417.45
FACILITIES-R	289,476	68,892	92,806	23.8%	46.5%	-25.8%	(23,914.04)
ADMINISTRATIVE SERVICES-R Total	398,376	143,025	135,552	35.9%	44.3%	5.5%	7,473.46
ADMINISTRATION-R	294,220	156,743	147,473	53.3%	48.4%	6.3%	9,269.44
DISTRICT ATTORNEY-R	174,326	77,201	80,743	44.3%	49.4%	-4.4%	(3,542.10)
PLANNING-R	146,150	109,007	105,182	74.6%	73.0%	3.6%	3,825.50
PUBLIC WORKS-R	16,065	6,150	7,900	38.3%	60.5%	-22.2%	(1,750.00)
YOUTH SERVICES-R	43,300	22,935	22,131	53.0%	72.8%	3.6%	804.68
<b>GENERAL FUND Total</b>	<b>13,325,938</b>	<b>10,682,338</b>	<b>9,795,749</b>	<b>80.2%</b>	<b>82.5%</b>	<b>9.1%</b>	<b>886,588.42</b>
<b>Revenue Total</b>	<b>13,325,938</b>	<b>10,682,338</b>	<b>9,795,749</b>	<b>80.2%</b>	<b>82.5%</b>	<b>9.1%</b>	<b>886,588.42</b>





# Wasco County Monthly Report

## General Fund - Expenditures - January 2017

Filters

Fd	(Multiple Items)
Cat	(Multiple Items)

Data

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current Year Budget Executed	Prior Year Budget Executed	Year to Year % Change	Current Year - Prior Year
<b>Expense</b>							
<b>GENERAL FUND</b>							
ASSESSMENT & TAXATION-E	853,087	417,099	415,845	48.9%	48.5%	0.3%	1,253.54
COUNTY CLERK-E							
COUNTY CLERK-E	227,352	126,276	133,663	55.5%	65.6%	-5.5%	(7,386.82)
ELECTIONS-E	117,484	76,074	38,292	64.8%	34.5%	98.7%	37,782.38
COUNTY CLERK-E Total	344,836	202,350	171,955	58.7%	54.7%	17.7%	30,395.56
SHERIFF-E							
EMERGENCY MANAGEMENT-E	139,861	95,079	38,755	68.0%	31.4%	145.3%	56,323.99
MARINE PATROL-E	50,370	24,799	21,669	49.2%	41.4%	14.4%	3,130.59
LAW ENFORCEMENT-E	2,142,314	1,163,323	1,159,880	54.3%	57.2%	0.3%	3,442.43
SHERIFF-E Total	2,332,545	1,283,201	1,220,304	55.0%	55.4%	5.2%	62,897.01
ADMINISTRATIVE SERVICES-E							
INFORMATION TECHNOLOGY-E	875,077	491,078	407,270	56.1%	49.5%	20.6%	83,808.54
COUNTY COMMISSION-E	198,042	113,204	112,005	57.2%	58.0%	1.1%	1,198.86
EMPLOYEE & ADMINISTRATIVE SERVICES-E	904,631	454,223	296,812	50.2%	46.7%	53.0%	157,411.40
FACILITIES-E	952,396	417,598	296,719	43.8%	41.0%	40.7%	120,879.23
ADMINISTRATIVE SERVICES-E Total	2,930,145	1,476,103	1,112,805	50.4%	46.8%	32.6%	363,298.03
ADMINISTRATION-E							
ADMINISTRATION-E	900,550	435,863	431,530	48.4%	50.6%	1.0%	4,333.15
PASS-THROUGH GRANTS-E	186,092	114,702	112,092	61.6%	58.5%	2.3%	2,609.52
NORCOR-E	1,943,848	1,286,944	1,205,196	66.2%	58.0%	6.8%	81,747.87
VETERANS-E	145,251	84,087	72,409	57.9%	55.2%	16.1%	11,677.61
SPECIAL PAYMENTS-E	407,525	253,211	205,823	62.1%	54.2%	23.0%	47,388.26
ADMINISTRATION-E Total	3,583,266	2,174,807	2,027,050	60.7%	55.8%	7.3%	147,756.41



## Wasco County Monthly Report

### General Fund - Expenditures - January 2017

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current	Prior Year	Year to	Current Year - Prior Year
				Year Budget Executed	Budget Executed	Year % Change	
DISTRICT ATTORNEY-E	576,865	321,280	315,034	55.7%	58.4%	2.0%	6,246.19
PLANNING-E	759,017	375,997	279,440	49.5%	41.1%	34.6%	96,557.15
PUBLIC WORKS-E	67,614	32,916	34,276	48.7%	51.8%	-4.0%	(1,360.55)
YOUTH SERVICES-E	534,020	312,675	274,781	58.6%	55.6%	13.8%	37,893.82
NON-DEPARTMENTAL EXPENDITURES-E							
GENERAL FUND EXPENDITURES-E							
TRANSFERS OUT-E	2,907,500	1,684,470	1,304,310	57.9%	57.6%	29.1%	380,159.01
GENERAL FUND EXPENDITURES-E Total	2,907,500	1,684,470	1,304,310	57.9%	57.6%	29.1%	380,159.01
NON-DEPARTMENTAL EXPENDITURES-E Total	2,907,500	1,684,470	1,304,310	57.9%	57.6%	29.1%	380,159.01
GENERAL FUND Total	14,888,894	8,280,898	7,155,802	55.6%	53.3%	15.7%	1,125,096.17
Expense Total	14,888,894	8,280,898	7,155,802	55.6%	53.3%	15.7%	1,125,096.17



# Wasco County Monthly Report

## Public Works - Revenue Expense - January 2017

Filters

Fd	(Multiple Items)
Cat	(Multiple Items)

Data							
Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current Year Budget Executed	Prior Year Budget Executed	Year to Year % Change	Current Year - Prior Year
<b>Revenue</b>							
PUBLIC WORKS FUND							
NON-DEPARTMENTAL RESOURCES-R							
PUBLIC WORKS RESOURCES-R							
INVESTMENT EARNINGS-R	23,600	21,320	12,862	90.3%	71.1%	65.8%	8,457.42
INTERNAL SERVICES-R	3,180	-	1,855	0.0%	58.3%	-100.0%	(1,855.00)
<b>PUBLIC WORKS RESOURCES-R Total</b>	<b>26,780</b>	<b>21,320</b>	<b>14,717</b>	<b>79.6%</b>	<b>69.2%</b>	<b>44.9%</b>	<b>6,602.42</b>
NON-DEPARTMENTAL RESOURCES-R Total	26,780	21,320	14,717	79.6%	69.2%	44.9%	6,602.42
PUBLIC WORKS-R							
PUBLIC WORKS-R							
LICENSES FEES & PERMITS-R	10,000	6,231	-	62.3%	0.0%	#DIV/0!	6,230.75
INTERGOV'T REV - NON SINGLE AUDIT-R	2,371,200	1,306,828	935,996	55.1%	45.2%	39.6%	370,831.94
INTERGOV'T REV - SINGLE AUDIT-R	100,200	550	-	0.5%	0.0%	#DIV/0!	549.70
MISCELLANEOUS-R	1,000	4,663	8,167	466.3%	1633.4%	-42.9%	(3,503.96)
SALE OF FIXED ASSETS-R	10,000	-	-	0.0%	0.0%	#DIV/0!	-
CHARGES FOR SERVICES-R							
CONT WORK-OTHER GOVT	25,000	41,633	37,620	166.5%	150.5%	10.7%	4,013.07
PETROLEUM PRODUCTS - 21 CENTS	6,000	5,701	14,707	95.0%	245.1%	-61.2%	(9,005.99)
PETROLEUM PRODUCTS SOLD	165,000	49,124	84,581	29.8%	51.3%	-41.9%	(35,456.79)
CHARGES FOR SERVICES-R Total	196,000	96,458	136,908	49.2%	69.9%	-29.5%	(40,449.71)
<b>PUBLIC WORKS-R Total</b>	<b>2,688,400</b>	<b>1,414,730</b>	<b>1,081,071</b>	<b>52.6%</b>	<b>38.4%</b>	<b>30.9%</b>	<b>333,658.72</b>
PUBLIC WORKS-R Total	2,688,400	1,414,730	1,081,071	52.6%	38.4%	30.9%	333,658.72
<b>PUBLIC WORKS FUND Total</b>	<b>2,715,180</b>	<b>1,436,050</b>	<b>1,095,788</b>	<b>52.9%</b>	<b>38.6%</b>	<b>31.1%</b>	<b>340,261.14</b>
<b>Revenue Total</b>	<b>2,715,180</b>	<b>1,436,050</b>	<b>1,095,788</b>	<b>52.9%</b>	<b>38.6%</b>	<b>31.1%</b>	<b>340,261.14</b>
<b>Expense</b>							



## Wasco County Monthly Report

### Public Works - Revenue Expense - January 2017

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current	Prior Year	Year to	Current Year - Prior Year
				Year Budget Executed	Budget Executed	Year % Change	
PUBLIC WORKS FUND							
PUBLIC WORKS-E							
PUBLIC WORKS-E							
PERSONAL SERVICES-E	1,624,939	941,054	785,430	57.9%	55.5%	19.8%	155,624.34
MATERIALS & SERVICES-E	1,332,400	692,339	351,654	52.0%	33.2%	96.9%	340,685.00
CAPITAL OUTLAY-E	230,000	-	10,000	0.0%	13.3%	-100.0%	(10,000.00)
PUBLIC WORKS-E Total	3,187,339	1,633,393	1,147,084	51.2%	45.0%	42.4%	486,309.34
PUBLIC WORKS-E Total	3,187,339	1,633,393	1,147,084	51.2%	45.0%	42.4%	486,309.34
PUBLIC WORKS FUND Total	3,187,339	1,633,393	1,147,084	51.2%	45.0%	42.4%	486,309.34
Expense Total	3,187,339	1,633,393	1,147,084	51.2%	45.0%	42.4%	486,309.34



# Wasco County Monthly Report

## All Funds Revenue Expense Summary - January 2017

Filters

Fd	(Multiple Items)
Cat	(Multiple Items)

Data							
Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current Year Budget Executed	Prior Year Budget Executed	Year to Year % Change	Current Year - Prior Year
<b>Revenue</b>							
911 COMMUNICATIONS FUND	994,687	693,702	470,445	69.7%	50.8%	47.5%	223,256.83
911 EQUIPMENT RESERVE	1,200	996	648	83.0%	54.0%	53.8%	348.38
CAPITAL ACQUISITIONS FUND	912,650	534,391	412,058	58.6%	58.4%	29.7%	122,332.23
CDBG GRANT FUND	5,478,670	145,125	-	2.6%	0.0%	#DIV/0!	145,124.79
CLERK RECORDS FUND	7,425	6,048	5,765	81.5%	88.0%	4.9%	283.45
COMM ON CHILDREN & FAMILIES FUND	147,600	37,060	95,752	25.1%	91.3%	-61.3%	(58,691.94)
COMMUNITY CORRECTIONS FUND	1,506,382	1,165,795	1,275,066	77.4%	116.2%	-8.6%	(109,270.81)
COUNTY FAIR FUND	169,550	107,546	81,151	63.4%	46.4%	32.5%	26,395.09
COUNTY SCHOOL FUND	280,200	64,469	98,321	23.0%	34.0%	-34.4%	(33,851.97)
COURT FACILITIES SECURITY FUND	3,855	15,012	17,593	389.4%	57.2%	-14.7%	(2,581.39)
DISTRICT ATTORNEY	2,600	2,741	1,591	105.4%	96.4%	72.3%	1,150.05
FACILITY CAPITAL RESERVE	912,000	533,316	410,916	58.5%	58.5%	29.8%	122,399.15
FOREST HEALTH PROGRAM FUND	380	257	479	67.5%	0.9%	-46.4%	(222.02)
<b>GENERAL FUND</b>	<b>13,325,938</b>	<b>10,682,338</b>	<b>9,795,749</b>	<b>80.2%</b>	<b>82.5%</b>	<b>9.1%</b>	<b>886,588.42</b>
GENERAL OPERATING RESERVE	812,000	475,966	353,985	58.6%	58.5%	34.5%	121,980.11
HOUSEHOLD HAZARDOUS WASTE FUND	331,250	166,683	168,014	50.3%	53.1%	-0.8%	(1,330.78)
KRAMER FIELD FUND	165	137	89	83.1%	59.5%	53.8%	47.99
LAND CORNER PRESERVATION FUND	32,470	20,130	19,592	62.0%	70.7%	2.7%	538.48
LAW LIBRARY FUND	25,700	26,139	25,922	101.7%	125.8%	0.8%	217.44
MUSEUM	112,475	79,189	47,674	70.4%	54.9%	66.1%	31,514.53
PARKS FUND	70,360	55,748	46,686	79.2%	58.8%	19.4%	9,061.59
PUBLIC WORKS FUND	2,715,180	1,436,050	1,095,788	52.9%	38.6%	31.1%	340,261.14
ROAD RESERVE FUND	15,000	11,685	7,598	77.9%	58.4%	53.8%	4,086.76
SPECIAL ECON DEV PAYMENTS FUND	1,242,000	1,100,614	347,665	88.6%	27.0%	216.6%	752,949.92





# Wasco County Monthly Report

## All Funds Revenue Expense Summary - January 2017

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current	Prior Year	Year to	Current Year - Prior Year
				Year Budget Executed	Budget Executed	Year % Change	
WEED & PEST CONTROL FUND	214,100	62,106	143,685	29.0%	64.6%	-56.8%	(81,578.26)
<b>Revenue Total</b>	<b>29,313,837</b>	<b>17,423,241</b>	<b>14,922,232</b>	<b>59.4%</b>	<b>55.3%</b>	<b>16.8%</b>	<b>2,501,009.18</b>
<b>Expense</b>							
911 COMMUNICATIONS FUND	1,000,111	582,050	565,877	58.2%	58.0%	2.9%	16,172.55
911 EQUIPMENT RESERVE	240,600	-	-	0.0%	0.0%	#DIV/0!	-
CAPITAL ACQUISITIONS FUND	2,802,650	-	-	0.0%	0.0%	#DIV/0!	-
CDBG GRANT FUND	5,508,670	53,446	-	1.0%	0.0%	#DIV/0!	53,446.43
CLERK RECORDS FUND	50,825	-	731	0.0%	1.8%	-100.0%	(731.12)
COMM ON CHILDREN & FAMILIES FUND	209,846	79,519	97,576	37.9%	56.8%	-18.5%	(18,056.57)
COMMUNITY CORRECTIONS FUND	1,899,882	671,469	579,108	35.3%	48.0%	15.9%	92,361.17
COUNTY FAIR FUND	223,653	133,288	147,802	59.6%	73.0%	-9.8%	(14,514.29)
COUNTY SCHOOL FUND	290,000	-	61,872	0.0%	16.5%	-100.0%	(61,872.06)
COURT FACILITIES SECURITY FUND	36,000	-	-	0.0%	0.0%	#DIV/0!	-
DISTRICT ATTORNEY	21,325	4,741	4,761	22.2%	17.3%	-0.4%	(20.20)
FACILITY CAPITAL RESERVE	2,734,000	14,583	-	0.5%	0.0%	#DIV/0!	14,583.31
FOREST HEALTH PROGRAM FUND	77,219	43,750	58,333	56.7%	25.3%	-25.0%	(14,583.31)
<b>GENERAL FUND</b>	<b>14,888,894</b>	<b>8,280,898</b>	<b>7,155,802</b>	<b>55.6%</b>	<b>53.3%</b>	<b>15.7%</b>	<b>1,125,096.17</b>
GENERAL OPERATING RESERVE	2,812,000	-	-	0.0%	0.0%	#DIV/0!	-
HOUSEHOLD HAZARDOUS WASTE FUND	397,506	160,828	146,192	40.5%	42.4%	10.0%	14,635.62
KRAMER FIELD FUND	33,145	-	-	0.0%	0.0%	#DIV/0!	-
LAND CORNER PRESERVATION FUND	69,539	36,298	39,341	52.2%	59.0%	-7.7%	(3,042.35)
LAW LIBRARY FUND	48,000	12,282	12,468	25.6%	26.0%	-1.5%	(186.00)
MUSEUM	275,149	43,226	55,171	15.7%	22.2%	-21.7%	(11,944.95)
PARKS FUND	85,263	24,273	25,646	28.5%	30.0%	-5.4%	(1,373.74)
PUBLIC WORKS FUND	3,187,339	1,633,393	1,147,084	51.2%	45.0%	42.4%	486,309.34
ROAD RESERVE FUND	2,815,000	-	-	0.0%	0.0%	#DIV/0!	-
SPECIAL ECON DEV PAYMENTS FUND	2,130,800	1,288,814	178,331	60.5%	13.8%	622.7%	1,110,482.81
WEED & PEST CONTROL FUND	252,338	124,317	125,946	49.3%	50.2%	-1.3%	(1,628.81)
<b>Expense Total</b>	<b>42,089,754</b>	<b>13,187,175</b>	<b>10,402,041</b>	<b>31.3%</b>	<b>28.3%</b>	<b>26.8%</b>	<b>2,785,134.00</b>



# Wasco County Monthly Report

## Personnel - All Funds - January 2017

Filters

Fd	(All)
Cat	(Multiple Items)

Data

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current Year Budget Executed	Prior Year Budget Executed	Year to Year % Change	Current Year - Prior Year
<b>Expense</b>							
<b>GENERAL FUND</b>							
ASSESSMENT & TAXATION-E	765,243	375,268	369,326	49.0%	47.2%	1.6%	5,942.40
COUNTY CLERK-E	278,066	158,185	157,265	56.9%	61.5%	0.6%	919.96
SHERIFF-E	1,996,421	1,114,474	1,091,128	55.8%	57.6%	2.1%	23,346.17
ADMINISTRATIVE SERVICES-E	1,695,202	901,136	734,463	53.2%	48.7%	22.7%	166,672.97
ADMINISTRATION-E	152,351	76,097	68,525	49.9%	49.2%	11.1%	7,572.35
DISTRICT ATTORNEY-E	518,265	294,530	285,300	56.8%	59.2%	3.2%	9,230.39
PLANNING-E	710,991	355,278	251,319	50.0%	39.4%	41.4%	103,959.09
PUBLIC WORKS-E	56,699	31,589	31,260	55.7%	58.7%	1.1%	328.55
YOUTH SERVICES-E	502,248	296,991	263,424	59.1%	58.1%	12.7%	33,567.41
<b>GENERAL FUND Total</b>	<b>6,675,485</b>	<b>3,603,548</b>	<b>3,252,009</b>	<b>54.0%</b>	<b>52.4%</b>	<b>10.8%</b>	<b>351,539.29</b>
<b>PUBLIC WORKS FUND</b>							
PUBLIC WORKS-E	1,624,939	941,054	785,430	57.9%	55.5%	19.8%	155,624.34
<b>PUBLIC WORKS FUND Total</b>	<b>1,624,939</b>	<b>941,054</b>	<b>785,430</b>	<b>57.9%</b>	<b>55.5%</b>	<b>19.8%</b>	<b>155,624.34</b>
<b>911 COMMUNICATIONS FUND</b>							
SHERIFF-E	825,122	486,432	473,741	59.0%	58.7%	2.7%	12,690.66
<b>911 COMMUNICATIONS FUND Total</b>	<b>825,122</b>	<b>486,432</b>	<b>473,741</b>	<b>59.0%</b>	<b>58.7%</b>	<b>2.7%</b>	<b>12,690.66</b>
<b>COMM ON CHILDREN &amp; FAMILIES FUND</b>							
YOUTH SERVICES-E	73,971	44,079	41,698	59.6%	58.1%	5.7%	2,381.61
<b>COMM ON CHILDREN &amp; FAMILIES FUND Total</b>	<b>73,971</b>	<b>44,079</b>	<b>41,698</b>	<b>59.6%</b>	<b>58.1%</b>	<b>5.7%</b>	<b>2,381.61</b>
<b>COMMUNITY CORRECTIONS FUND</b>							
SHERIFF-E	675,870	355,026	262,220	52.5%	48.9%	35.4%	92,805.55
<b>COMMUNITY CORRECTIONS FUND Total</b>	<b>675,870</b>	<b>355,026</b>	<b>262,220</b>	<b>52.5%</b>	<b>48.9%</b>	<b>35.4%</b>	<b>92,805.55</b>
<b>COUNTY FAIR FUND</b>							



## Wasco County Monthly Report Personnel - All Funds - January 2017

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current	Prior Year	Year to	Current Year - Prior Year
				Year Budget Executed	Budget Executed	Year % Change	
ADMINISTRATION-E	44,103	11,886	14,245	27.0%	34.9%	-16.6%	(2,359.51)
<b>COUNTY FAIR FUND Total</b>	<b>44,103</b>	<b>11,886</b>	<b>14,245</b>	<b>27.0%</b>	<b>34.9%</b>	<b>-16.6%</b>	<b>(2,359.51)</b>
HOUSEHOLD HAZARDOUS WASTE FUND	117,584	62,010	46,953	52.7%	41.2%	32.1%	15,056.88
LAND CORNER PRESERVATION FUND	56,039	34,690	31,275	61.9%	58.8%	10.9%	3,414.65
MUSEUM	44,669	16,689	21,943	37.4%	43.9%	-23.9%	(5,254.53)
PARKS FUND	36,343	7,924	9,497	21.8%	29.0%	-16.6%	(1,573.10)
WEED & PEST CONTROL FUND	93,588	62,213	51,843	66.5%	56.2%	20.0%	10,370.30
<b>Expense Total</b>	<b>10,267,713</b>	<b>5,625,551</b>	<b>4,990,855</b>	<b>54.8%</b>	<b>53.0%</b>	<b>12.7%</b>	<b>634,696.14</b>



# Wasco County Monthly Report

## Materials and Services All Funds - January 2017

Filters

Fd	(Multiple Items)
Cat	(Multiple Items)

Data

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current Year Budget Executed	Prior Year Budget Executed	Year to Year % Change	Current Year - Prior Year
<b>Expense</b>							
<b>GENERAL FUND</b>							
ASSESSMENT & TAXATION-E	87,844	41,831	46,520	47.6%	61.3%	-10.1%	(4,688.86)
COUNTY CLERK-E	66,770	44,166	14,690	66.1%	24.9%	200.6%	29,475.60
SHERIFF-E	262,322	112,323	127,451	42.8%	49.6%	-11.9%	(15,128.02)
ADMINISTRATIVE SERVICES-E							
INFORMATION TECHNOLOGY-E	395,223	249,224	219,937	63.1%	60.2%	13.3%	29,287.27
EMPLOYEE & ADMINISTRATIVE SERVICES-E	130,750	27,746	51,423	21.2%	106.8%	-46.0%	(23,677.43)
FACILITIES-E	357,970	137,102	99,587	38.3%	36.5%	37.7%	37,514.54
ADMINISTRATION-E							
ADMINISTRATION-E	767,450	325,254	324,998	42.4%	44.7%	0.1%	256.10
PASS-THROUGH GRANTS-E	186,092	114,702	112,092	61.6%	58.5%	2.3%	2,609.52
NORCOR-E							
MATERIALS & SERVICES-E	1,943,848	1,286,944	1,205,196	66.2%	58.0%	6.8%	81,747.87
VETERANS-E	15,500	8,256	4,840	53.3%	33.1%	70.6%	3,416.15
SPECIAL PAYMENTS-E	407,525	253,211	205,823	62.1%	54.2%	23.0%	47,388.26
DISTRICT ATTORNEY-E	58,600	26,750	29,734	45.6%	51.2%	-10.0%	(2,984.20)
PLANNING-E	48,026	20,719	28,121	43.1%	65.9%	-26.3%	(7,401.94)
PUBLIC WORKS-E							
SURVEYOR-E	8,500	1,271	1,067	15.0%	11.5%	19.1%	203.58
WATERMASTER-E	2,415	56	1,949	2.3%	52.3%	-97.1%	(1,892.68)
YOUTH SERVICES-E	31,772	15,684	11,357	49.4%	27.8%	38.1%	4,326.41
<b>GENERAL FUND Total</b>	<b>4,770,607</b>	<b>2,665,237</b>	<b>2,484,785</b>	<b>55.9%</b>	<b>53.8%</b>	<b>7.3%</b>	<b>180,452.17</b>
<b>PUBLIC WORKS FUND</b>							
PUBLIC WORKS-E							



# Wasco County Monthly Report

## Materials and Services All Funds - January 2017

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current Year Budget Executed	Prior Year Budget Executed	Year to Year % Change	Current Year - Prior Year
<b>PUBLIC WORKS-E</b>							
MATERIALS & SERVICES-E	1,332,400	692,339	351,654	52.0%	33.2%	96.9%	340,685.00
<b>PUBLIC WORKS FUND Total</b>	<b>1,332,400</b>	<b>692,339</b>	<b>351,654</b>	<b>52.0%</b>	<b>33.2%</b>	<b>96.9%</b>	<b>340,685.00</b>
<b>911 COMMUNICATIONS FUND</b>							
SHERIFF-E	174,989	95,618	92,136	54.6%	54.5%	3.8%	3,481.89
<b>911 COMMUNICATIONS FUND Total</b>	<b>174,989</b>	<b>95,618</b>	<b>92,136</b>	<b>54.6%</b>	<b>54.5%</b>	<b>3.8%</b>	<b>3,481.89</b>
<b>CLERK RECORDS FUND</b>							
COUNTY CLERK-E	30,825	-	731	0.0%	4.7%	-100.0%	(731.12)
<b>CLERK RECORDS FUND Total</b>	<b>30,825</b>	<b>-</b>	<b>731</b>	<b>0.0%</b>	<b>4.7%</b>	<b>-100.0%</b>	<b>(731.12)</b>
<b>COMM ON CHILDREN &amp; FAMILIES FUND</b>							
YOUTH SERVICES-E	135,875	35,440	55,878	26.1%	56.0%	-36.6%	(20,438.18)
<b>COMM ON CHILDREN &amp; FAMILIES FUND Total</b>	<b>135,875</b>	<b>35,440</b>	<b>55,878</b>	<b>26.1%</b>	<b>56.0%</b>	<b>-36.6%</b>	<b>(20,438.18)</b>
<b>COMMUNITY CORRECTIONS FUND</b>							
SHERIFF-E	853,080	100,066	106,813	11.7%	34.4%	-6.3%	(6,746.69)
<b>COMMUNITY CORRECTIONS FUND Total</b>	<b>853,080</b>	<b>100,066</b>	<b>106,813</b>	<b>11.7%</b>	<b>34.4%</b>	<b>-6.3%</b>	<b>(6,746.69)</b>
<b>COUNTY FAIR FUND</b>							
ADMINISTRATION-E							
COUNTY FAIR-E	179,550	121,402	133,557	67.6%	82.7%	-9.1%	(12,154.78)
<b>COUNTY FAIR FUND Total</b>	<b>179,550</b>	<b>121,402</b>	<b>133,557</b>	<b>67.6%</b>	<b>82.7%</b>	<b>-9.1%</b>	<b>(12,154.78)</b>
<b>COUNTY SCHOOL FUND</b>							
ADMINISTRATION-E							
COUNTY SCHOOL-E	290,000	-	61,872	0.0%	16.5%	-100.0%	(61,872.06)
<b>COUNTY SCHOOL FUND Total</b>	<b>290,000</b>	<b>-</b>	<b>61,872</b>	<b>0.0%</b>	<b>16.5%</b>	<b>-100.0%</b>	<b>(61,872.06)</b>
<b>COURT FACILITIES SECURITY FUND</b>							
ADMINISTRATION-E							
COURT FACILITIES-E	36,000	-	-	0.0%	0.0%	#DIV/0!	-
<b>COURT FACILITIES SECURITY FUND Total</b>	<b>36,000</b>	<b>-</b>	<b>-</b>	<b>0.0%</b>	<b>0.0%</b>	<b>#DIV/0!</b>	<b>-</b>
<b>DISTRICT ATTORNEY</b>							
DISTRICT ATTORNEY-E	19,525	3,691	1,844	18.9%	8.2%	100.1%	1,846.49
<b>DISTRICT ATTORNEY Total</b>	<b>19,525</b>	<b>3,691</b>	<b>1,844</b>	<b>18.9%</b>	<b>8.2%</b>	<b>100.1%</b>	<b>1,846.49</b>
<b>FOREST HEALTH PROGRAM FUND</b>							





## Wasco County Monthly Report

### Materials and Services All Funds - January 2017

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current Year Budget Executed	Prior Year Budget Executed	Year to Year % Change	Current Year - Prior Year
ADMINISTRATION-E							
FOREST HEALTH-E	2,219	-	-	0.0%	0.0%	#DIV/0!	-
<b>FOREST HEALTH PROGRAM FUND Total</b>	<b>2,219</b>	<b>-</b>	<b>-</b>	<b>0.0%</b>	<b>0.0%</b>	<b>#DIV/0!</b>	<b>-</b>
HOUSEHOLD HAZARDOUS WASTE FUND							
PUBLIC HEALTH-E	251,829	98,818	99,239	39.2%	44.6%	-0.4%	(421.26)
<b>HOUSEHOLD HAZARDOUS WASTE FUND Total</b>	<b>251,829</b>	<b>98,818</b>	<b>99,239</b>	<b>39.2%</b>	<b>44.6%</b>	<b>-0.4%</b>	<b>(421.26)</b>
KRAMER FIELD FUND	33,145	-	-	0.0%	0.0%	#DIV/0!	-
LAND CORNER PRESERVATION FUND	3,000	150	450	5.0%	15.0%	-66.7%	(300.00)
LAW LIBRARY FUND	40,000	7,615	7,801	19.0%	19.5%	-2.4%	(186.00)
MUSEUM	62,700	26,537	33,228	42.3%	65.9%	-20.1%	(6,690.42)
PARKS FUND	48,920	16,349	16,149	33.4%	30.6%	1.2%	199.36
SPECIAL ECON DEV PAYMENTS FUND							
ADMINISTRATION-E							
DESIGN LLC-E	1,131,150	705,685	14,998	62.4%	1.5%	4605.2%	690,687.00
<b>SPECIAL ECON DEV PAYMENTS FUND Total</b>	<b>1,131,150</b>	<b>705,685</b>	<b>14,998</b>	<b>62.4%</b>	<b>1.5%</b>	<b>4605.2%</b>	<b>690,687.00</b>
WEED & PEST CONTROL FUND	158,750	62,103	74,102	39.1%	46.7%	-16.2%	(11,999.11)
<b>Expense Total</b>	<b>9,554,564</b>	<b>4,631,050</b>	<b>3,535,238</b>	<b>48.5%</b>	<b>41.2%</b>	<b>31.0%</b>	<b>1,095,812.29</b>



# Wasco County Monthly Report

## Capital All Funds - January 2017

Filters

Fd	(Multiple Items)
Cat	(Multiple Items)

Data							
Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current Year Budget Executed	Prior Year Budget Executed	Year to Year % Change	Current Year - Prior Year
<b>Expense</b>							
GENERAL FUND	535,302	327,643	114,698	61.2%	34.2%	185.7%	212,945.70
PUBLIC WORKS FUND	230,000	-	10,000	0.0%	13.3%	-100.0%	(10,000.00)
911 EQUIPMENT RESERVE	240,600	-	-	0.0%	0.0%	#DIV/0!	-
CAPITAL ACQUISITIONS FUND	2,802,650	-	-	0.0%	0.0%	#DIV/0!	-
CDBG GRANT FUND	5,508,670	53,446	-	1.0%	0.0%	#DIV/0!	53,446.43
CLERK RECORDS FUND	20,000	-	-	0.0%	0.0%	#DIV/0!	-
FACILITY CAPITAL RESERVE	2,709,000	-	-	0.0%	0.0%	#DIV/0!	-
GENERAL OPERATING RESERVE	2,812,000	-	-	0.0%	0.0%	#DIV/0!	-
HOUSEHOLD HAZARDOUS WASTE FUND	28,093	-	-	0.0%	0.0%	#DIV/0!	-
LAND CORNER PRESERVATION FUND	8,000	-	6,157	0.0%	77.0%	-100.0%	(6,157.00)
MUSEUM	167,780	-	-	0.0%	0.0%	#DIV/0!	-
ROAD RESERVE FUND	2,815,000	-	-	0.0%	0.0%	#DIV/0!	-
<b>Expense Total</b>	<b>17,877,095</b>	<b>381,090</b>	<b>130,855</b>	<b>2.1%</b>	<b>0.8%</b>	<b>191.2%</b>	<b>250,235.13</b>



## Wasco County Monthly Report Reserve Funds - January 2017

Filters

Fd	(Multiple Items)
Cat	(Multiple Items)

### Data

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current Year Budget Executed	Prior Year Budget Executed	Year to Year % Change	Current Year - Prior Year
<b>Revenue</b>							
FACILITY CAPITAL RESERVE	912,000	533,316	410,916	58.5%	58.5%	29.8%	122,399.15
GENERAL OPERATING RESERVE	812,000	475,966	353,985	58.6%	58.5%	34.5%	121,980.11
ROAD RESERVE FUND	15,000	11,685	7,598	77.9%	58.4%	53.8%	4,086.76
<b>Revenue Total</b>	<b>1,739,000</b>	<b>1,020,966</b>	<b>772,500</b>	<b>58.7%</b>	<b>58.5%</b>	<b>32.2%</b>	<b>248,466.02</b>
<b>Expense</b>							
FACILITY CAPITAL RESERVE	2,734,000	14,583	-	0.5%	0.0%	#DIV/0!	14,583.31
GENERAL OPERATING RESERVE	2,812,000	-	-	0.0%	0.0%	#DIV/0!	-
ROAD RESERVE FUND	2,815,000	-	-	0.0%	0.0%	#DIV/0!	-
<b>Expense Total</b>	<b>8,361,000</b>	<b>14,583</b>	<b>-</b>	<b>0.2%</b>	<b>0.0%</b>	<b>#DIV/0!</b>	<b>14,583.31</b>



# Wasco County Monthly Report

## Investment/Interest All Funds - January 2017

Filters

Fd	(Multiple Items)
Cat	(Multiple Items)

Data								
Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current Year Budget Executed	Prior Year Budget Executed	Year to Year % Change	Current Year - Prior Year	
<b>Revenue</b>								
<b>INTEREST EARNED</b>								
911 COMMUNICATIONS FUND	150	149	-	99.1%	0.0%	#DIV/0!	148.70	
911 EQUIPMENT RESERVE	1,200	996	648	83.0%	54.0%	53.8%	348.38	
CAPITAL ACQUISITIONS FUND	12,650	9,391	3,725	74.2%	74.5%	152.1%	5,665.54	
CDBG GRANT FUND	200	228	-	114.0%	#DIV/0!	#DIV/0!	227.95	
CLERK RECORDS FUND	175	150	103	85.7%	102.7%	46.1%	47.31	
COMM ON CHILDREN & FAMILIES FUND	600	402	310	67.1%	62.0%	29.9%	92.57	
COMMUNITY CORRECTIONS FUND	2,000	4,265	1,326	213.3%	66.3%	221.6%	2,939.11	
COUNTY FAIR FUND	470	229	238	48.7%	47.6%	-3.8%	(8.98)	
COUNTY SCHOOL FUND	200	166	573	83.1%	143.2%	-71.0%	(406.62)	
COURT FACILITIES SECURITY FUND	355	421	192	118.7%	76.6%	120.0%	229.92	
DISTRICT ATTORNEY	100	80	79	79.6%	53.0%	0.2%	0.18	
FACILITY CAPITAL RESERVE	12,000	8,316	3,036	69.3%	101.2%	173.9%	5,279.21	
FOREST HEALTH PROGRAM FUND	380	257	479	67.5%	47.9%	-46.4%	(222.02)	
GENERAL FUND	32,000	27,909	20,841	87.2%	74.4%	33.9%	7,068.15	
GENERAL OPERATING RESERVE	12,000	9,299	3,985	77.5%	79.7%	133.3%	5,313.42	
HOUSEHOLD HAZARDOUS WASTE FUND	450	977	495	217.0%	109.9%	97.4%	481.80	
KRAMER FIELD FUND	165	137	89	83.1%	59.5%	53.8%	47.99	
LAND CORNER PRESERVATION FUND	470	290	271	61.7%	38.7%	7.0%	18.90	
LAW LIBRARY FUND	700	608	391	86.9%	65.2%	55.6%	217.44	
MUSEUM	975	833	548	85.4%	54.8%	52.0%	285.00	
PARKS FUND	575	771	380	134.0%	95.1%	102.6%	390.24	
PUBLIC WORKS FUND	23,500	21,320	12,762	90.7%	70.9%	67.1%	8,557.42	
ROAD RESERVE FUND	15,000	11,685	7,598	77.9%	58.4%	53.8%	4,086.76	



## Wasco County Monthly Report

### Investment/Interest All Funds - January 2017

Account	Current Budget	Current Actual YTD	Prior Year Actual YTD	Current	Prior Year	Year to	Current Year - Prior Year
				Year Budget Executed	Budget Executed	Year % Change	
SPECIAL ECON DEV PAYMENTS FUND	2,000	2,574	389	128.7%	#DIV/0!	562.6%	2,185.92
WEED & PEST CONTROL FUND	600	884	511	147.4%	85.2%	73.1%	373.37
<b>INTEREST EARNED Total</b>	<b>118,915</b>	<b>102,336</b>	<b>58,968</b>	<b>86.1%</b>	<b>71.7%</b>	<b>73.5%</b>	<b>43,367.66</b>
<b>LID INTEREST</b>							
PUBLIC WORKS FUND	100	-	100	0.0%	100.0%	-100.0%	(100.00)
<b>LID INTEREST Total</b>	<b>100</b>	<b>-</b>	<b>100</b>	<b>0.0%</b>	<b>100.0%</b>	<b>-100.0%</b>	<b>(100.00)</b>
<b>UNSEG TAX INTEREST EARNED</b>							
GENERAL FUND	200	4,360	53	2180.0%	26.7%	8061.8%	4,306.60
<b>UNSEG TAX INTEREST EARNED Total</b>	<b>200</b>	<b>4,360</b>	<b>53</b>	<b>2180.0%</b>	<b>26.7%</b>	<b>8061.8%</b>	<b>4,306.60</b>
<b>Revenue Total</b>	<b>119,215</b>	<b>106,696</b>	<b>59,122</b>	<b>89.5%</b>	<b>71.6%</b>	<b>80.5%</b>	<b>47,574.26</b>



## **Discussion Item**

### **Appointments**

- [Staff Memo](#)
- [Robert Larsell Application](#)
- [Order 17-008 Appointing Robert Larsell to the Veterans Services Advisory Committee](#)
- [Loyal Quackenbush Application](#)
- [Order 17-009 Appointing Loyal Quackenbush to the Fort Dalles Museum Commission](#)
- [Staff Memo](#)
- [Order 17-010 Appointing Rod Runyon to the Lower John Day Area Commission on Transportation](#)
- [Order 17-011 Appointing Arthur Smith to the Lower John Day Area Commission on Transportation](#)
- [Order 17-012 Appointing Dave Anderson to the Lower John Day Area Commission on Transportation](#)
- [Order 17-013 Appointing Dale McCabe to the Lower John Day Area Commission on Transportation](#)

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**MEMORANDUM**

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**TO:** BOARD OF COUNTY COMMISSIONERS  
**FROM:** KATHY WHITE  
**SUBJECT:** VETERANS ADVISORY AND MUSEUM COMMISSION APPOINTMENTS  
**DATE:** 2/10/2017

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BACKGROUND INFORMATION

Applicants for both the Museum Commission and VSAC have been recommended by the membership at recent meetings. Although minutes are not yet available, I have heard from the Chair of each group and they have confirmed the recommendations.

## INFORMATION AND QUALIFICATION FORM

### Veterans Advisory Committee VOLUNTEER POSITIONS WASCO COUNTY, OREGON

#### BACKGROUND

The Wasco County Veterans Advisory Committee meets on the first Friday of each month to address issues related to veterans and veterans' services in Wasco County. They serve as a conduit between local veterans and County government, educating, recommending and advising the Wasco County Board of County Commissioners regarding veterans' issues.

#### APPLICATION

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

POSITION DESCRIPTION: Member Wasco County Veterans Services Advisory Committee

Name: ROBERT F LARSELL [REDACTED]

Address: [REDACTED] [REDACTED] [REDACTED] [REDACTED] 97037

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

E-mail: [REDACTED]

Signature: Robert F Larzell

Date: FEB 2, 2017

Number of years as a Wasco County resident: 30

Your objectives/goals? Desired contributions and accomplishments? to better understand  
ISSUES AT/WITH VA & VA HEALTH, RECOMMEND POSSIBLE  
SOLUTIONS

Approximate hours/week available for this commitment? AS AVAILABLE

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

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

DIPLOMA, HIGH SCHOOL, USAF (4 yrs) WELDING TECH (DEC) Date(s): 1967; 1968-72; 1972-73

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

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

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

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

WELDER, LEAD, FORMAN, SUPERVISOR Date(s): 1973-2007

NEWSLETTER EDITOR (CLASSIC CARS, FLYFISHING) Date(s): 1979-2000

JUNIPER FLAT RURAL FIRE PROTECTION DIST. Date(s): 6/14 - PRESENT

MEMBER/CHAPTER PRES. NW STEELHEADERS Date(s): 1994-1999

General Comments/Additional Relevant Information

MEMBER (ADPTD by WC Commission 2015) WHITE RIVER WATERSHED COUNCIL

VOLUNTEER (2015-PRESENT) MAUPIN MADNESS POKER RUN

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

Send completed form to:

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

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

IN THE MATTER OF THE APPOINTMENT OF     )  
ROBERT LARSELL TO THE WASCO COUNTY     )     ORDER  
VETERANS SERVICES ADVISORY COMMITTEE     )     #17-008

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

IT APPEARING TO THE BOARD: That a vacancy exists on the Wasco  
County Veterans Services Advisory Committee (VSAC); and

IT FURTHER APPEARING TO THE BOARD: That Robert Larsell is  
willing and is qualified to be appointed to the Wasco County Veterans Services  
Advisory Committee and has been recommended for this position by the VSAC  
membership.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Robert Larsell be and is hereby appointed to the Wasco County Veterans Services Advisory Committee; said term to expire on December 31, 2018.

DATED this 15<sup>th</sup> Day of February, 2017.

WASCO COUNTY BOARD  
OF COMMISSIONERS

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Rod L. Runyon, Commission Chair

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Scott C. Hege, County Commissioner

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Steven D. Kramer, County Commissioner

APPROVED AS TO FORM:

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Kristen Campbell  
Wasco County Counsel

## INFORMATION AND QUALIFICATION FORM

### WASCO COUNTY MUSEUM COMMISSION

VOLUNTEER POSITIONS  
REPRESENTATIVE FROM  
WASCO COUNTY, OREGON

#### BACKGROUND

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

#### APPLICATION

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

Name: Loyal Quackenbush

Address: [REDACTED]

Phone (home) [REDACTED] Phone (work) 0

E-mail address: [REDACTED]

Signature: Loyal Quackenbush

Date: 1-7-17 Number of years as a Wasco County resident: 59

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

Help with any phase of making the  
Museum better.

Approximate hours/week available for this commitment? AS needed

Comments: We ARE gone approx. 6 months  
out of the year.



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

O.I.T. Date(s): \_\_\_\_\_  
MT. Hood Community College Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_

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

President Mens Slo-pitch Date(s): \_\_\_\_\_  
8 year BOARD Member Little League Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_  
Date(s): \_\_\_\_\_

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

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

General Comments: I have intensest in the history of  
The Dalles. My great grandfather moved here  
in 1905 and started The Dalles Iron Works.  
We now have sixth generation grandchildren living  
here. This community means A lot to me!!

Send completed form to:

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

IN THE COUNTY BOARD OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF	)	
LOYAL QUACKENBUSH TO THE WASCO COUNTY/	)	ORDER
THE DALLES MUSEUM COMMISSION.	)	#17-009

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

IT APPEARING TO THE BOARD: That a vacancy exists on the Wasco  
County/Fort Dalles Museum Commission; and

IT FURTHER APPEARING TO THE BOARD: That Loyal  
Quackenbush is willing and is qualified to be appointed to the Wasco  
County/The Dalles Museum Commission and has been recommended by the  
Museum Commission members.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Loyal Quackenbush be and is hereby appointed to the Wasco County/The Dalles Museum Commission; said term to expire on December 31, 2018.

DATED this 22<sup>nd</sup> day of February, 2017.

WASCO COUNTY  
BOARD OF COMMISSIONERS

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Rod L. Runyon, Commission Chair

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Scott C. Hege, County Commissioner

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Steven D. Kramer, County Commissioner

APPROVED AS TO FORM:

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Kristen Campbell  
Wasco County Counsel

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**MEMORANDUM**

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**TO:** BOARD OF COUNTY COMMISSIONERS  
**FROM:** KATHY WHITE  
**SUBJECT:** LDJACT APPOINTMENTS  
**DATE:** 2/10/2017

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**BACKGROUND INFORMATION**

Chair Runyon, Mr. Smith and Mr. Anderson have served without appointment on the Lower John Day Area Commission on Transportation for a number of years. A recent review of LDJACT draft bylaws revealed that the intent is for a representative and alternate to be appointed by the County for both County representation and Cities of the County representation. These appointments formalize our current representatives and designate an alternate for Cities representation.

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

IN THE MATTER OF THE APPOINTMENT OF	)	
ROD RUNYON AS THE WASCO COUNTY	)	ORDER
ALTERNATE ON THE LOWER JOHN DAY	)	#17-010
AREA COMMISSION ON TRANSPORTATION	)	

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 County appointments are needed for a Wasco County Representative and Alternate to serve on the Lower John Day Area Commission on Transportation (LJDACT); and

IT FURTHER APPEARING TO THE BOARD: That Rod Runyon is willing and is qualified to be appointed to the to the LDJACT as the alternate representative for Wasco County; and

NOW, THEREFORE, IT IS HEREBY ORDERED: That Rod Runyon be and is hereby appointed as the alternate Wasco County representative on the Lower John Day Area Commission on Transportation to serve at the pleasure of the Board.

DATED this 15<sup>th</sup> Day of February, 2017.

WASCO COUNTY BOARD  
OF COMMISSIONERS

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Rod L. Runyon, Commission Chair

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Scott C. Hege, County Commissioner

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Steven D. Kramer, County Commissioner

APPROVED AS TO FORM:

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Kristen Campbell  
Wasco County Counsel

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

IN THE MATTER OF THE APPOINTMENT OF	)	
ARTHUR SMITH AS THE WASCO COUNTY	)	ORDER
REPRESENTATIVE ON THE LOWER JOHN DAY	)	#17-011
AREA COMMISSION ON TRANSPORTATION	)	

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 County appointments are needed for a Wasco County Representative and Alternate to serve on the Lower John Day Area Commission on Transportation (LJDACT); and

IT FURTHER APPEARING TO THE BOARD: That Arthur Smith is willing and is qualified to be appointed to the to the LDJACT as the representative of Wasco County; and

NOW, THEREFORE, IT IS HEREBY ORDERED: That Arthur Smith be and is hereby appointed as the Wasco County representative on the Lower John Day Area Commission on Transportation to serve at the pleasure of the Board.

DATED this 15<sup>th</sup> Day of February, 2017.

WASCO COUNTY BOARD  
OF COMMISSIONERS

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Rod L. Runyon, Commission Chair

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Scott C. Hege, County Commissioner

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Steven D. Kramer, County Commissioner

APPROVED AS TO FORM:

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Kristen Campbell  
Wasco County Counsel



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

IN THE MATTER OF THE APPOINTMENT OF	)	
DAVE ANDERSON AS THE CITIES OF WASCO	)	
COUNTY REPRESENTATIVE ON THE LOWER	)	ORDER
JOHN DAY AREA COMMISSION ON	)	#17-012
TRANSPORTATION	)	

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 County appointments are needed for a Cities of Wasco County Representative and Alternate to serve on the Lower John Day Area Commission on Transportation (LJDACT); and

IT FURTHER APPEARING TO THE BOARD: That Dave Anderson is willing and is qualified to be appointed to the to the LDJACT as the representative of the Cities of Wasco County; and

NOW, THEREFORE, IT IS HEREBY ORDERED: That Dave Anderson  
be and is hereby appointed as the Cities of Wasco County representative on the  
Lower John Day Area Commission on Transportation for a term that expires  
December 31, 2018.

DATED this 15<sup>th</sup> Day of February, 2017.

WASCO COUNTY BOARD  
OF COMMISSIONERS

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Rod L. Runyon, Commission Chair

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Scott C. Hege, County Commissioner

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Steven D. Kramer, County Commissioner

APPROVED AS TO FORM:

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Kristen Campbell  
Wasco County Counsel

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

IN THE MATTER OF THE APPOINTMENT OF )	
DALE MC CABE AS THE ALTERNATE CITIES OF )	
WASCO COUNTY REPRESENTATIVE ON THE )	ORDER
LOWER JOHN DAY AREA COMMISSION ON )	#17-013
TRANSPORTATION )	

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 official appointments are needed for a Cities of Wasco County Representative and Alternate to serve on the Lower John Day Area Commission on Transportation (LJDACT); and

IT FURTHER APPEARING TO THE BOARD: That Dale McCabe is willing and is qualified to be appointed to the to the LDJACT as the alternate Cities of Wasco County representative; and

NOW, THEREFORE, IT IS HEREBY ORDERED: That Dale McCabe be and is hereby appointed as the alternate Cities of Wasco County representative on the Lower John Day Area Commission on Transportation for a term that expires December 31, 2018.

DATED this 15<sup>th</sup> Day of February, 2017.

WASCO COUNTY BOARD  
OF COMMISSIONERS

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Rod L. Runyon, Commission Chair

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Scott C. Hege, County Commissioner

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Steven D. Kramer, County Commissioner

APPROVED AS TO FORM:

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Kristen Campbell  
Wasco County Counsel

**Discussion Item**  
**Pine Hollow Agreement**

- [Staff Memo](#)
- [Agreement between Wasco County, Badger  
Irrigation District and South Wasco Park &  
Recreation District](#)

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**MEMORANDUM**

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**TO:** BOARD OF COUNTY COMMISSIONERS  
**FROM:** KATHY WHITE  
**SUBJECT:** PINE HOLLOW AGREEMENT  
**DATE:** 2/10/2017

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**BACKGROUND INFORMATION**

This agreement references two exhibits A) A 99-year lease with BID as Lessor and SWPRD as Lessee. B) A Bargain Sale and Deed conveying property from Wasco County to SWPRD

The Bargain Sale and Deed was signed by the Board of County Commissioners on February 1, 2017 and accepted by SWPRD at their February 8, 2017 meeting. At that same meeting, the SWPRD Board approved and signed the agreement included in this packet.

The lease between BID and SWPRD is undergoing some final revisions and therefore not included in this packet. While you are being asked to approve and sign the agreement today, it will not be final until the lease is completed and signed by both parties and the entirety of the agreement approved by County Counsel. County Counsel has already reviewed the agreement and is now awaiting the completion and execution of the lease by BID and SWPRD.

BID is scheduled to meet on March 4, 2017 and will be the final signer on this agreement.

The lease became available after the original publication of the Board Packet and is now included as a draft document for exhibit A of the agreement.

## **AGREEMENT**

Agreement, made this \_\_\_\_ day of February, 2017 between Wasco County, through its Board of Commissioners (County), The Badger Irrigation District, an Oregon Mutual Benefit Corporation organized under ORS Chapter 544 (BID), and South Wasco Park & Recreation District, an Oregon special district organized under ORS Chapter 266 (District).

### **RECITALS:**

1. Pine Hollow Reservoir was created by BID in conjunction with the Oregon Department of Fish and Wildlife (ODFW) to store and transport irrigation water to BID members and to develop, manage and maintain a fishery for public utilization. As a condition of ODFW financial participation, fishing takes priority over all other forms of recreation should conflicts develop. As part of the development, County arranged for the construction of two boat ramps and restroom facilities on lands owned by BID and County. The northern boat ramp became unusable and was closed by Wasco County for boat launching. The southern boat ramp has been in use since its construction.
2. District was formed in 2016 to support management of recreational activity in south Wasco County, including recreation at Pine Hollow Reservoir. District has agreed to assume responsibility for the operation and maintenance of the ramps, the parking areas and restroom facilities associated with the ramps.
3. District has also agreed to replace the northern boat ramp, by application for funding support from the Oregon Marine Board and other fund raising efforts. In order to be eligible for such funding, District must be the owner, lessee of the land on which the facilities are located. County and BID are the owners of the land needed by District for these purposes.
4. BID has agreed to lease the District the land under the North and South Boat Ramps at Pine Hollow Reservoir subject to the reconstruction and or removal of the existing North Boat Ramp facility by Nov. 15, 2019. The District shall maintain and operate the South Boat Ramp and the North Boat Ramp through out the term of the lease between the parties. The form of lease to be executed by BID and District is attached hereto as Exhibit A. County has agreed to convey needed real property to District, with reversionary rights, by deed in the form attached hereto as Exhibit B.

ACCORDINGLY, it is agreed as follows:

1. BID and County will execute and cause to be recorded, respectively, a lease and deed in the forms attached hereto. The lease from BID will include an area of land 100 feet wide below the High Water Mark and 160 long, as specifically described by the County Surveyor. Said lands will be utilized by District for the limited purpose of constructing and or reconstructing and maintaining public boat ramps 25 feet wide and 160 feet long below the High Water Mark for the exclusive use of the public in the northern and southern boat ramp

facilities at Pine Hollow Reservoir and all rights and uses incidental to said purpose, consistent with the terms and conditions of the lease.

2. The deed from County will have a reversionary clause, and the lease from BID will have a termination clause, meaning that if either of the following should occur, the land conveyed will return to the ownership of the Grantors:

- a. District is dissolved, or fails to operate with a duly elected board of directors for a period of one year; or
- b. District ceases to operate and maintain the boat ramps and related facilities for a period of one year.
- c. It is contemplated by this agreement District shall have removed and replaced the broken North Boat Ramp by October 1, 2019. In the event District fails to replace the North Boat Ramp by said date District shall remove the broken North boat ramp structure (concrete, rebar and gravel, i.e., an area 25 feet by 160 feet) by Nov. 15, 2019 and the lands leased for the North Boat Ramp to District under the terms of this agreement shall revert to BID by the termination of the lease as to the North Boat Ramp only.

3. District will maintain liability insurance through the Special Districts Association of Oregon, or other provider of equivalent insurance, and to the extent allowed by law will hold BID and County, its directors, officers, employees and agents harmless from any and all claims related to the ownership, control, and management of the boat ramps and related facilities arising after the date of this Agreement.

4. No party shall assign or transfer rights under this Agreement without the prior written consent of the other parties, and it may be amended only by a written document signed by each party.

5. No waiver will be binding on a party unless it is in writing and signed by the party making the waiver. A party's waiver of a breach of a provision of this Agreement will not be a waiver of any other provision or a waiver of a subsequent breach of the same provision.

6. Any attachments referenced in this Agreement are part of this Agreement. The parties will sign other documents and take other actions reasonably necessary to further effect and evidence this Agreement.

7. The parties acknowledge Pine Hollow Co-operative assigned all its rights and ownership interest in Pine Hollow Reservoir to BID including two agreements entered into in 1968 by the Co-operative, Wasco County, and the Oregon State Game Commission in 1969. Nothing in this agreement is intended to assign, modify, or replace those agreements which are binding on the parties thereto. Otherwise, this Agreement contains the entire understanding of the parties regarding the subject matter of this Agreement and supersedes all prior and contemporaneous negotiations and agreements, whether written or oral, between the parties with respect to the subject matter of this Agreement.



8. This Agreement may be signed in counterparts. A fax transmission of a signature page will be considered an original signature page. At the request of a party, a party will confirm a fax-transmitted signature page by delivering an original signature page to the requesting party.

9. Each party has full power and authority to sign and deliver this Agreement and to perform all of its obligations under this Agreement.

AGREED AND APPROVED BY THE PARTIES EFFECTIVE ON THE DATE SET FORTH ABOVE.

THE BADGER IMPROVEMENT DISTRICT

\_\_\_\_\_  
Dan Van Vactor, President & Bd. Mbr.

\_\_\_\_\_  
Jim Bussard, Vice President & Bd. Mbr.

\_\_\_\_\_  
Dane Klindt, Treasurer & Bd. Mbr.

\_\_\_\_\_  
Eric Nordquist, Board Member

\_\_\_\_\_  
Bryan Nordquist, Board Member

WASCO COUNTY  
BOARD OF COMMISSIONERS

Approved as to form:

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

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


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

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

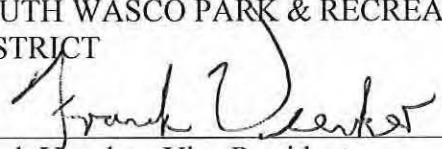
ATTESTED TO:

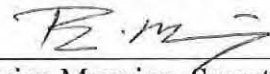
\_\_\_\_\_  
Kathy White

Approved as to form:

  
Keith A. Mobley, District Counsel

SOUTH WASCO PARK & RECREATION  
DISTRICT

  
Frank Veenker, Vice President

  
Brian Manning, Secretary

**Agreement to LEASE, operate and manage facilities by and between  
Badger Improvement District and South Wasco Park and Recreation District**

THIS INDENTURE OF LEASE, made and entered into as of the \_\_\_\_\_ day of March 2017, by and between Badger Improvement District, hereinafter designated as Landlord, and South Wasco Park and Recreation District, hereafter designated as Tenant.

1. PREMISES. In consideration of the covenants, agreements and stipulations herein contained on the part of the Tenant to be paid, kept and faithfully performed by Tenant, the Landlord does hereby lease to said Tenant the following described property:

A: Description for North Boat Ramp Property

That property in the East 1/2 of the Southwest 1/4 of Section 3, Township 4 South, Range 12 East, W. M., Wasco County, Oregon, more particularly described as follows:

Beginning at the westerly terminus of the south right-of-way line of North Pine Hollow Access County Road at the intersection with the easterly boundary of The Badger Improvement District property, described in Bargain and Sale Deed 2009-004434, being also the high water line of Pine Hollow Reservoir; thence on the extension of said right-of-way line, North 88° 01' 51" West, a distance of 160 feet; thence along a line parallel with and 160 feet westerly of said high water line, northerly, approximately 100 feet to a point which bears North 88° 01' 51" West, a distance of 160 feet from the westerly terminus of the north right-of-way line of North Pine Hollow Access County Road, being also the high water line of Pine Hollow Reservoir; thence on the extension of said right-of-way line, South 88° 01' 51" East, a distance of 160 feet to said westerly terminus; thence along said high water line, southerly, approximately 100 feet to the Point of Beginning.

B: Description for South Boat Ramp Property

That property in the East 1/2 half of Section 10, Township 4 South, Range 12 East, W. M., Wasco County, Oregon, more particularly described as follows:

Beginning at the northerly terminus of the westerly right-of-way line of South Pine Hollow Access County Road at the intersection with the southerly boundary of The Badger Improvement District property, described in Bargain and Sale Deed 2009-004434, being also the high water line of Pine Hollow Reservoir; thence on the extension of said right-of-way line, North 17° 43' 00" East, a distance of 160 feet; thence along a line parallel with and 160 feet northeasterly of said high water line, southeasterly, approximately 100 feet to a point which bears North 17° 43' 00" East, a distance of 160 feet from the northerly terminus of the easterly right-of-way line of South Pine Hollow Access County Road, being also the high water line of Pine Hollow Reservoir; thence along said high water line, northwesterly, approximately 100 feet to the Point of Beginning.

2. ORIGINAL TERM. The term of this lease shall commence March 15, 2017, and continue through March 14, 2118. The Tenant shall have the option to extend this lease for an additional term of 99 years by notifying Landlord of this extension, in writing, no later than January 2, 2118. The parties hereto and Wasco County have entered into an agreement attached hereto, marked Exhibit "B", the terms of which shall be made a part of this lease.

3. POSSESSION. Tenant's right to possession and obligations under the lease shall commence on March 10, 2017.

4. RENT. Tenant has paid Landlord \$1.00 dollar and other good and valuable consideration for this lease. The public users of the leased property will benefit from the restoration, repair, maintenance and management of the facilities on the leased property during the term of this lease.

5. PERMITTED USE OF THE LEASE PREMISES. Subject to the applicable rules and regulations governing Pine Hollow Reservoir, the leased premises shall be occupied, and used for the exclusive purpose of providing public access to Pine Hollow Reservoir for two boat ramps, one known as the North Boat Ramp and one known as the South Boat Ramp.

6. RESTRICTIONS OF USE. In connection with the use of the premises, Tenant shall:

A. Conform to all applicable laws and regulations of any public authority affecting the premises and the use, and correct at Tenant's own expense any failure of compliance created through Tenant's fault or by reason of Tenant's use.

B. Refrain from any activity which would make it impossible to insure the premises against liability.

C. See Exhibit "B" for a description of conditions that will cause termination of the North Boat Ramp lease.

7. LANDLORD'S OBLIGATION. The following shall be the responsibility of the Landlord: Landlord shall maintain the reservoir and their corporate status under the laws of Oregon and renew this lease for the management and operation of Tenant's facilities (the boat ramps), subject to Badger Improvement District's

continuing legal right to fill the reservoir based on their adjudicated water rights for distribution to their members under the laws of the State of Oregon.

8. TENANT'S OBLIGATIONS. The following shall be the responsibility of the Tenant:

A. Structural repairs and maintenance and repairs necessitated by structural disrepair or defect of the North and/or South Boat Ramp below the high water marks at Pine Hollow Reservoir.

9. INSPECTION OF PREMISES. Landlord shall have the right to inspect the premises at any reasonable time or times to determine the necessity of repair. Whether or not such inspection is made, the duty of the Tenant to inspect the premises and make necessary repairs to maintain the premises in a safe and operable condition is required by the signing of this lease.

10. ALTERATIONS. Except for emergency or extraordinary circumstances requiring earlier work, Tenant shall make the necessary improvements and alterations of the leased premises inside the scope of this agreement to manage and operate the North and South Boat Ramps during the fall of the year after the reservoir has been drained for distribution to Badger's members.

11. OWNERSHIP OF ALTERATIONS. All permanent improvements and alterations shall remain the property of the Tenant when installed and shall be removed by Tenant upon termination or expiration of this lease.

12. INDEMNIFICATION. Tenant shall indemnify and defend Landlord from any claim, loss or liability arising out of or related to all activities relating to the leased premises and/or the management and operation of said facilities by Tenant so long as this agreement is in effect.

13. LIABILITY INSURANCE. Before going into possession of the premises, Tenant shall procure and thereafter during the term of this lease shall continue to carry liability insurance satisfactory to Tenant, provided, however, the limits of liability insurance shall not be less than \$1,000,000.00 dollars for bodily injury and for property damage. Said liability policy shall name Landlord as an additional insured and such insurance shall not be cancelled absent ten (10) days or more written notice to Landlord.

A. Such insurance shall cover all risks arising directly and indirectly out of Tenant's activity or any condition of the leased premises in accord with paragraph 12 above.

B. Said insurance coverage shall be increased as deemed necessary by the prudent management of the facility by Tenant, or as mutually agreed in writing by Landlord and Tenant.

14. LANDLORD'S WARRANTY. Landlord warrants that it is the owner of the leased premises and has the right to lease them free of all encumbrances.

15. DEFAULT. The following shall be events of default:

A. Default in Other Covenants. Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within a reasonable time (90) days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 90 day period, this provision shall be complied with if Tenant begins correction of the default within the 90 day period and thereafter proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

B. Abandonment. Failure of the Tenant for ninety (90) days or more to exercise control and assume responsibility for the property for one or more of the purposes permitted under this lease unless such failure is excused under the other provisions of this lease.

C. Corporate Status. Tenant's failure to maintain legal district or corporate status under the laws of the State of Oregon.

D. Performance of all conditions as set out on Exhibit "B" attached hereto and made a part thereof.

16. REMEDIES ON DEFAULT.

A. Termination. In the event of a default, the lease may be terminated at the option of the Landlord by notice in writing to Tenant. The notice may be given before or within thirty (30) days after the running of the grace period for default and may be included in a notice of failure of compliance given under paragraph 15A above. If the property is abandoned by Tenant in connection with a default, termination shall be automatic and without notice.

B. Re-entry After Termination. If the lease is terminated for any reason, Tenant's liability to Landlord damages shall survive such termination, and the rights and obligations of the parties shall be as follows:

1. Tenant shall vacate the property immediately, remove any improvements of the property by Tenant, including fixtures which Tenant is required to remove at the end of the lease term, perform any clean-up, alterations or other work required to leave the property in the condition required at the end of the term.

2. Landlord may re-enter, take possession of premises and remove any persons or property by legal action or by self-help with the use of reasonable force and without liability for damages.

C. Remedies. All remedies available to Landlord under applicable law.

17. DEFAULT BY LANDLORD. If the Landlord defaults on any of the terms of this agreement, the Tenant may terminate the lease together with any other remedy available to the Tenant under applicable law.

18. CONDITION OF PREMISES. Upon expiration of the lease term or earlier termination on account of default, Tenant shall surrender the lease premises in good condition free of all structural improvements to the property used for the purpose of a public boat ramp. Tenant shall be solely responsible for the costs associated with the removal of the improvements.

19. NONWAIVER. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

20. AMENDMENT. This agreement may be amended anytime by the parties executing a written addendum hereto.

21. ATTORNEY FEES. If suit or action is instituted in connection with any controversy arising out of this lease, the prevailing party shall be entitled to recover, in addition to costs, such sum as the Court, including any appellate court, may adjudge reasonable attorney fees.

22. NOTICES. Any notice required or permitted under this lease shall be given when actually delivered or when deposited in the United States mail as certified mail addressed as follows:

To Landlord: Badger Improvement District  
P.O. Box 276  
Tygh Valley, OR 97063

To Tenant: South Wasco Park and Recreation District  
P.O. Box 177  
Tygh Valley, OR 97063

or to such other address as may be specified from time to time by either of the parties in writing.

23. SUCCESSION. Subject to the above stated limitations on transfer of Tenant's interest, this lease shall be binding upon and inure to the benefit of the parties, their respective successors and assigns.

24. A memorandum of recording of this lease will be filed with the Wasco County Clerk.

LANDLORD:

TENANT:

\_\_\_\_\_  
Dan Van Vactor, President

\_\_\_\_\_  
Frank Veenker, Vice President

ATTEST:

\_\_\_\_\_  
Badger Improvement District, Secretary

\_\_\_\_\_  
South Wasco Park and Recreation District, Secretary



## Exhibit B

Until a change is requested, all tax statements shall be sent to:

No Change, Tax Exempt Entities

After recording return to:  
Timmons Law PC  
PO Box 2350  
The Dalles, OR 97058

Grantor:  
Wasco County  
511 Washington Street  
The Dalles, OR 97058

Grantee:  
South Wasco Park & Rec. District  
Keith A. Mobley, Lawyer  
P.O. Box 537  
Dufur, OR 97021

Consideration: Public Purpose, ORS 271.330

### BARGAIN AND SALE DEED

COUNTY OF WASCO, a political subdivision of the State of Oregon, Grantor, conveys to SOUTH WASCO PARK & RECREATION DISTRICT, an Oregon special district formed under the authority of ORS chapters 198 and 266, Grantee, the following described real property in Wasco County, Oregon (the "Property"):

#### Description for North Access Property

That property in the East 1/2 of the Southwest 1/4 of Section 3, Township 4 South, Range 12 East, W. M., Wasco County, Oregon, more particularly described as follows:

"Play Ground" tract, Subdivision Plat of Pine Hollow Recreation Development, East Shore Lots, Second Addition, filed October 4, 1972, in Slide A-065, records of Wasco County, Oregon;

INCLUDING the underlying fee of the southerly half of North Pine Hollow Access County Road, from the northerly extension of the easterly line of said Play Ground tract, westerly to the easterly boundary of The Badger

Improvement District property, as described in Corrective Deed 2017-xxxx, also being the high water line of Pine Hollow Reservoir.

Description for South Access Property

That property in the East 1/2 half of Section 10, Township 4 South, Range 12 East, W. M., Wasco County, Oregon, more particularly described as follows:

Parcel 2, Partition Plat 2003-0005, recorded April 17, 2003 as Document 2003-2218, in Slide C-188B, records of Wasco County, Oregon;

INCLUDING the underlying fee of the westerly half of South Pine Hollow Access County Road, from the southeasterly extension of the southwesterly line of said Parcel 2, northerly to the southerly boundary of The Badger Improvement District property, as described in Corrective Deed 2017-xxxx, also being the high water line of Pine Hollow Reservoir.

Subject to and excepting all instruments and matters of record and those not of record which affect the above described real property.

The true consideration for this conveyance stated is: zero (0) dollars pursuant to ORS 271.330, subject to the following condition: if Grantee is dissolved or ceases to function as a Park & Recreation District as defined by Oregon Revised Statutes or if the Property ceases to be used in conformance with ORS 271.330 or its successor, the Property shall revert to and thereafter become fee simple real estate again owned by Grantor. Before any legal dissolution, Grantee will provide a bargain and sale deed in form and substance acceptable to Grantor evidencing the reversion and reconveyance of the real property.

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

ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: February 1, 2017.

WASCO COUNTY  
BOARD OF COMMISSIONERS

By: [Signature]  
Scott C. Hege, Commission Chair

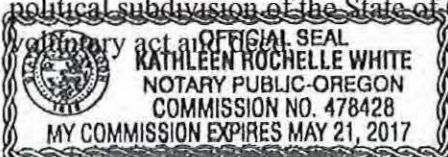
By: [Signature]  
Rod L. Runyon, County Commissioner

By: [Signature]  
Steven D. Kramer, County Commissioner

STATE OF OREGON )  
County of Wasco ) ss.

February 1, 2017.

Personally appeared the above named Scott C. Hege, Commission Chair of Wasco County, a political subdivision of the State of Oregon, and acknowledged the foregoing instrument to be his

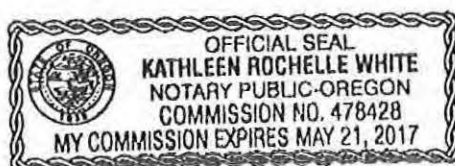


Kathleen Rochelle White  
Notary Public for Oregon

STATE OF OREGON )  
County of Wasco ) ss.

February 1, 2017.

Personally appeared the above named Rod L. Runyon, County Commissioner of Wasco County, a political subdivision of the State of Oregon, and acknowledged the foregoing instrument to be his voluntary act and deed.

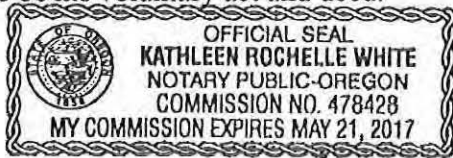


Kathleen Rochelle White  
Notary Public for Oregon

STATE OF OREGON                    )  
  ) ss.  
County of Wasco                    )

Kramer  
Feb 1 February 1, 2017.

Personally appeared the above named Steven D. Kramer, County Commissioner of Wasco County, a political subdivision of the State of Oregon, and acknowledged the foregoing instrument to be his voluntary act and deed.



Kathleen Rochelle White  
Notary Public for Oregon

SOUTH WASCO PARK &  
RECREATION DISTRICT

By: Frank Veenker  
Frank Veenker, Vice President

ATTEST:

Brian Manning  
Brian Manning, Secretary

APPROVED AS TO FORM:

Kristen A. Campbell  
Kristen A. Campbell, Wasco County Counsel

**Discussion Item**  
**Joint Defense Agreements**

- [Yakama Nation Agreement](#)
- [Warm Springs/Umatilla/Friends/Yakama Agreement](#)

## COMMON INTEREST AND JOINT DEFENSE AGREEMENT

This COMMON INTEREST AND JOINT DEFENSE AGREEMENT (“Agreement”), effective as of the signature date below, is entered into by and among the Wasco County Board of Commissioners (“Board”), the Friends of the Columbia Gorge, Columbia Riverkeeper, Oregon Physicians for Social Responsibility (collectively the “Environmental Organizations”) and the Confederated Tribes and Bands of the Yakama Nation (the “Yakama Nation”) (collectively the “Parties”) concerning matters of common interest and relating to the joint defense and litigation arising from a pending appeal before the Gorge Commission entitled *Union Pacific Railroad Company v. Wasco County Board of County Commissioners* (CRGC No. COA-16-01), any appeals therefrom, and any related litigation (collectively the “Proceedings”).

WHEREAS, the Parties, their respective agents, and their respective counsel are involved in Proceedings in which they share a common interest, and believe the Parties have a common and joint legal interest in exchanging certain information in connection with defending or prosecuting the Proceedings and evaluating issues related to the Proceedings;

WHEREAS, the Parties, their respective agents, and their respective legal counsel have shared and desire to continue to share information related to the Proceedings, including, but not limited to, sharing legal arguments and strategic options (hereinafter referenced as “Common Interest Information”) so as to ensure that any responsive or proactive strategies related to the Proceedings are coordinated and effective;

WHEREAS, the Parties intend that in connection with the exchange of Common Interest Information, there be no waiver of the attorney-client privilege, attorney work-product immunity, common interest privilege, joint defense privilege, or any other applicable privilege or immunity, to the extent such privileges or immunities exist in any jurisdiction; and

WHEREAS, this Agreement is intended to ensure that any communications and any exchanges of related information or materials as contemplated herein between the Parties, their respective agents, or their respective counsel do not constitute a waiver of any privilege or immunity otherwise applicable to the exchange of Common Interest Information;

WHEREAS, the Board has retained Kristen Campbell, the Friends of the Columbia Gorge has retained Steve McCoy, the Environmental Organizations have retained Gary Kahn and the Tribe has retained Galanda Broadman, PLLC (the Parties respective counsel are referred to collectively as “Counsel”);

NOW, THEREFORE, in accordance with the foregoing recitals, and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is hereby agreed that:



1. Privilege/Immunity. The protections of the attorney-client privilege, the attorney work-product immunity, common interest privilege, joint defense privilege, and/or any other applicable privilege or immunity are not waived, and have not been waived, for any Common Interest Information that has been exchanged since January 11, 2017, or that may be exchanged in the future, by the Parties and their respective legal counsel, including but not limited to Counsel listed above, and;

2. Disclosure/Waiver. All Common Interest Information that has been exchanged since January 11, 2017, or that may be exchanged in the future, by the Parties, their respective agents, and their respective legal counsel, including but not limited to Counsel listed above, pursuant to this Agreement shall be treated as privileged and confidential and shall be protected from disclosure. The Parties shall strive to clearly mark all Common Interest Information exchanged in the future as "Confidential Subject to Joint Defense Agreement," "Subject to JDA," or with some similar designation, but the Parties' failure to so mark documents shared pursuant to this Agreement shall not be construed as an intent to waive any privilege that would otherwise attach to such exchange.

3. No Waiver of Sovereign Immunity. In addition, notwithstanding the foregoing, nothing herein may be construed as a waiver of the Yakama Nation's sovereign immunity, limited or otherwise, nor an agreement to diminish, waive, or alter the privileges, rights, and immunities guaranteed to the Yakama Nation under the Treaty with the Yakamas of 1855 (12 Stat. 951).

ACCEPTED AND AGREED:

WASCO COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_ Date: Feb  
Title: Chair, Wasco County Board of Commissioners

FRIENDS OF THE GORGE  
COLUMBIA RIVERKEEPER  
OREGON PHYSICIANS FOR SOCIAL RESPONSIBILITY

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_

YAKAMA NATION

By:  \_\_\_\_\_ Date: 2-6-17  
Title: Counsel for the Yakama Nation

## COMMON INTEREST AND JOINT DEFENSE AGREEMENT

This COMMON INTEREST AND JOINT DEFENSE AGREEMENT ("Agreement"), is entered into by and among the Columbia River Gorge Commission ("Gorge Commission"), Bowen Blair, Gorham Blaine, Dan Erickson, Robert Liberty, Rodger Nichols, Antone Minthorn (collectively "Gorge Commissioners"), Wasco County, the Wasco County Board of Commissioners, Rod Runyon, Steve Kramer, Scott Hege, Angie Brewer, the Wasco County Planning Department, Friends of the Columbia Gorge, Columbia Riverkeeper, Oregon Physicians for Social Responsibility, the Confederated Tribes and Bands of the Yakama Nation ("Yakama Nation"), the Confederated Tribes of the Warm Springs Reservation ("Warm Springs Tribes"), and the Confederated Tribes of the Umatilla Indian Reservation ("CTUIR") (collectively the "Parties") concerning matters of common interest and relating to the joint defense and litigation arising from the action filed by Union Pacific Railroad Company in the Federal District Court of Oregon entitled *Union Pacific Railroad Company v. Rod Runyon* (D. Or. Case No. 3:17-cv-00038-AA), any appeals therefrom, and any related litigation (collectively the "Proceedings"), but not including the two pending appeals before the Gorge Commission entitled *Union Pacific Railroad Company v. Wasco County Board of County Commissioners* (CRGC No. COA-16-01) and *Friends of the Columbia Gorge v. Wasco County Board of County Commissioners* (CRGC No. COA-16-02).

WHEREAS, the Parties through their counsel wish to memorialize their Agreement to work cooperatively and to pursue their common interest in developing a joint defense strategy for and in the Proceedings. The Parties believe that sharing of confidential and privileged information and documents among themselves through their attorneys and agents will be mutually beneficial in the pursuit of their common legal interests and objectives in the Proceedings;

WHEREAS, the Parties, their respective agents, and their respective legal counsel have shared and desire to continue to share information related to the Proceedings, including, but not limited to, sharing legal arguments and strategic options (hereinafter referenced as "Common Interest Information") so as to ensure that any responsive or proactive strategies related to the Proceedings are coordinated and effective;

WHEREAS, the Parties intend that in connection with the exchange of Common Interest Information, there be no waiver of the attorney-client privilege, attorney work-product immunity, common interest privilege, joint defense privilege, or any other applicable privilege or immunity, to the extent such privileges or immunities exist in any jurisdiction; and

WHEREAS, this Agreement is intended to ensure that any communications and any exchanges of related information or materials as contemplated herein between the Parties, their respective agents, or their respective counsel do not constitute a waiver of any privilege or immunity otherwise applicable to the exchange of Common Interest Information;



NOW, THEREFORE, in accordance with the foregoing recitals, and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is hereby agreed that:

1. Privilege/Immunity. The protections of the attorney-client privilege, the attorney work-product immunity, common interest privilege, joint defense privilege, and/or any other applicable privilege or immunity are not waived, and have not been waived, for any Common Interest Information that has been exchanged since January 9, 2017, or that may be exchanged in the future, by the Parties and their respective legal counsel, and;
2. Disclosure/Waiver. All Common Interest Information that has been exchanged since January 9, 2017, or that may be exchanged in the future, by the Parties, their respective agents, and their respective legal counsel pursuant to this Agreement shall be treated as privileged and confidential and shall be protected from disclosure. The Parties shall strive to clearly mark all Common Interest Information exchanged in the future as “Confidential—Subject to Joint Defense Agreement,” “Subject to JDA,” or with some similar designation, but the Parties’ failure to so mark documents shared pursuant to this Agreement shall not be construed as an intent to waive any privilege that would otherwise attach to such exchange.
3. No Waiver of Sovereign Immunity. In addition, notwithstanding the foregoing, nothing herein may be construed as a waiver of the Yakama Nation’s, Warm Springs Tribes’, and CTUIR’s sovereign immunity, limited or otherwise, nor an agreement to diminish, waive, or alter the privileges, rights, and immunities guaranteed to the Yakama Nation, Warm Springs Tribes, and CTUIR under their Treaties with the United States of America.
4. The Parties agree that this Agreement shall remain in effect until completion of the Litigation to a final non-appealable judgment or to a final negotiated resolution related to such proceedings, whichever is later. All Privileged Communications provided to a Party or counsel shall be returned, if requested by the furnishing Party or Party’s counsel, at the conclusion thereof.
5. By signing this Agreement, each of the undersigned counsel certifies that the contents of this Agreement have been explained to each counsel’s respective client(s) and that each client agrees to abide by the understandings reflected herein. Nothing contained herein shall be deemed to create an attorney-client relationship or duty of loyalty between any counsel and anyone other than the client of that counsel either expressly or by implication.
6. This Agreement is effective as of the date of the commencement of the Proceedings. This Agreement may be executed in multiple counterparts, each signature being made part of the whole Agreement as if executed as one document. Original, facsimile, and electronic signatures are sufficient and may be employed to execute this Agreement.

ACCEPTED AND AGREED:

COLUMBIA RIVER GORGE COMMISSION

BOWEN BLAIR, GORHAM BLAINE, DAN ERICKSON, ROBERT LIBERTY, RODGER NICHOLS, ANTONE MINTHORN

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_

WASCO COUNTY

ROD RUNYON, STEVE KRAMER, SCOTT HEGE  
WASCO COUNTY BOARD OF COMMISSIONERS  
ANGIE BREWER  
WASCO COUNTY PLANNING DEPARTMENT

By: \_\_\_\_\_ Date: February 15, 2017  
Title: Chair, Wasco County Board of Commissioners

FRIENDS OF THE COLUMBIA GORGE

COLUMBIA RIVERKEEPER

OREGON PHYSICIANS FOR SOCIAL RESPONSIBILITY

By: [Signature] Date: 2/13/17  
Title: Attorney

YAKAMA NATION

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_

CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION

By: [Signature] Date: 2/10/17  
Title: Attorney

CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION

By: [Signature] Date: 2/7/2017  
Title: Attorney

**WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
FEBRUARY 15, 2017**

**CONSENT AGENDA**

1. [2.1.2017 Minutes:](#)
2. [Transportation Funding Resolution](#)



WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
FEBRUARY 1, 2017

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

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

Ms. White asked to add the Natural Hazards Mitigation Plan update project to the Discussion List saying that Planning would like to have a Board representative participate in the project. She noted that some items had been added to the agenda since it was originally published – congratulatory letters to newly inducted elected officials within the County along with a letter of appreciation have been added to the Consent Agenda and transportation funding has been added to the Discussion List.

<b>Discussion List – Courthouse Lighting</b>
--

Facilities Manager Fred Davis stated that we are always looking for opportunities to improve energy efficiency and over the years have moved from incandescent lighting to fluorescent lighting and then to more efficient fluorescent lighting. He reported that BPA/PUD is offering a rebate program to subsidize the installation of LED lighting; we should receive \$7,500 to support this project.

Mr. Davis explained that we currently spend approximately \$2,000 annually on small

electrical repairs in the Courthouse, most of which is to replace ballasts in the fluorescent light fixtures. The new LED technology has ballasts within each tube. While we will need to have the current fixtures refitted to accommodate the new technology, once that is done, there will not be an ongoing need to replace the ballasts.

Mr. Davis went on to say that the current lighting uses 32 watts per tube; the LED replacements will be sized to match current output but will require only 19 watts. With over 790 fluorescents being replaced, we will save over 10,000 watts annually. Based on our hours of use, the tubes will last 18-19 years reducing the staff time required to replace burnt-out lights. He estimated a return on investment at approximately 12 years. He added that they will be sensitive to staff interruptions as the project moves forward.

Chair Runyon noted that the recommended quote is by far the best and has some protective clauses in the agreement. Commissioner Kramer expressed appreciation for the negotiations to reduce our costs. Mr. Davis stated that his staff will be able to handle the disposal in-house which allowed him to reduce the scope of the contract.

Commissioner Kramer asked if we have applied for the rebate. Mr. Davis responded that the contractor will handle that part.

**{{{Commissioner Hege moved to approve the Personal Services Contract with Hire Electric for lighting conversion in the Wasco County Courthouse. Commissioner Kramer seconded the motion which passed unanimously.}}}**

<b>Discussion List – Blue Zones</b>
-------------------------------------

Chair Runyon referenced the email from Representative John Huffman saying that there is a time limit on pledging financial support for the Blue Zones project; as of yesterday morning they were about \$15,700 short. The deadline was yesterday.

Commissioner Kramer reported that he had contacted Rep. Huffman to get an extension. Rep. Huffman was able to negotiate a one-day extension. He stated that as of this morning, the shortfall is \$13,600 with the potential of another \$5,000 being pledged by Providence. He went on to say that he supports the project and is leaning toward a County pledge for the first year only to fill the funding gap.

Chair Runyon asked if the City of The Dalles is participating. Commissioner Kramer replied that he has talked with each of The Dalles City Councilors. They could not meet the timeline for the current request but will be adding that conversation to their budgeting for years two and three.

WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
FEBRUARY 1, 2017  
PAGE 3

Commissioner Hege noted that once the commitment is made, funds are not due right away. Commissioner Kramer confirmed saying that the funds are not due until the end of the year. He said that the total commitment for the first year is \$200,000 followed by a \$300,000 commitment each year for years two and three. The contribution from the Blue Zones organization will be approximately \$600,000 for the first year and a little more than \$500,000 each year for years two and three – that is an investment in our community of more than \$1.6 million over three years.

Commissioner Hege expressed some concern regarding sustainability beyond the first three years. However, he said that he does not think it unreasonable that the City of The Dalles and the County work together to provide some funding. He stated that he anticipates an increase in the third Google enterprise zone initial payment and suggested that some of those funds could be allocated to the Blue Zones project. Commissioner Kramer responded that he thinks that could work well in years two and three.

Commissioner Kramer continued by saying that the County will be receiving some unanticipated revenue through solid waste hosting fees as Clark County will be trucking waste to our landfill while The Dalles Dam lock is closed for repairs and improvements. He suggested that those funds could be used to fill the current funding gap for the first year of the Blue Zones Project.

Finance Director Mike Middleton explained that we have already exceeded budget revenues by about \$100,000 in the solid waste fund. He noted that the additional unanticipated Clark County revenue is a one-time increase which would coincide with the one-time contribution to the Blue Zones project. These are general funds that can be allocated at the discretion of the Board and are out-of-County dollars.

Chair Runyon asked about a contribution from the City of The Dalles. Commissioner Kramer replied that he has talked to all of the councilors, three are ready to commit and all are open to the discussion.

Commissioner Hege asked if the project organizers want an upfront commitment for all three years. Commissioner Kramer replied that they are only looking for the first year commitment which will give us time to work on funding for years two and three. Commissioner Hege stated that while he does not have a problem using the host fees, he thinks it would be more appropriate to use the enterprise zone funds. He committed to working with the City of The Dalles to make the contribution jointly between the City and County. He said that he would back it using either pot of money but would prefer to use the enterprise zone funds.

Chair Runyon stated that he does not feel like he has enough information and would like to look into another extension. He stated that he is not comfortable donating to a city project as it would open the door to all the cities within the County looking for financial contributions to their projects; the County cannot afford that.

Commissioner Hege noted that that is one of the reasons it makes more sense to use the enterprise zone funds as the enterprise zone encompasses the City of The Dalles and its urban growth boundary. He stated that he thinks we will be getting some additional funds from the initial fee and feels that the City will be amenable to apply some of that additional money to the Blue Zones. He said that he would be happy to present that proposition to them.

**{{{Commissioner Kramer moved to use Google Enterprise Zone funds not to exceed \$13,600 for a one-time contribution to the first year funding for The Dalles Blue Zones Project. Commissioner Hege seconded the motion.**

#### DISCUSSION

Commissioner Kramer noted that this is not just a City of The Dalles Project but is a collective project not only for Wasco County but for the region. Commissioner Hege stated that he supports the motion with the understanding that the County will work with the City of The Dalles to jointly fund the balance. Chair Runyon observed that in Klamath Falls the Blue Zones Project is supported entirely by private funding.

**Commissioner Kramer and Commissioner Hege voted “Yay;” Chair Runyon voted “Nay.” Motion passed.}}**

#### **Agenda Item – Clear Ballot Contract**

County Clerk Lisa Gambie reminded everyone that this topic has been before the Board previously. She reviewed earlier presentations saying that the County’s current 2007 vote tabulator has reached the end of its useful life. In exploring options for its replacement, she learned that many other counties in the State are moving to a software system that uses off-the-shelf hardware. Although, newer used equipment is available, County Administrator Tyler Stone was able to negotiate a nearly 50% reduction in the Clear Ballot start-up fee which made the system affordable for us. There will be an annual licensing and maintenance fee but that would be true for the tabulating machines as well. Another advantage to the software is that it will remain current with updates each year.

WASCO COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
FEBRUARY 1, 2017  
PAGE 5

Commissioner Kramer commended Ms. Gambée on the work done to bring us to this point and said that he sees no reason to not move forward.

Mr. Middleton explained that there is a capital fund for just such purchases; for more transparent accounting, the funds will be transferred into the IT budget and the purchase made from there. He noted that the Board Packet contains a budget order for that transfer.

Commissioner Hege asked why there are all the redactions in the proposed contract. Ms. Gambée explained that Clear Ballot was not ready with a Wasco-County-specific contract so provided this one as a template. Ms. White added that the ask is for the Board to approve pending legal review/approval as the Clerk will need to get the software in place soon to be able to use it for the May election – a delay to the next Board session could be too long.

Commissioner Hege asked about the language referencing early adoption, noting that that are sometimes problems relating to the early adoption of technology. Information Services Director Paul Ferguson said that the system has been used successfully in many of the larger Oregon counties; some system changes had to be made for smaller counties which is how we got the designation as an early adopter. He said that he is not concerned about the technology. Ms. Gambée noted that Harney County is the first small county in Oregon to have purchased the software; at some point the company will not want to offer this special pricing.

Commissioner Hege asked about the support equipment. Mr. Ferguson replied that off-the-shelf components will need to be replaced periodically; the advantage to that is we won't be stuck with outdated equipment. He said that it is good to refresh hardware and it will be less expensive than a new tabulator.

Commissioner Hege asked about the first year costs. Mr. Ferguson stated that the initial hardware is included in the initial fee. He said that there could be just a few dollars saved by purchasing those ourselves but it is not substantial and not worth the time it would take to make the purchases. Ms. Gambée added that \$55,000 of the \$65,347 initial fee is for the license, the rest is to purchase the hardware. The initial fee also covers the first year maintenance fee; after that the fee for annual maintenance will be \$10,500. She said that the maintenance fee is quite a bit more than we are currently paying, but were we to upgrade to a newer tabulator, the maintenance fee would be comparable.



Commissioner Hege asked if the fees will go up each year. Mr. Ferguson replied that a 4% increase is not unusual; this contract includes a cap of 3% for increases.

Commissioner Hege said that looking at the total numbers for each option, this one is a little more than the others. He commented that in the longer term, this is probably not the most expensive choice. He pointed out that this will be more efficient and accurate which will bring cost savings. Ms. Gambee agreed noting that it is a much more transparent system and will take less staffing to run.

**{{{Commissioner Kramer moved to enter into a contract with Clear Ballot pending legal approval. Commissioner Hege seconded the motion which passed unanimously.}}}**

Ms. Gambee added that training is part of the deal and includes ballot design.

#### **Agenda Item – SWPRD Deed Conveyance**

Ms. Gambee introduced South Wasco Park and Recreation District Board members Frank Veenker, Brian Manning, and Valerie Manning along with Keith Mobley, attorney for SWPRD. She stated that it has been a long road to a solution for the failing boat ramp in Pine Hollow. She noted that an elected SWPRD Board is in place and seeking to apply for a Marine Board grant; they need to either own the property or have the permission of the owners to do the work. She explained that the County has committed to deed over their Pine Hollow property to SWPRD which includes the park at the north end and restrooms on the south end. She went on to say that Badger Irrigation District is willing to sign a 99-year lease for the property under the water which will avoid having to do a replat. She said that Mr. Mobley and County Surveyor Dan Boldt have done a great job negotiating the process. She stated that the deed before the Board today has a reversionary clause. She noted that the BID lease will also have a reversionary clause which is dependent on the ramp being completed by a certain date.

Mr. Veenker stated that he is in close contact with the Oregon State Marine Board; SWPRD will apply as soon as the documents are in place. Mr. Manning added that they have also worked with the Economic Development District to put the project on their Agora Platform to attract funding to help with the matching funds needed for a grant.

Commissioner Hege asked if the deed is for one ramp or both. Ms. Gambee replied that it is for all the County properties at the reservoir with the exception of the road leading in. Mr. Veenker added that they will be applying for grant money for both

ramps; the Marine Board has advised that there is funding available and has encouraged the SWPRD to apply. Mr. Manning observed that the south ramp is usable but in need of repair. Mr. Mobley added that the deed will likely provide the match for the grant funding.

**{{{Commissioner Hege moved to approve the Bargain Sale and Deed to South Wasco Park and Recreation District for the north and south access property at the Pine Hollow Reservoir. Commissioner Kramer seconded the motion which passed unanimously.}}}**

<b>Discussion List - Appointments</b>
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**{{{Commissioner Hege moved to approve Order 17-003 appointing Mike Woodside to the Wasco County Compensation Committee. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**{{{Commissioner Hege moved to approve Order 17-004 appointing Pat Ashmore to the NORCOR Budget Committee. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**{{{Commissioner Hege moved to approve Order 17-005 appointing Thelma Alsop to the Wasco County Fair Board. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**{{{Commissioner Hege moved to approve Order 17-006 appointing Rod Runyon as an alternate on the MCCOG Board of Directors. Commissioner Kramer seconded the motion which passed unanimously.}}}**

**{{{Commissioner Hege moved to approve Order 17-007 recommending the appointment of David Staehnke to the MCCOG Budget Committee. Commissioner Kramer seconded the motion which passed unanimously.}}}**

<b>Agenda Item – Transportation Funding</b>
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Ms. White explained that the templates in the packet are for the Board's consideration to direct staff as to whether or not they wish to move forward with a similar resolution for Wasco County.

Public Works Director Arthur Smith said that Michael Eliason is the advisor to the AOC Transportation Sub-Committee and helped to draft the template. The resolution is to express support and let the legislature know this is important to counties. He

stated that he supports this action – the funding is crucial.

Commissioner Hege stated that he would like to see the AOC template tailored to Wasco County and have staff return with it for consideration at the next Board session.

**\*\*\*The Board was in consensus to direct staff to create a Wasco County resolution regarding State transportation funding for consideration at an upcoming Board session.\*\*\***

#### **Consent Agenda – Minutes/Correspondence**

Commissioner Hege said that he thinks the letters to elected officials is a great idea.

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

Chair Runyon called for a recess at 10:15 a.m.

The session resumed at 10:21 a.m. and Chair Runyon recessed to Executive Session pursuant to ORS 792.660(2)(d) Labor Negotiations Consultations.

The regular session resumed at 10:43 a.m.

**\*\*\*The Board directed Sheriff Magill to proceed with discussions within his department for the employee who has filed a grievance. The Board will provide a letter to document that direction.\*\*\***

Chair Runyon adjourned the session at 10:45 a.m.

#### **Summary of Actions**

##### **Motions Passed**

- To approve the Personal Services Contract with Hire Electric for lighting conversion in the Wasco County Courthouse.
- To use Google Enterprise Zone funds not to exceed \$13,600 for a one-time contribution to the first year funding for The Dalles Blue Zones Project.
- To enter into a contract with Clear Ballot pending legal approval.
- To approve the Bargain Sale and Deed to South Wasco Park and Recreation District for the north and south access property at the Pine

**Hollow Reservoir.**

- **To approve Order 17-003 appointing Mike Woodside to the Wasco County Compensation Committee.**
- **To approve Order 17-004 appointing Pat Ashmore to the NORCOR Budget Committee.**
- **To approve Order 17-005 appointing Thelma Alsup to the Wasco County Fair Board.**
- **To approve Order 17-006 appointing Rod Runyon as an alternate on the MCCOG Board of Directors.**
- **To approve Order 17-007 recommending the appointment of David Staehnke to the MCCOG Budget Committee.**
- **To approve the Consent Agenda:**
  - **1.4.2017 Regular Session Minutes**
  - **1.12.2017 Work Session Minutes**
  - **Congratulatory Letters**
  - **Letter of Appreciation**

**Consensus**

- **To direct staff to create a Wasco County resolution regarding State transportation funding for consideration at an upcoming Board session.**
- **The Board directed Sheriff Magill to proceed with discussions within his department for the employee who has filed a grievance. The Board will provide a letter to document that direction.**

Wasco County  
Board of Commissioners

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Rod L. Runyon, Board Chair

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Scott C. Hege, County Commissioner

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Steven D. Kramer, County Commissioner

**Consent Agenda Item**  
**Transportation Funding Resolution**

- [Staff Memo](#)
- [Wasco County Transportation Priorities](#)
- [Resolution 17-002 Supporting State](#)  
[Transportation Funding Package](#)

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**MEMORANDUM**

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**TO:** BOARD OF COUNTY COMMISSIONERS  
**FROM:** KATHY WHITE  
**SUBJECT:** TRANSPORTATION RESOLUTION  
**DATE:** 2/10/2017

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**BACKGROUND INFORMATION**

At the February 1, 2017 Session, the Board reviewed transportation resolution templates from the Association of Oregon Counties (AOC) and Jefferson County. The Board's direction to staff was to create a Wasco County resolution based on the AOC template and bring it to the Board for consideration at a future meeting.

# Wasco County Road Priorities



Association of  
Oregon Counties

## County Information

Population: 25,775

Square Miles: 2,396

Federal / State Land  
Ownership: 15%

## Road Data

Total Road Miles: 674

Gravel Road Miles: 404

Paved Roads in Good  
Condition: 86%

Bridges: 120

Structurally Deficient  
Bridges: 6

## Road Funding (FY 16)

State Highway Fund:  
\$1,863,000

Federal Surface Trans-  
portation Program:  
\$267,000



[OregonCounties.org/RoadFunding](http://OregonCounties.org/RoadFunding)

## Background

Originally consisting of 130,000 square miles over multiple states, Wasco County still comprises 2,396 square miles. Wasco County has significant agricultural, timber and tourism industries.

The 2014 County Road Needs Study found Oregon's Counties need an additional \$505 million per year in funding.



## Spending

The example projects below assume counties continue to receive 30 percent of any new statewide transportation package and that the package amounts to \$600 million per year in new funding. Based on these assumptions, Wasco County would expect to receive \$6.9 million in new revenue over five years and would prioritize:

- **Pavement Preservation:** Wasco County has effectively managed the condition of its pavement with less than one percent of county roads in poor or very poor condition. To ensure their roads don't deteriorate and end up with potholes and cracking, Wasco County has prioritized the preservation of their pavement through chip seals, crack sealing and pavement repairs. Pavement preservation is also extremely cost-effective: without regular preservation treatments, roads would eventually need to be reconstructed at a 6 to 14 times higher cost.
- **Road Reconstruction:** With new funding, Wasco County would invest in reconstructing existing roads to improve access and enhance economic opportunities. Three different corridors would receive significant improvements with this funding, increasing capacity for agricultural, timber and wind farm development.
- **Bridge Replacement and Rehabilitation:** It is crucial to prioritize investment in the replacement and rehabilitation of a county's bridges because, without action, access could be restricted. Structurally deficient bridges are likely candidates for replacement or rehabilitation, but even this significant infusion of new funding would be insufficient to replace all of Wasco County's six structurally deficient bridges.

### How Wasco County Would Spend \$6.9 Million in New Road Funding Over 5 Years



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF SUPPORTING	)	RESOLUTION
THE 2017 STATE TRANSPORTATION	)	#17-002
FUNDING PACKAGE	)	

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: a well-maintained transportation system is necessary for a vibrant economy and the safe and efficient movement of people and goods; and

WHEREAS: all sectors of Oregon's economy rely on the transportation system to remain competitive and to connect to the marketplace; and

WHEREAS: Oregon's counties maintain half of the bridges, over half of the non-federal road miles, and tens of thousands of culverts and other transportation facilities for the movement of goods and services around



Oregon; and

WHEREAS: according to the 2014 County Road Needs Study, Oregon's counties face annual shortfalls of \$505,000,000 for maintenance, pavement preservation, and capital construction; and

WHEREAS: Wasco County anticipates an annual shortfall of \$2.5 million dollars; and

WHEREAS: in order to maintain our county roads, bridges, and culverts, and to preserve the investment in Wasco County's transportation system, additional funding is necessary; and

WHEREAS: , the Legislature and the Governor have created the Joint Committee on Transportation Preservation and Modernization to develop a transportation funding package for the 2017 legislative session; and

WHEREAS: the thousands of jobs and improved infrastructure created by a 2017 funding package will benefit Oregon's economy and its workforce for decades to come; and

WHEREAS: Counties would receive 30% of new funds brought in through a transportation funding package, allowing Wasco County to address critical transportation needs such as pavement preservation, road reconstruction and bridge replacement and rehabilitation.

NOW, THEREFORE, IT IS HEREBY RESOLVED: that the Wasco County Board of Commissioners supports passage of a transportation package by the 2017 Legislature in order to maintain and preserve Oregon's statewide transportation system.

DATED this 15<sup>th</sup> day of February, 2017.

WASCO COUNTY  
BOARD OF COMMISSIONERS

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

APPROVED AS TO FORM:

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

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

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

**Agenda Item**  
**Fee Waiver**

- [Cascade Utilities GIS Fee Waiver Request](#)



**CASCADE UTILITIES** P.O. Box 189, Estacada, Oregon 97023, Telephone (503) 630-4202  
Fax (503) 630-8994

2/3/2017

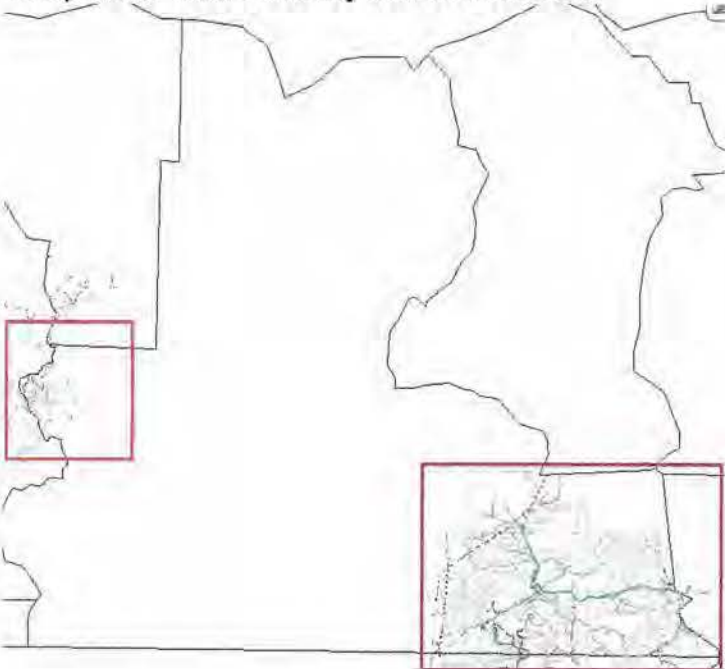
To: Wasco County Board of Commissioners  
511 Washington St, Room 302  
The Dalles, OR 97058

Reliance Connects seeks to obtain GIS taxlots and physical address data for our serving areas in the county of Wasco, and have the calculated \$415 fee waived. Reliance Connects provides superior voice, video, and broadband for parts of Wasco County while fulfilling our customers' communication and entertainment needs. We provide local customer service representatives, installers, repair, and internet help staff to assist in providing exemplary service to all of our coverage areas. We are currently working on a project to provide a more accurate representation of the communities we serve with exact geographical locations. The information we collect from your taxlot maps, as well as other sources, will give us the ability to see what services we currently offer our customers as well as what services we could potentially offer to current and future customers. We are also planning on using the information to speed up the process and increase accuracy in our annual FCC reporting. With the help of these taxlot maps, we will be able to enhance our services.

Thank you,

Tim Dodd  
OSP Engineering Manager  
Cascade Utilities, Inc. / Trans-Cascades Tel. / dba Reliance Connects  
503-630-8923  
doddt@cuaccess.net

The parts of Wasco County that we need are:



**Agenda Item**  
**North Wasco Park and Recreation District**  
**Enterprise Zone Project Report**

- [NWPRD EZ Immediate Opportunity MOU](#)

2016 AUG 1 AM 9 35

LISA GAMBEE  
COUNTY CLERK

**Memorandum of Understanding**  
**Between Wasco County/City of The Dalles**  
**and North Wasco Parks and Recreation District**

WHEREAS, Wasco County ("County") and The City of The Dalles ("City") are co-sponsors of a nonurban enterprise zone through which Design LLC has been granted a third tax abatement and entered into an Enterprise Zone Tax Abatement Agreement ("Agreement") with County and City, said Agreement dated July 27, 2015 ; and,

WHEREAS, the Agreement includes an initial payment to County and City; and

WHEREAS, County and City have agreed to jointly distribute a portion of the initial payment to assist in the funding of immediate opportunity projects that support existing community services; and

WHEREAS, County and City have determined that North Wasco County Parks and Recreation District ("District") shall receive funding in the amounts listed below for the following immediate opportunity projects:

- A one-time total payment in the amount of \$19,000 to secure necessary equipment to initiate the Movies in the Park program. Any and all on-going program costs shall be the responsibility of the "District."
- A one-time total payment in the amount of \$40,000 to provide shade structures near the splash park, pool and skate park located at 602 W. 2<sup>nd</sup> Street, The Dalles, OR. Additionally, the District may use the funds to install benches and picnic tables at the site. Any and all on-going costs or maintenance associated with said improvements shall be the responsibility of the District.

City/County Resolves to:

1. Provide funding as outlined above.

District Resolves to:

1. Complete the work in a timely fashion – within 6 months of receiving funds.
2. Respond to reasonable requests for data related to each project.
3. Provide a project accounting and completion report to City/County.
4. Return any unused funds to County for redistribution to other projects.

If the District is not able to complete either project within six months of the receipt of funds, they will submit to County a request for no more than one extension at least 30 days prior to the end of the 6-month term. If the above referenced work is not completed by the end of this extension, the District shall return the funds to County for redistribution.

COUNTY

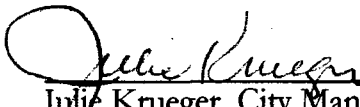
Date: July 6, 2016

CITY

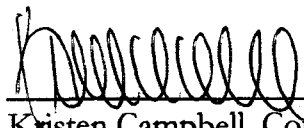
Date: 6/29/16

Wasco County  
Board of Commissioners

  
Rod L. Runyon, Commission Chair

  
Julie Krueger, City Manager


APPROVED AS TO FORM:

  
Kristen Campbell, County Counsel

DISTRICT:

Date: 7/12/2016

North Wasco County  
Parks and Recreation District

  
Signature  
Phil Lewis  
Printed Name  
Executive Director  
Title

**Agenda Item**  
**Wasco County Economic Development District**  
**2017 Community Enhancement Projects**

- [EDC 2017 Enhancement Projects Memo](#)
- [EDC 2016 Enhancement Projects Update](#)



## **WASCO COUNTY ECONOMIC DEVELOPMENT COMMISSION**

515 East Second Street The Dalles, OR 97058 ♦ 541-296-2266 ♦ [www.co.wasco.or.us/county/wcedc](http://www.co.wasco.or.us/county/wcedc)

**To:** Wasco County Board of Commissioners

**From:** Carrie Pipinich, Wasco County EDC staff

**Date:** February 8, 2017

**Subject: Prioritized 2017 Wasco County Community Enhancement Projects + EDC Committee Focus**

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### **Action Requested:**

- The Wasco County Economic Development Commission requests input and approval by the Wasco County Board of Commissioners of its prioritized list of 2017 Wasco County Community Enhancement Projects.
- The EDC also requests input on their 2017 sub-committee formation.

### **Community Enhancement Projects**

The Community Enhancement Projects process provides an opportunity for a formal dialogue with communities and organizations, as well as providing a platform to highlight key priorities. This process also allows the EDC to leverage its capacity and mandate for provision of technical assistance to identify and support projects that enhance the economic competitiveness of Wasco County and its communities. Current criteria used include:

- **Address specific economic development challenge or opportunities**—emphasis on supporting communities in providing adequate infrastructure for developable land, projects that support a vibrant local economy, community sustainability, and economic competitiveness
- **Effectiveness**—how much does the project impact community capacity (for community vitality, for moving other projects forward, etc)? For the ability to create jobs in Wasco County? Address long or short term economic development strategy?
- **Community Support:** Community supportive of moving the project forward as shown by commitment of financial and/or human capital.
- **Impact of Inclusion:** Is the project actively seeking funding? Are their regulatory or political challenges that inclusion can support addressing?
- **Technical Assistance Ready:** Potential for action high with some technical assistance to be provided by EDC staff or committee engagement.

These criteria not only allow the EDC to rank projects, but express fundamental priorities and aspects of the EDC's role in the economic development ecosystem in Wasco County.

This year the Wasco County EDC received information regarding 32 community economic development projects from 15 entities located throughout Wasco County. The EDC reviewed [Agora Investment Platform](#) project profiles then individually ranked each project based on the criteria noted above. These scores were compiled and then reviewed by the full EDC at their February 2, 2017 meeting.

The attached Wasco County Community Enhancement Projects list is a result of both individual rankings based on the criteria above and EDC revision after significant discussion at the February meeting. Considerations for revising prioritization included:

- Acknowledging that without adequate infrastructure, economic development in a community is incredibly challenging.
- Readiness to proceed, in the sense that a high ranking would have impact *this* year over another year as project owners are seeking funding, key technical assistance, or political momentum.
- Discussion of equity across Wasco County to ensure that while projects in smaller communities might have less overall impact than those in larger communities, they are vital to our economic ecosystem in Wasco County as well as those individual communities.

Please review the attached rankings, and make any revisions before acknowledging the list. After approval, the list will then be included in MCEDD's process for its update of the Regional Comprehensive Economic Development Strategy and considered for regional prioritization.

Also included for reference is a memo provided to the EDC at their February meeting with updates on project progress from the Top 10 projects as well as several additional where the EDC had a direct impact on project efforts.

### **2017 Wasco County EDC Committee Formation**

In conjunction with the information gathering completed through the Community Enhancement Projects process, as well as additional discussion of economic development opportunities and challenges in Wasco County and the process to update the EDC's Strategic Action Plan, the EDC identified several key focus areas for its Committees this coming year. These sub-committees provide technical assistance to specific projects or address broader economic opportunities.

During 2016, the EDC had the following committees that they propose carrying forward into 2017:

- **Wamic/Pine Hollow Committee:** EDC staff and Commissioners Joan Silver and Stan Kelsay worked with WWSA and HBH Engineering to complete a Water System Assessment that recommends approximately \$2 million in projects to replace their distribution system and reservoir, and install meters. In addition to continuing to work closely with WWSA to identify a feasible path forward with addressing their system needs, the EDC recommended broadening this Committee's focus area to include support for the efforts in Pine Hollow through the South Wasco Park and Recreation District as they seek funding for rehabilitation of the North Boat Ramp.
- **Mosier Committee:** Commissioners Terry Moore and Gary Grossman and EDC staff worked with the City of Mosier to provide letters of support and technical assistance for several projects in 2016. The City is beginning implementation of several of these projects and seeking additional funding for infrastructure, their proposed City Hall/Fire Hall joint use facility, and addressing the impacts of the oil train derailment in the community. The EDC proposes continuing to work closely with Mosier to support these efforts as appropriate.
- **Dufur Committee:** EDC Staff and Commissioners Mary Kramer and Kathy Ursprung have worked with the City of Dufur focused on efforts to support addressing their water/waste water system needs, gather resources for construction of a new RV Park

Restroom, and move through a Community Visioning Process. While their water and waste water system assessments are being completed in 2017, the EDC plans to stay actively engaged in finalizing and beginning implementation of the Dufur Community Vision plan in 2017.

- **Open for Business Committee:** Commissioners Kathy Ursprung, Fred Justesen, Nan Wimmers, and Daniel Hunter (replaced by Matthew Klebes) worked with EDC staff to improve availability of business resources through updating and conducting outreach about the Business Siting Guides and developing an enhanced “Business” section on the Wasco County website in conjunction with County staff. To build upon this work in 2017, the group would like to explore technical assistance opportunities to support community efforts around economic development and continue to discuss opportunities for further coordination around economic development activities.
- **Broadband:** EDC Staff and Commissioners Frank Kay and Stan Kelsay worked with Q-Life, SWA, and other local stakeholders to develop and support the Maupin fiber project and engaged with communities, ISPs, and legislative staff around Connect America Funds coming into the County between 2016 and 2021. In 2017 the Committee will continue to support these ongoing efforts as well as identify opportunities to support increased connectivity in the more rural areas of South Wasco County that builds upon 2016 investments in infrastructure.
- **Agriculture:** EDC Staff and Joan Silver and Dean McAllister have been working to gather information about specific areas related to supporting the agricultural industry as the largest economic driver in Wasco County. Discussions have occurred around agri-tourism, succession planning, water resources, and value added agriculture. As the Committee continues to review information, they will continue to refine areas where the EDC can engage meaningfully to have an impact.

Staff request input from the Board of County Commissioners on the above activities the EDC would like to undertake this year. The efforts listed will be the focus of our work, but the EDC will also be flexible and proactive in working on other priority economic development items for the County as they develop.

**Attachment: 2017 Community Enhancement Project Ranking Recommended by the EDC**

<b>Priority</b>	<b>Project Sponsor</b>	<b>Project</b>
<b>1</b>	<b>City of Mosier/Mosier Fire District</b>	<p><b><u>Joint Fire Hall/City Hall Development</u></b></p> <p>The City of Mosier and the Mosier Fire District have partnered to explore opportunities to locate a joint City Hall and Fire Hall in downtown Mosier, a project that would not only serve the facility needs of growing community but would spur development in the commercial center. The TGM grant program has funded a feasibility study, currently underway, which will likely result in a need for additional funds to develop the joint use building for the community.</p>
<b>2</b>	<b>City of The Dalles</b>	<p><b><u>Dog River Pipeline Upgrade</u></b></p> <p>The existing Dog River pipeline, which is an important component of The Dalles' public drinking water supply and currently transports over 50% of the City's annual water supply, was constructed in the early 20th century. It is a 3.5 mile long wooden pipeline that consists of milled pieces of fir that were assembled in a circular shape and wrapped with heavy-gauge wire and coated with tar. Over the past 100 years, this pipe has deteriorated, is leaking from tree damage, and exhibiting corrosion. Because the pipe is in poor condition, the City plans to replace it in 2017-18. The new pipeline is planned to be constructed of 24-inch-diameter ductile iron pipe, larger than the existing 20-inch wooden pipe. The capacity of the pipeline will increase from 8 to 17 million gallons per day to supply future municipal water demands.</p>
<b>3</b>	<b>Wasco County SWCD</b>	<p><b><u>Mosier Well Repair</u></b></p> <p>After years of reviewing existing data (including a 1988 Oregon Water Resources Department report), collecting new data and building computer models, the USGS published a report in 2012. The big conclusion regarding the cause of Mosier's groundwater declines? Commingling wells are the major culprit. Well problems impact property values and increase costs for agricultural operations. Besides threatening Mosier's economic stability, water supply problems also create conflicts among neighbors and make it difficult for individuals to be self-sufficient on their land. The long-term sustainability of the community depends on a sustainable water supply. This project seeks to repair the co-mingling wells in the area around Mosier.</p>
<b>4</b>	<b>City of The Dalles</b>	<p><b><u>Urban Growth Boundary Expansion</u></b></p> <p>The City of The Dalles is conducting periodic review as required by state law. The Dalles is exploring other lands that can be used for industrial purposes that are not constrained by the existence of vernal pools and wetlands. The City and the Community Outreach Team are working with DLCD, the Gorge Commission, and Congressional and Legislative partners to identify a path forward for urban area adjustments in the Scenic Area.</p>

5	Mid-Columbia Medical Center	<p><b><u>MCMC Hospital Expansion</u></b></p> <p>Mid-Columbia Medical Center has embarked on a \$55 million expansion and modernization project. The current hospital was built in several stages, the original structure was constructed in 1959 and the newest addition was in the 1990's. It is currently 111,000 gross square feet. It is not able to accommodate changes in technology and new code requirements, nor is it large enough to accommodate future growth. The solution is to add a 113,000 gross square foot patient tower that will enhance and transform care in the Mid-Columbia region for a facility total gross square foot of 224,000. The Emergency Department and Diagnostic Imaging Department will also be updated and expanded. The project represents a \$55 million expansion and modernization of a \$30 million asset. Construction is scheduled to begin the second quarter 2017 and will conclude by the end of 2018. During construction, 125 craft workers and a total of 500 will be employed to work on the project.</p>
6	South Wasco Park and Recreation District	<p><b><u>Pine Hollow Boat Ramp Restoration</u></b></p> <p>The South Wasco Park and Recreation District (SWPRD) has undertaken the project to replace the existing Pine Hollow Reservoir north boat ramp and develop the parking, restroom facilities and adjacent park area for use by the public. The existing boat ramp has been condemned by Wasco County and the Badger Improvement District and closed for several years. This limits recreational access to the lake for boating, swimming and fishing. Pine Hollow Reservoir ranks 65th out of 215 Oregon bodies of water relative to "boating use days.". It serves not only the South Wasco County area, but attracts large numbers of visitors from many Northwest cities and counties.</p>
7	Deschutes Rim Clinic Foundation	<p><b><u>Clinic Expansion Feasibility Study &amp; District Strategic Plan</u></b></p> <p>The Deschutes Rim Health Clinic is in dire need of expansion. Their service provision has grown in response to needs in South Wasco County, but without expansion of their physical clinic space they are unable to truly meet those needs. In order to support this expansion, the Foundation and the White River Health District (DBA Deschutes Rim Health Clinic) are working to develop a strategic plan and conduct a feasibility study focused on clinic expansion. This will lay the needed foundation to conduct a capital campaign to expand the clinic in the coming years.</p>
8	City of Maupin/ South Wasco County Library	<p><b><u>South Wasco County Library and Civic Center</u></b></p> <p>Planning, design, and fundraising are underway to support construction of a new, larger, state-of-the-art public library and civic center including City Hall offices and community meeting/gathering facilities. Over \$125,000 has been raised locally from over 300+ donors in South Wasco County. Initial architectural and engineering work is underway currently as well as a grant writing campaign to fund the remaining portion of the project with an eye towards completing fundraising in 2017 and beginning construction shortly thereafter.</p>
9	Wamic Water &	<p><b><u>Wamic Water System Update and Reservoir Replacement</u></b></p> <p>The Wamic Water and Sanitary Authority currently has an old</p>

	<b>Sanitary District</b>	system that is being replaced pipe by pipe with repairs. They also have a holding pond that stores approximately 16,000 gallons of potable water. If there is a fire incident, this is not enough water to support the system and fight the fire. As a result, resident's fire insurance rates are incredibly high. To address this situation, the WW&SA is looking to update the distribution system and build a bigger reservoir. They are currently working through a system assessment study in order to determine the best approach to moving this project forward. This study will be completed this year, and WWSA will begin seeking resources to support its implementation.
<b>10</b>	<b>City of Mosier</b>	<p><b><u>Well #5 Development and Eastside System Upgrades</u></b></p> <p>The City of Mosier completed a Water System Assessment during 2016 which identified several projects. After consultation with funders at a one-stop meeting in October, the City is seeking funding for two of the identified projects together.</p> <ul style="list-style-type: none"> <li>• <b>East Side System Improvements:</b> This project involves the replacement of the Eastside booster pump station and the Eastside Telemetry system. These two facilities are critical to maintaining water supply to the entire east side of Mosier and both are in very poor condition.</li> <li>• <b>Well #5:</b> Currently relying on only one well for all of its supply needs, the City of Mosier is extremely vulnerable to water outages. The City is growing rapidly with over 40 new lots available for development. A new well is the City of Mosier's highest infrastructure priority.</li> </ul>

#### **Additional Projects Not Ranked:**

School Area Traffic & Safety Study	City of Dufur
Downtown Benches	City of Dufur
Water Reservoir Improvements	City of Maupin
Mosier Hub (Gorge Hub Trail System)	City of Mosier
Mosier Main Street Streetscape Improvements	City of Mosier
Downtown Parking	City of The Dalles
Chenoweth Area Storm Sewer	City of The Dalles
Downtown Streetscape Improvements, Phase III	City of The Dalles
West 6th Street Widening/Traffic Signals	City of The Dalles
Mill Creek Greenway	City of The Dalles
Waldron Drug Exterior	City of The Dalles
Civic Auditorium Theatre Restoration	Civic Auditorium
Audio-Visual Upgrades	Columbia Gorge Discovery Center
Fire/Burglar Alarm System Repair and Upgrade	Columbia Gorge Discovery Center
Airport Terminal Building Design	Columbia Gorge Regional Airport
Construction of Aircraft De-Icing Area	Columbia Gorge Regional Airport
Runway Lengthening Project	Columbia Gorge Regional Airport
Dufur School Solar4Schools Project	Dufur School District
Food Incubator Building	Port of The Dalles
Urban Conservation Community Outreach	Wasco County Soil & Water
Youth Empowerment Shelter	Conservation District
	Youth Empowerment Shelter

## Memorandum

**Date:** January 27, 2017  
**To:** Wasco County Economic Development Commission  
**From:** Carrie Pipinich, EDC Staff  
**Re:** 2016 CEP Project Progress Report

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Each year the EDC works through the Community Enhancement Projects process and provides recommendations on rankings for projects from throughout the County for consideration by the Board of County Commissioners and inclusion into the regional Comprehensive Economic Development Strategy.

This list is focused on projects prepared to move forward in the short term, but often also incorporates key long term projects. This balance means there is not always progress during the year projects are submitted. However, activity and movement on ranked projects should be recognized.

Below staff have compiled updates on the top 10 Community Enhancement Projects from 2016 for your reference. Updates on additional submitted projects that the EDC worked closely with are also provided. Combined, the projects below brought in an estimate of \$570,000 in grant funding and conservatively project owner investment is currently over \$250,000.

### **Top 10 Projects Updates**

1. **City of Mosier Well #5:** The City of Mosier completed a Water System Improvement Plan during 2016 with \$40,000 of funding provided by OHA & IFA. This plan will enable the City to seek funding for both development of the new well and additional system improvements identified. The City participated in a one-stop meeting with the various water system funding agencies to identify a path for financing these projects as well.
2. **Wamic Water & Sanitary District:** Wamic Water completed its Water System Assessment with \$20,000 in funding from OHA. The study further refined and confirmed their need for replacement of their water distribution system and reservoir. It also provided a rough plan and cost estimate for this project with several alternatives focused on providing safe drinking water as well as needed flow for fire protection. WWSA is working with EDC staff to bring RCAC out for a training session to discuss approaches to moving forward with plan recommendations and to set a one-stop meeting in early 2017 to further develop their path toward funding needed upgrades.
3. **Dufur Water System Assessment:** With technical assistance from EDC staff, Dufur received \$50,000 in funding to conduct their system assessment as well as \$50,000 to develop a waste water system improvement plan. Dufur accessed funds through IFA, OHA, and UDSA, RD to support these efforts. Both of these planning processes have begun with their engineer of record and should be completed in 2017.
4. **Dog River Pipeline Upgrade:** City of The Dalles staff unsuccessfully applied for grant funding from Oregon Water Resource Department to help fund the pipeline. The EDC was

able to provide a letter of support for the project. The City has continued to move through the permitting process for the project and is still actively seeking funding.

5. **The Dalles Urban Growth Boundary Expansion:** During 2016 the City moved through their residential buildable lands inventory and housing needs assessment development. Additionally The Dalles Outreach Team has begun conversations with congressional and agency staff around funding a process to develop definitions for minor adjustments to urban area boundaries within the National Scenic Area. Additionally, the Gorge Commission has completed draft legal descriptions of the 13 urban areas and is beginning their Management Plan update process that will run through 2019.
6. **MCMC Hospital Expansion:** Despite changes in leadership in 2016, MCMC has continued to refine their expansion project. They will review plans with their project and financial consultants in February and move toward a decision on how to proceed with the project.
7. **Mosier Bike Hub:** The Mosier Bike Hub received \$15,000 in Immediate Opportunity Project Funds from Wasco County/City of The Dalles. They are also in the process of formulating a funding plan and starting outreach to funders around development of the project. EDC staff provided additional information regarding foundation outreach. Progress has also been made for The Dalles Bike Hub, which was awarded \$4,000 in funds from Cycle Oregon to develop signage. These investments are in addition to the almost \$200,000 in planning support already received by the Gorge Hubs project.
8. **Civic Auditorium Theatre Renovation:** The Civic Board is further developing their fundraising strategy at this time to implement projects as they receive funding to build momentum rather than completing a full renovation at one time. During 2016 they remodeled the kitchen available with the ballroom on the second floor.
9. **Chenoweth Area Storm Sewer:** This project remains a priority for the City of The Dalles but no significant progress was made in 2016.
10. **Mid-Columbia Senior Center's Uplifting Elevator Project:** The Senior Center received \$50,000 in Immediate Opportunity Project Funds from Wasco County/The City of The Dalles to support this project. As a result of this contribution, additional local fundraising, and seven grant awards, the Senior Center has purchased an elevator, awarded the construction contract, and begun development.

#### **Additional Project Progress Highlights:**

- **Dufur City Park West-End Restroom:** EDC Staff and the Dufur Community Committee worked closely with the Dufur Parks District to identify and apply for funding to finish this project. The project was awarded a grant from Oregon State Parks for approximately \$32,000 in addition to \$25,000 from the Wasco County/City of The Dalles Immediate Opportunity Project Funds. This project is underway.
- **South Wasco County Library/Civic Center:** The City Council in Maupin made an official decision to pursue the joint building and move forward with discussion of financing methods for the City Hall portion of the project. They have also further refined project plans and cost estimates and begun applying for grants to fund the project. Staff is working closely with the City and their grant writer to support this effort.



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

- [SOAK LLC OMG Application](#)
  - [Property Owner Certification](#)
  - [Deed](#)
  - [Narrative Index](#)
- [Planning Department Summary](#)
- [Options and Staff Recommendations](#)
- [Recommended Conditions](#)
- [Maps](#)
- [Staff Report](#)

November 15, 2016

Dustin:

SOAK, LLC and Justesen Ranch submit this Outdoor Mass Gathering (OMG) Application for the SOAK\*2017 art festival, scheduled from May 25-29, 2017. Please find enclosed the following materials:

1. Completed Application Form
2. Check for application fee
3. Justesen Ranch Property Deed
4. Narrative for OMG Application, including attachments:
  - a. Attachment A: Bishop Sanitation Letter of Intent
  - b. Attachment B: Tygh Valley Water Letter of Intent
  - c. Attachment C: Gem Ice Letter of Intent
  - d. Attachment D: Crackerjack First Response Specialists Letter of Intent
  - e. Attachment E: Life Flight Network Letter of Intent
  - f. Attachment F: Vanguard Security Letter of Intent
  - g. Attachment G: SOAK\*2017 Site Plan
  - h. Attachment H: SOAK\*2017 Evacuation Plan
  - i. Attachment I: SOAK\*2017 Traffic Control Plan
  - j. Attachment J: Affected Tax Lots

Please do not hesitate to reach out at any time with questions. I look forward to being in touch soon to confirm the scheduled Public Hearing date and time at your earliest convenience.

Warmly,

Xandra Green  
Regional Contact, Burning Man Portland (on behalf of SOAK LLC)



**Wasco County Planning Department**  
"Service, Sustainability & Solutions"  
2705 East Second St. • The Dalles, OR 97058  
(541) 506-2560 • wcplanning@co.wasco.or.us  
www.co.wasco.or.us/planning

## OUTDOOR MASS GATHERING

PLAOMG-16-12-0003

FEE: 2500.-

Date Received: \_\_\_\_\_ Planner Initials: \_\_\_\_\_ Date Complete: \_\_\_\_\_ Planner Initials: \_\_\_\_\_

### APPLICANT/ ORGANIZER CONTACT:

Name: Thomas P. McElroy Name of Organization: SOAK LLC

Mailing Address: 3558 SE Hawthorne Ste 1

City: Portland State: OR Zip: 97214

Email: thomaspmcclroy@gmail.com Phone: (503) 241-8777

### PROPERTY INFORMATION:

Township   Range   Section   Tax Lot(s)	Tax ID	Acres	Owner
4S   13E (See Attachment: Affected Tax Lots)			Fred Justesen

Property Address/ Location: 89720 Davidson Grade Rd, Tygh Valley, OR 97063

DESCRIPTION OF THE EVENT: (Indicate what will happen and when; attach additional sheets if necessary)

4-day art festival with camping; see attached narrative for full detail

☒ Additional pages/ maps/ pictures attached

### EVENT DETAILS

Estimated Attendance: 1500 Dates and Times of Event: May 25-29, 2017

First Day of Set-Up: May 23, 2017 Last Day of Tear-Down: May 30, 2017

On-Site Contact: Xandra Green 24 HR Phone #: 206-550-7746

Will sound amplification be used? YES NO If YES, explain: Multiple small systems brought by campers; volume actively managed by staff between midnight and 8am

Will alcohol be available during the event? YES NO If YES, explain (attach OLOC Permit): \_\_\_\_\_

### SITE PLAN

A general site plan is required and MUST show the types, numbers and locations of the following:

Existing Structures	Proposed Temporary Structures	Streams/Bodies of Water
Water Supply	Toilets & Washing Facilities	Solid Waste Collection
Food Prep & Service Facilities	Parking, Ingress & Egress Surface	Surrounding Vegetation
Camping Areas	First Aid/Medical Standby	Other: _____

**THE APPLICANT/ PROPERTY OWNER SHALL CERTIFY THAT:**

1. If the application is granted, Applicant will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
2. Applicant will comply with all health and safety rules governing outdoor mass gatherings as adopted by the Oregon Department of Human Services and implemented through Wasco County's Land Use and Development Ordinance (LUDO) and other applicable regulations.
3. Applicant declares under penalties of false swearing (ORS 162.075 and 162.085) that all the above information and statements, site plan, attachments and exhibits transmitted herewith are true; and the applicants so acknowledge that any permit issued on the basis of this application may be revoked if it is found that any such statements are false.
4. Applicant and Property Owner hereby grant permission for and consent to Wasco County, its officers, agents and employees, as well as public health and fire control officers to come upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application and/or monitoring the terms and conditions of the permit issued and any other applicable laws or ordinances.
5. Applicant and Property Owner have read the entire contents of the application, including the procedures and criteria, and understand the requirements for approving or denying the application.

**SIGNATURE OF APPLICANT AND EACH OWNER OF THE SUBJECT PROPERTY**Applicant/ Organizer Signature:  Date: 10/27/2016

Printed Name: Thomas P. McElroy Organization: SOAK LLC

Owner Signature:  Date: 11/9/2016

Printed Name: Fred Justesen

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

---

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

Legal Parcel \_\_\_\_\_ NO YES  
Deed/ Land Use Action: \_\_\_\_\_

Previous Map and Tax Lot: \_\_\_\_\_

Past Land Use Actions: If yes, list file #(s) \_\_\_\_\_ NO YES  
Still subject to previous conditions? \_\_\_\_\_ NO YES

Zoning: \_\_\_\_\_

Environmental Protection Districts – List applicable EPDs:

EPD # \_\_\_\_\_  
EPD # \_\_\_\_\_  
EPD # \_\_\_\_\_  
EPD # \_\_\_\_\_

Water Resources

Are there bodies of water on property or adjacent properties? \_\_\_\_\_ NO YES

List: \_\_\_\_\_  
Fish bearing (100 ft buffer)      Non fish bearing (50 ft)      Not identified (25 ft)  
Irrigation ditch (50 ft buffer)

Access:

Property has a legal access from: \_\_\_\_\_  
County or ODOT approach permit is required? \_\_\_\_\_ NO YES

Address:

Address exists and has been verified to be correct? \_\_\_\_\_ NO YES  
Address needs to be assigned after approval? \_\_\_\_\_ NO YES

Pre-Application Conference Date & Time: \_\_\_\_\_

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That JOHNNIE L. JUSTESSEN, hereinafter called the grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto FRED A. JUSTESSEN, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Wasco and State of Oregon, described as follows, to wit:

An undivided one-half interest in and to that certain real property described in Exhibit A attached hereto and made a part hereof as if fully set out herein.

SUBJECT TO AND EXCEPTING:

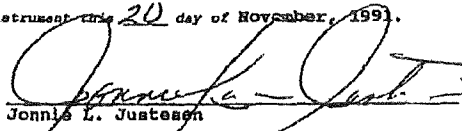
1. The rights of the public in and to the portions thereof included within the boundaries of roads and highways.
2. The usual reservations as contained in patents issued by the United States of America.
3. Public utility easements including, but not limited to:
  - (a) Easement and right-of-way as granted to Pacific Power and Light Company by deed recorded in Deed Book 87, Page 349, which affects the South half of the southwest quarter of the Northeast quarter of Section 10. (Affects Parcel I)
  - (b) Telephone Line Right-of-Way Easement, Mountain Fir Lumber Co., Inc. to Telephone Utilities, Inc., recorded December 12, 1985, Wasco County, Oregon, Micro Film No. 85-2819. (Affects Parcels III & IV)
  - (c) Telephone Lien Right-of-Way Easement, Mountain Fir Lumber Co., Inc. to Telephone Utilities of Eastern Oregon, Inc., recorded August 3, 1988, Wasco County, Oregon, Micro Film No. 88-2247. (Affects Parcels II, IV & V)
  - (d) Telephone Cable Right-of-Way Easement, Mountain Fir Lumber Co., Inc. to Deschutes Telephone Company, recorded April 26, 1973, Wasco County, Oregon, Micro Film No. 73-0893. (Affects Parcel IV)
  - (e) Telephone Line Right-of-Way Easement, Mountain Fir Lumber Co. Tygh Valley Division to Deschutes Telephone Co., recorded July 30, 1991, Wasco County, Oregon, Micro Film No. 91-2539. (Affects Parcel IV)
4. As disclosed by the tax roll, portions of the real property described in Exhibit A have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$93,750.00.

IN WITNESS WHEREOF, the grantor has executed this instrument this 20 day of November, 1991.

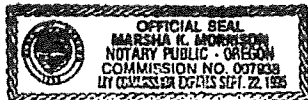
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING PER TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

  
Jonnie L. Justesen

STATE OF OREGON )  
County of Wasco ) ss.  
November 20, 1991

Personally appeared the above named Jonnie L. Justesen and acknowledged the foregoing instrument to be his voluntary act and deed.

Notary me:  
  
Notary Public for Oregon  
My commission expires 9-22-95



After recording return to:

DICK & DICK  
601 Washington St  
The Dalles, OR 97058

Until a change is requested all tax statements shall be sent to the following address:

Fred A. Justesen  
Grass Valley, OR 97029

914086

Microfilm No.

FILED WASCO CO.  
THE DALLES, OR.

NOV 27 2 18 PM '91

KAN.  
COUNTY CLERK  
STATE OF OREGON  
County of Wasco.

I certify that this document was received and recorded in me.

DEED

records.  
Karen R. LeBarton, County Clerk  
by AC Deputy

Return to

INDEXED

914086(4)

**EXHIBIT A**

**PARCEL I - CODY PROPERTY**

Tract II, Wasco County Partition Plat  
Filed by Mountain Fir Lumber Co., Inc.  
Recorded as File No. 91-0010, July 17, 1991  
More Particularly Described as:

A tract of land in the North one-half of Section 10, Township 4 South, Range 13 East, Willamette Meridian, Wasco County, Oregon, being more particularly described as follows:

Commencing at the southwesterly corner of the Plat of Juniper Addition in Wasco County, Oregon, said point being 30 feet easterly when measured at right angles from the centerline of the Old The Dalles-California Highway No. 197, now Wasco County Road No. 247, also known as Tygh Valley Road; thence North 32°52'13" East along the southerly line of said Plat of Juniper Addition 1.59 feet to a point being on the East side right-of-way of said Wasco County Road No. 247 on the tapered widening section of said road as deeded to Wasco County by instrument recorded Microfilm No. 78-0652, Microfilm Records for Wasco County, Oregon, said point further being 1,774.42 feet East and 169.56 feet South of the Northwest corner of said Section 10; thence along the line of the widened right-of-way of said County Road, South 48°22'08" East 84.98 feet to a point 40.00 feet easterly when measured at right angles from Engineer's Centerline Station as referred to in said conveying deed of widening of 38+50; thence continuing along said right-of-way 40.00 feet easterly of, when measured at right angles from and parallel with the centerline of said highway, South 42°39'30" East 346.08 feet to a 5/8" iron rod and true point of beginning of this description, said point being 2,072.46 feet East and 480.53 feet South of the Northwest corner of said Section 10; thence leaving said right-of-way North 44°46'14" East 746 feet, more or less, to the centerline of Tygh Creek; thence southeasterly and downstream along the centerline of Tygh Creek to its intersection with the East line of said Section 10; thence South along the East line of said Section 10 a distance of 800 feet, more or less, to the East one-quarter corner of said Section 10; thence westerly along said East-West centerline 2,280 feet, more or less, to an intersection with the easterly right-of-way line of said Old The Dalles-California Highway No. 197, now Wasco County Road No. 247, said point being South 89°54' East 300 feet, more or less, from the Center one-quarter corner of said Section 10; thence northerly along the easterly right-of-way line of said highway and county road 2,575 feet, more or less, to the point of beginning of this description.

TOGETHER WITH the Right of Way Easement granted by Wasco County to Mountain Fir Lumber Co., Inc. dated February 13, 1974 and recorded July 17, 1991 as Micro Film No. 91-2384, Wasco County Records.

EXCEPTING therefrom the following described nonexclusive perpetual road easement which is reserved to the Grantor, its successors and assigns, which easement shall be appurtenant to Tract I, Wasco County Partition Plat, filed by Mountain Fir Lumber Co., Inc., recorded as File No. 91-0010, July 17, 1991, Wasco County Records:

A strip of land 30 feet wide lying 15 feet on either side of the following described centerline:

914084 (4)

**EXHIBIT A**

உயர்நீதிமன்றம்



Northerly along said boundary to the Southerly boundary of the Old The Dalles-California Highway, thence Northeasterly along the Southerly boundary of the Old The Dalles-California Highway 106.2 feet, more or less, to a point 3.1 feet North of the existing fence line, as extended, along the Easterly side of the property herein described, thence South following the existing fence line 70.6 feet, more or less, to the Southeast corner of the existing fence line on the Easterly and Southerly boundary of the property herein described and the point of beginning.

ALSO EXCEPTING, beginning at a point 22.14 chains (1,461.24 feet) North of the Southeast  $1/16$  corner of the West half of the Southeast quarter of Section 10, Township 4 South, Range 13 East of the Willamette Meridian; thence running North  $117\frac{1}{2}$  feet; thence West 91 feet; thence South  $122\frac{1}{2}$  feet; thence East 96 feet to the place of beginning, subject to an easement to the Pacific Power and Light Co.

ALSO EXCEPTING that property described in Bargain and Sale Deed, Mountain Fir Lumber Company to Wasco County, recorded November 22, 1982, Micro Film No. 82-2458.

#### PARCEL IV - "MAYFIELD PROPERTY"

The Northeast quarter of the northwest quarter of Section 15, Township 4 South, Range 13 East of the Willamette Meridian;

ALSO, beginning at the Southwest corner of the Southeast quarter of the Southwest quarter of Section 10, Township 4 South, Range 13 East of the Willamette Meridian and running thence North along the West line of said subdivision a distance of 594 feet; thence South  $57^{\circ}18'$  East 93 feet; thence South  $80^{\circ}20'$  East 143 feet; thence South  $87^{\circ}31'$  East 231 feet; thence North  $76^{\circ}00'$  East 166 feet; thence North  $72^{\circ}00'$  East 168 feet; thence North  $31^{\circ}00'$  East 100 feet, to the center of the channel of White River; thence Northeasterly and downstream along said channel, 1596 feet; thence leaving said channel and running South  $05^{\circ}00'$  East 243.87 feet to the center of the County Road; thence North  $85^{\circ}11'$  East 452.1 feet; thence South  $02^{\circ}46'$  West 215.7 feet; thence East 107.25 feet to the East line of the Southwest quarter of the Southeast quarter of said Section 10; thence South  $00^{\circ}11'$  West 1237.5 feet to the Southeast corner of said Southwest quarter of Southeast quarter; thence South  $89^{\circ}58'$  West along the South lines of the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of said Section 10, 2654 feet to the point of beginning.

EXCEPT the following described parcel which is reserved to the Grantor, its successors and assigns:

A tract of land in the Southwest one-quarter of Section 10 and the North one-half of the Northwest one-quarter of Section 15, Township 4 South, Range 13 East, Willamette Meridian, Wasco County, Oregon, being more particularly described as follows:

Beginning at the Southwest corner of the Southeast one-quarter of the Southwest one-quarter of said Section 10; thence North  $00^{\circ}09'45''$  West at right angles to the South line of said Section 10 a distance of 45.77 feet; thence North  $89^{\circ}50'15''$  East parallel with and 45.77 feet North of the South line of said Section 10 a distance of 1,108.90 feet; thence at right angles South  $00^{\circ}09'45''$  East 737.42 feet; thence at right angles parallel with the North line of said Section 15, South  $89^{\circ}50'15''$  West 1,108.90 feet; thence at right angles North  $00^{\circ}09'45''$  West 691.65 feet to the true point of beginning of this description.

314084 (4)

EXHIBIT A

FURTHER EXCEPTING the following described perpetual road easement which is reserved to the Grantor, its successors and assigns, which shall be appurtenant to the above described excepted parcel:

A strip of land 30 feet wide lying 15 feet on either side of the following described centerline:

Beginning at a point on the East line of the above described tract, said point being North 00°09'45" West 225.45 feet from the Southeast corner of said tract, said point further being 212.77 feet South 89°50'15" West and thence 466.20 feet South 00°09'45" East of the North one-quarter corner of said Section 15; thence North 69°53'19" East 158.73 feet; thence North 77°08'43" East 106.80 feet; thence North 66°38'12" East 146.06 feet; thence South 88°40'01" East 73.51 feet; thence North 87°42'14" East 29.70 feet; thence North 47°12'53" East 28.18 feet; thence North 19°04'28" East 22.95 feet; thence North 00°51'19" West 28.80 feet; thence North 02°54'28" West 30.95 feet; thence North 07°01'38" West 125.55 feet; thence North 07°50'57" West 109.32 feet; thence North 09°11'50" East 106.92 feet; thence North 26°58'19" East 56.66 feet; thence North 33°41'43" East 89.60 feet; thence North 37°40'22" East 194.39 feet to the terminus of said centerline, said point being the northerly vacated terminus of Davidson Grade, Wasco County Road No. 216, as said road was vacated by Order of Wasco County Court dated September 25, 1974, said point of terminus further being described as being 386.86 feet North and 486.16 feet East of the North one-quarter corner of Section 15, Township 4 South, Range 13 East, Willamette Meridian, and at the point of intersection to a private road leading to the Glenn and Arlene Full residence.

The foregoing road easement reserved to Grantor, its successors and assigns, shall be nonexclusive and may be used by the Grantees, their heirs and assigns, for access to this Parcel IV, provided, however, Grantor, its successors and assigns, reserve the right to maintain a locked gate to control access to this road easement.

#### PARCEL V - "CARPENTER COURT"

Beginning 594 feet North of the 1/16 Section corner on the South boundary of the Southwest quarter of Section 10, Township 4 South, Range 13, East of the Willamette Meridian; running thence South 57°18' East a distance of 93 feet; thence South 80°20' East 143 feet; thence South 87°31' East 231 feet; thence North 76° East 166 feet, to a Pine tree, 14 inches in diameter; thence North 60° West 436 feet; thence North 89° West 233 feet to the West line of the Southeast quarter of the Southwest quarter of Section 10; thence South 178 feet to the point of beginning, containing 3.55 acres more or less. SAVE AND EXCEPT the parcel heretofore conveyed to Carl H. Miller and Ellersaine Miller, his wife, as shown by deed recorded, Micro Film No. 66-0545, Wasco County, Oregon, March 15, 1966.

ALSO an easement 30 feet wide for a roadway; beginning at the Northwest corner of the above described tract and following the Northerly boundary of said tract to the Northeast corner thereof; and thence Easterly along the present used roadway to the County Road. This roadway to be used in common with others.

#### PARCEL VI - "GLENN T. FULL PROPERTY"

Northwest quarter of Northeast quarter of Section 15, Township 4 South, Range 13 East of the Willamette Meridian, in the County of

914084 (k)

EXHIBIT A

Wasco and State of Oregon; Also including vacated Davidson County Road, which was vacated by Order of the Wasco County Court dated September 25, 1974.

PARCEL VII - "PORTION OF MEYERS PROPERTY"

Beginning at a point 1,320.00 feet (80 rods) West and 1,237.50 feet (75 rods) North of the Section corner between Sections 10, 11, 14 and 15 in Township 4 South, Range 13 East of the Willamette Meridian; thence North 94.20 feet to a point; thence North 30°40'22" West 165.92 feet to a point; thence South 229.00 feet to a point; thence East 107.25 feet to the place of beginning; all in Wasco County, Oregon.

PARCEL VIII - "PECK PROPERTY"

The following described real property in Wasco County, Oregon:

The Southwest quarter of the Northeast quarter of Section 16, Township 4 South, Range 13 East of the Willamette Meridian, EXCEPT that portion lying South of the rimrock.

ALSO, the Southwest quarter of the Southwest quarter of Section 10; the Northwest quarter of the Northwest quarter of Section 15 lying North of the rimrock; the Northeast quarter of the Northeast quarter of Section 16 lying West of the rimrock, all in Township 4 South, Range 13 East of the Willamette Meridian, EXCEPTING THEREFROM that portion described in Deed, Paul Peck, et ux to Marie Peck, recorded December 1, 1969, Micro Film No. 69-2092, Wasco County, Oregon, TOGETHER WITH an easement thirty feet wide for a roadway beginning at the Southwest corner of that certain tract of land conveyed by Edwin B. Mayfield and wife to Neal W. Baker as recorded in Volume 113, Page 419, Deed Records of Wasco County, Oregon, and following the Southerly boundary line thereof to the Southeast corner thereof, and thence along the present used roadway Easterly to the County Road.

CERTIFICATES OF WATER RIGHT

TOGETHER WITH all of Grantor's right, title and interest in the following Certificates of Water Right relating to Parcels I, II, III, IV, V, VI and VIII. Grantor does not warrant the validity of these certificates of water right:

DATED	RECORDED IN STATE RECORD OF WATER RIGHT CERTIFICATES	
	VOLUME	PAGE
1. April 30, 1979 Appurtenant to Parcel I	41	47965
2. April 30, 1979 Appurtenant to Parcel I	41	47968
3. November 14, 1958 Appurtenant to Parcels II, III, IV & V	17	24462
4. January 9, 1926 Appurtenant to Parcel VI	6	5768
5. January 6, 1960 Appurtenant to Parcel VIII	18	26405
6. October 17, 1960 Appurtenant to Parcels II, III, IV, V, VII and other property	20	27866

914084 (4)

EXHIBIT A

# SOAK\*2017 Outdoor Mass Gathering Permit Narrative

DATES: May 25 - May 29, 2017

LOCATION: Justesen Ranch, 89720 Davidson Grade Rd, Tygh Valley

<b><u>Water Supply (OAR 333-039-0015)</u></b>	<b>2</b>
<b><u>Drainage (OAR 333-039-0020)</u></b>	<b>3</b>
<b><u>Sewerage Facilities (OAR 333-039-0025)</u></b>	<b>3</b>
<b><u>Refuse Storage &amp; Disposal (OAR 333-039-0030)</u></b>	<b>4</b>
<b><u>Food &amp; Sanitary Food Service (OAR 333-039-0035)</u></b>	<b>5</b>
<b><u>Emergency Medical Facilities (OAR 333-039-0040)</u></b>	<b>5</b>
<b><u>Fire Protection and Prevention (333-039-0045)</u></b>	<b>6</b>
<b><u>Security Personnel (333-039-0050)</u></b>	<b>8</b>
<b><u>Attachment A: Bishop Services Letter of Intent</u></b>	<b>11</b>
<b><u>Attachment C: Gem Ice Letter of Intent</u></b>	<b>13</b>
<b><u>Attachment D: Crackerjack First Response Specialists Letter of Intent</u></b>	<b>14</b>
<b><u>Attachment E: Life Flight Network Letter of Intent</u></b>	<b>15</b>
<b><u>Attachment F: Vanguard Security Letter of Intent</u></b>	<b>16</b>
<b><u>Attachment G: SOAK*2017 Site Plan</u></b>	<b>17</b>
<b><u>Attachment H: SOAK*2017 Evacuation Map</u></b>	<b>18</b>
<b><u>Attachment I: SOAK*2017 Traffic Control Plan</u></b>	<b>19</b>
<b><u>Attachment J: Affected Tax Lots</u></b>	<b>20</b>

\*Index page is hyperlinked

SOAK, LLC (SOAK) provides the following information to demonstrate that SOAK will satisfy all applicable health and safety regulations governing outdoor mass gatherings (OMG).

### **Water Supply (OAR 333-039-0015)**

#### **(1) Required Amounts:**

**(a) A minimum of 12 gallons per person per day shall be available for the festival.**

The requested 2017 maximum capacity is 1,800 people in total, over the course of the event. SOAK has contracted with Tygh Valley Water to provide access as needed to a 200,000+ gallons stored approximately 1 mile from the event site. SOAK has also contracted with Bishop Services to provide ~15 20-gallon hand washing stations to be serviced daily, stationed at each portable toilet bank, the medical station, and the ice vending station, for an additional ~300 gallons onsite. **See Attachment A, Bishop Services Letter of Intent, and Attachment B, Tygh Valley Water Letter of Intent.**

In addition, SOAK requires that each participant bring enough water for the duration of the event (i.e. 2 gallons per person per day) to meet the requirements, as stated in the Burning Man 10 Principles: (<http://burningman.org/culture/philosophical-center/10-principles/>)

SOAK\*2016 staff and participants used 0 gallons of the contracted water supply.

**(b) Storage facilities equal to one day's total water usage shall be provided, unless a greater or lesser amount, with a minimum of five gallons per person per day, is determined by Wasco County as sufficient or necessary.**

In the 2016 OMG permit for SOAK, the County found that the storage and access plan described in section OAR 330-339-0015(1)(a) could satisfy this rule.

**(c) A Wasco County approved well or water system may be used as a source of water, or in addition to Wasco County approved outside source.**

Tygh Valley Water is a County-approved water source and will provide the festival with water required under this rule.

**(d) An amount of water equal to one day's total usage requirements shall be kept in reserve at all times.**

The County has previously found that OAR 330-339-0015(1)(b) and (1)(d) work together to ensure that adequate water is available for the festival. The County has found that "in reserve at all times" means 'readily available for use' but does not require that the water be

stored onsite. Because Tygh Valley Water can provide 200,000+ gallons on an on-call basis, the County may find that this rule is satisfied.

### **Subpart (2) Bacteriological and Chemical Requirements.**

This subsection of the rule requires that all drinking water be subject to testing and meet certain substance concentrations. SOAK, working with Tygh Valley Water District, will ensure that the Drinking Water Hauling Guidelines designated by Oregon Health Services are followed.

### **Subpart (3) Construction, Maintenance, and Design.**

This subsection of the rule requires that the water supply system be constructed in a certain manner and with certain materials. Because SOAK does not utilize a water distribution system, the County may find that this rule does not apply.

### **Drainage (OAR 333-039-0020)**

Justesen Ranch has previously been inspected by North Central Public Health District (NCPHD) and deemed to have proper and adequate drainage. It has also been found that Justesen Ranch has proper and adequate erosion control on site, including but not limited to protection from automotive and pedestrian traffic. Furthermore, Justesen Ranch has implemented and continues to implement best practices from its Agricultural and Recreation Management Plan.

Participants are prohibited from dumping materials including gray water, waste, or human waste onto the property surface or into the White River. If participants are found violating this rule, they will be ejected from the event. Participants must remove all waste, including gray water, when they exit the event. SOAK is a Leave No Trace event, as described in the Burning Man 10 Principles:

[http://www.burningman.com/whatisburningman/about\\_burningman/principles.html](http://www.burningman.com/whatisburningman/about_burningman/principles.html)

### **Sewerage Facilities (OAR 333-039-0025)**

The only sections of this rule that apply to the Festival are subparts (3) and (4). SOAK is contracted with Bishop Sanitation for onsite sanitary facilities (e.g., portable toilets and handwashing stations); therefore, 333-039-0025(1) and (2) do not apply.

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

SOAK does not separately designate camping areas and planned activity areas; toilet placement will be in accordance with anticipated crowd concentration in each area of the festival site. Based on an 1,800-person maximum capacity, SOAK will provide approximately one toilet per 50 people with 1 hand-washing station at each toilet bank, which exceeds the 7 toilets per 800 people (or one toilet per 114 people) required by code Subpart B, Section (a). 40 or more portable toilets with hand sanitizer in each unit will be set up in banks, and 1 portable 20-gallon hand-washing station will be provided per bank. An appropriate amount

of units will be ADA-compliant, including one toilet stationed next to the Medical tent. Each portable toilet and handwashing station will be pumped at least once per day.

SOAK does not provide greywater disposal services to participants. Participants must remove all waste, including gray water, when they exit the event. SOAK is a Leave No Trace event, as described in the Burning Man 10 Principles:

[http://www.burningman.com/whatisburningman/about\\_burningman/principles.html](http://www.burningman.com/whatisburningman/about_burningman/principles.html)

For these reasons, the County may find that SOAK LLC will meet the applicable requirements in OAR 330-039-0025.

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

Food and liquor vendors are not allowed at the event, and SOAK does not provide shower facilities. SOAK does not provide greywater disposal services to participants. Participants must remove all waste, including gray water, when they exit the event. SOAK is a Leave No Trace event, as described in the Burning Man 10 Principles:

[http://www.burningman.com/whatisburningman/about\\_burningman/principles.html](http://www.burningman.com/whatisburningman/about_burningman/principles.html)

**Refuse Storage & Disposal (OAR 333-039-0030)**

This rule imposes 3 requirements for storing and disposing of refuse and solid waste:

**(1) All refuse and solid waste shall be stored in fly-tight containers constructed of impervious material.**

**(2) Containers for refuse and solid waste storage shall be provided at a minimum ratio of one 30 gallon container for each 16 persons or fraction thereof anticipated or one cubic yard of container capacity for each 125 persons or fraction thereof anticipated.**

**(3) All refuse and solid waste shall be removed from storage containers at least once every 24 hours and transported and disposed of in a manner which is authorized and complies with state and local laws, ordinances and regulations.**

In its 12-year history SOAK has never offered public refuse collection services. Although we operated with a 30-yard dumpster in 2015 and a 10-yard dumpster in 2016, neither was publicly offered and neither was used. SOAK is a Leave No Trace event, as described in the Burning Man 10 Principles, and each participant is responsible for packing out what they pack in:

[http://www.burningman.com/whatisburningman/about\\_burningman/principles.html](http://www.burningman.com/whatisburningman/about_burningman/principles.html)

The 2015 and 2016 event staffs performed a sweep of the property before the event, bagging and removing existing debris in order to fulfill its role as stewards of the Justesen property. We will be repeating our pre-event site sweep for the 2017 event.

All participants are required to collect all of their own refuse in fly-tight containers made of impervious material. They are also required to perform a detailed search of their camp and surrounding areas for debris, referred to as "Matter Out of Place" (MOOP). Education about these participant responsibilities is performed before the event via the SOAK Survival Guide, SOAK website and SOAK Facebook event page, and during the event via face-to-face discussion with event staff and volunteers. Because the principle of Leave No Trace is highly valued, event attendees not only look after their own camps, but typically don't hesitate to educate other attendees as needed.

After the event is over, SOAK employs an all-volunteer Leave No Trace team of approximately 20 volunteers that performs a line sweep of every accessible area of the event space. Its role is to collect debris that might have been left behind by participants or prior events utilizing the land. Everything collected is bagged, sorted, and either disposed or recycled in Portland, OR.

In the words of the landowners in 2015, SOAK 'left the property cleaner than [we] found it'.

The dumpster contracted for SOAK\*2015 did not require servicing and was entirely empty at pickup.

The dumpster borrowed from Fred Justesen for SOAK\*2016 was not used by staff or participants.

Given the nature of the SOAK festival, its ongoing efforts to inform and educate participants, and demonstration of its adherence to Burning Man's Leave No Trace principle, we ask that the county find that requirement (1) is satisfied, and that requirements (2) and (3) be waived for SOAK\*2017.

### **Food & Sanitary Food Service (OAR 333-039-0035)**

SOAK, LLC will re-sell packaged ice for food and medical safety purposes at this event; vending of any other type is prohibited. Ice will be pre-packaged and delivered to the site and stored in a refrigerated trailer provided by Gem Ice of The Dalles, OR. **See Attachment C, Gem Ice Letter of Intent.**

### **Emergency Medical Facilities (OAR 333-039-0040)**

SOAK will utilize the same emergency medical control plan as in 2015 and 2016. SOAK has again contracted with Crackerjack First Response Specialists (Crackerjack) for medical/crisis coverage during the event. These services will be available via a centrally located and clearly marked medical tent provided by Crackerjack. Crackerjack staff will be on duty at all times during the event, augmented by volunteer medical staff whose primary purpose is to roam



the event site to provide proactive response to real or impending medical issues. SOAK's contract with Crackerjack will satisfy all of the requirements set forth in OAR 330-039-0040(1)-(5). **See Attachment D, Crackerjack First Response Specialists Letter of Intent, which provides additional detail.**

**Section (6) Communication, either telephone or radio-telephone, shall be provided to summon aid or notify the nearest hospital, law enforcement, or fire protection agency, as required.**

SOAK utilizes UHF radios for onsite communications, and has telephone access, VOIP access, and access to Oregon Amateur Radio Output (Ham Radio).

**Section (7) Ambulances shall be provided at the outdoor mass gathering for emergency evacuation of sick and injured persons at a ratio of one ambulance for each 10,000 persons anticipated or fraction thereof.**

Crackerjack and SOAK will coordinate with Life Flight Network to provide air ambulance services. We will be using the same Landing Zone (LZ) as last year, located at the Tygh Valley Community Center at 57594 Tygh Valley Rd, 97063. The coordinates will be provided to Life Flight in advance of the event. **See Attachment E, Life Flight Network Letter of Intent.**

Basic life support transport services will be provided by local ambulance service providers. Local 911 emergency responders involved in this plan include but are not limited to:

- South Wasco County Ambulance
- Tygh Valley Fire
- Wamic Fire
- Maupin Ambulance
- Dufur Ambulance
- Dufur Fire

## **Fire Protection and Prevention (333-039-0045)**

**(1) Each camping space shall be a minimum of 1,000 square feet or large enough to accommodate a parked camping vehicle, tent vehicle or tent, as the case may be, and to maintain at least 15 feet separation from any other camping vehicle, tent vehicle or tent, building, structure, or property line.**

The authorities having jurisdiction are Tygh Valley VFD (north end) and Juniper Flats VFD (south end). SOAK will work with these districts to determine safe roadway access and fire prevention plans, including during scheduled ceremonial burns.

The event will not exceed the requested capacity of 1,800 participants and will allocate camping space to registered campers, as it did in 2015 and 2016. Camp space is allocated

depending on the number of planned participants and layout design of their camps. Given that many SOAK attendees camp in small groups with shared infrastructure, SOAK demonstrates compliance with subpart (1) using the 1,000 square feet per camping space requirement:

**Total Space Calculations:**

Total area suitable for camping = 43.3 acres (1,886,148 ft<sup>2</sup>)

Maximum attendance = 1800

Minimum space per person = 1048 ft<sup>2</sup> (allowing for 2096 two-person camps)

SOAK disallows “car camping”, which is defined as sleeping in a vehicle not designed for camping. Passenger vehicles not explicitly approved for festival access will be parked in a separate parking area adjacent to the festival Gate and Box Office.

**(2) The organizer shall secure a written statement from the local fire protection agency having jurisdiction that fire protection complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location of the outdoor mass gathering.**

The authorities having jurisdiction are Tygh Valley VFD (north end) and Juniper Flats VFD (south end). SOAK will work in conjunction with these districts to determine safe roadway access and fire prevention plans, including during scheduled ceremonial burns.

In addition to the requirements outlined in Sections (1) and (2), SOAK utilizes the following tools to prevent or maintain small unplanned fire incidents, if they occur:

- 4 wildland water backpacks
- 1 2-person ATV
- 1 Type 5-equivalent wildland fire engine (400+ gal., 100+ psi, 50+ gpm)
- 10 5lb. Class ABC fire extinguishers
- 1 CO2 Class C fire extinguisher

SOAK staffs a Volunteer Fire Safety Team that has been trained to use all onsite equipment. The fire safety team is present for and oversees all scheduled burns, and is on standby for any unplanned incidents.

In 12 years, SOAK has had zero fire-related incidents.

The Justesen Ranch offers three fully irrigated fields. The largest of these fields is where SOAK stages its scheduled burns. The field is located just south of Davidson Grade Road and is accessible by vehicle, including Emergency and Fire Equipment. This field offers the furthest travel distance from any dry crop fields, and is the area with the fewest amount of trees on the property. SOAK utilize the same ‘burn scars’ year after year to minimize impact to the Justesen Ranch.

In 2016, SOAK increased its fire perimeter personnel and water trailer towing capacity. This capacity will be matched or increased in 2017.

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

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

SOAK maintains a staff of internally trained peer-security resources, all of whom are equipped with radios to call for assistance if needed. Peer-security staff work in greater numbers during peak event hours, but have a minimum number on shift at all times:

- Peer (Internal) Event Security, "Rangers": Specialized internal agency trained in conflict resolution, event resource education, law enforcement interactions, and chemically or mentally altered crisis care.
- Peer (Internal) Event Security, "Gate & Parking": . Specialized internal agency trained in event admission security, ID checks and wristband application, vehicle inspections (for contraband) and trespassing escalation (to event management, DPSST Security, and Law Enforcement when needed).
- Peer (Internal) Event Security, "Medical": . Volunteer medical staff who patrol the event site to assist contract Medical Services, trained in conflict resolution, and experienced in dealing with people in crisis.
- Peer (Internal) Event Security, "Event Management": . Event management staff all have prior experience working with Rangers and/or Gate groups.
- Unarmed DPSST Security Staff This includes 1 DPSST Security Supervisor who is the primary contact for local law enforcement.

### **TOTAL CURRENT INTERNAL SECURITY RATIO: between 1:40 and 1:85 at all times**

SOAK will have at least one (1) DPSST Certified Security Supervisor on shift at all times, as a point of contact for Law Enforcement who can be reached 24 hours per day during the entire event. In the event that a Law Enforcement response is needed, SOAK event management and the DPSST Security Supervisor will meet law enforcement at the central Medical / Operations HQ.

SOAK is utilizing the same security plan that was approved in 2016. We provided this year's security plan to Chief Deputy Chris McNeel via email on 10/3/2016 and no comments or concerns were expressed.

**See Attachment F: Vanguard Security Letter of Intent.**

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

SOAK is utilizing the same traffic management plan that was approved in 2016. We provided this year's security plan to Chief Deputy Chris McNeel via email on 10/3/2016 and no comments or concerns were expressed.

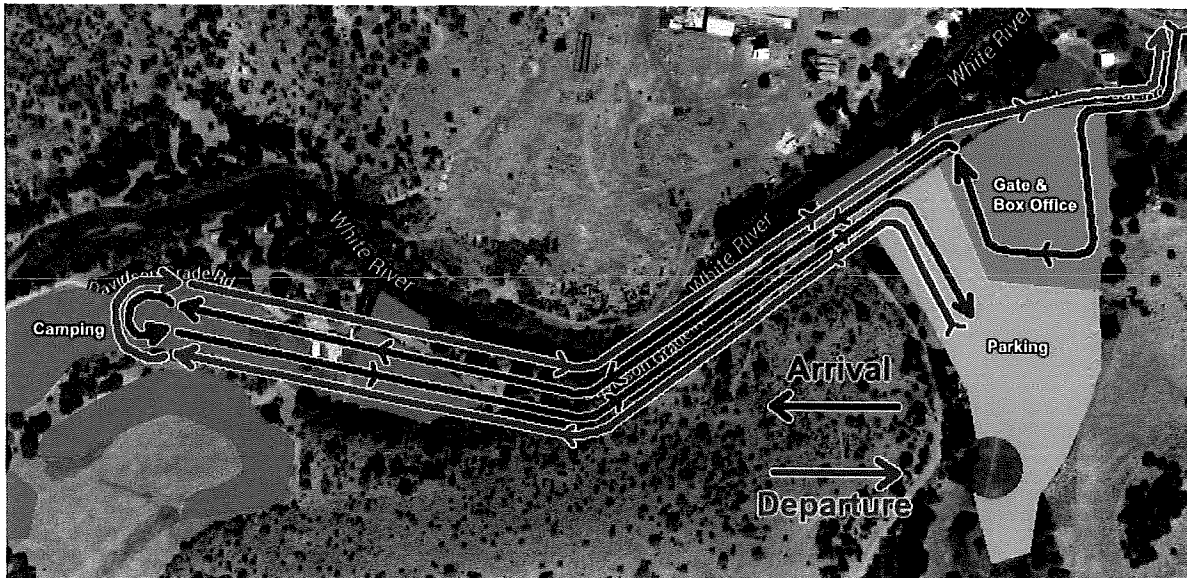
#### **Traffic (OAR 333-039-0055)**

This rule requires that SOAK satisfy 6 requirements. There have been no changes to the existing roadways that would prevent SOAK from demonstrating compliance. SOAK will use the same system as in 2015 and 2016:

1. We will encourage traffic to use OR-197 and turn at the southern intersection with Tygh Valley Road to discourage traffic through town and school zones.
2. MUTCD-approved signs placed at the south and north intersections of Tygh Valley Road and OR 197; signs will not impair the vision of drivers on the road.
3. Once on Tygh Valley Road, vehicles turn onto Davidson Grade Road and directed into the staging area on the event site property.
4. The event entrance will be clearly designated and well-lit at night, and will include multiple vehicle staging lanes to ensure no traffic backs up onto Davidson Grade Road or Tygh Valley Road.

In compliance with Sections (1), (2), (3), (4), and (5), SOAK has prepared a Traffic Control Plan demonstrating vehicle ingress and egress before, during and after the event. All roads have been previously graded by the municipality of Tygh Valley, OR and Wasco County, OR:

- US-197, a State of Oregon-maintained highway
- Tygh Valley Road, a Wasco County-maintained roadway
- Davidson Grade Road, a Tygh Valley, OR-maintained roadway for .24 miles, after which it becomes a private road maintained by deed holder & property owner Fred Justesen



**(5) The organizer shall acquire approval from the local agency having jurisdiction for fire safety that the minimum width of all roads complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and locations of the outdoor mass gatherings.**

SOAK contacted Gary Duree with the Tygh Valley Fire Dept. on 10/24/2016 to share our fire safety and traffic control plans with him.

In Section (6), SOAK is required to provide a total of 135,000 square feet for parking to accommodate a maximum capacity of 1800 people (or approx. 3.1 acres). Based on SOAK\*2015 and SOAK\*2016 parking data, we expect no more than 750 vehicles on site at peak hours.

SOAK\*2016 participants brought approximately 600 vehicles.

## Attachment A: Bishop Services Letter of Intent



### **Bishop Services, Inc.**

#### **Contract & Compliance Office**

221 W. Main (P.O. Box 11)  
Goldendale, WA 98620

24hr. 800.443.3473  
Office: 509.773.4707  
Fax: 509.773.5752  
Website: [bishopsanitation.com](http://bishopsanitation.com)

September 29, 2016

SOAK, LLC  
Portland Regional Burn event  
[producers@burningmanportland.com](mailto:producers@burningmanportland.com)

Att: Melissa Casburn

RE: SOAK Portland Regional Burn 2017

Bishop Sanitation, Inc. intends to provide equipment and event support services for SOAK 2017 upon entering into a contractual agreement.

Bishop will meet the event requirements by providing at least (36) standard portable toilet units, (3) ADA compliant portable toilet units, (13) portable hand wash stations, and (4) four-station urinals to service the anticipated 1500 attendees, May 24-30, 2017.

Additionally, each portable toilet and hand-wash unit will be serviced at least once per day.

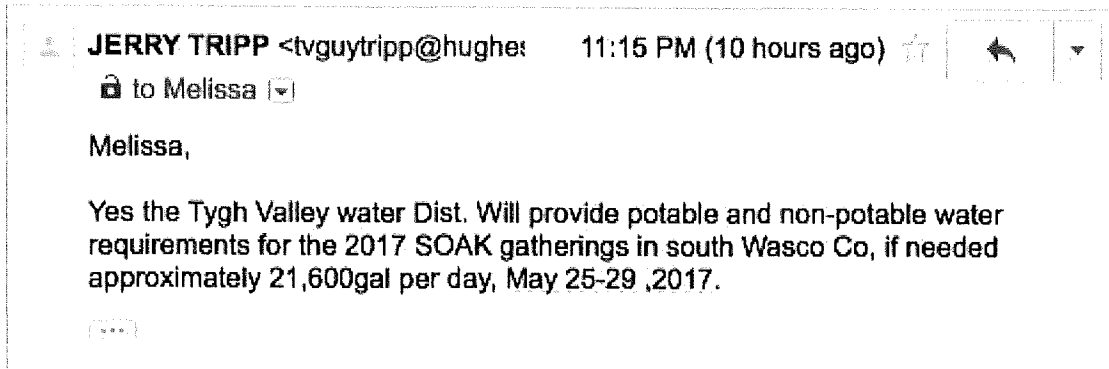
(2) 300 gallon greywater holding tanks will be supplied. These holding tanks will be serviced at least once per day by Bishop Sanitation, Inc. with the wastewater trucked off-site for disposal at a licensed facility. Additional holding tanks available upon request with five working days' notice.

We look forward to once again partnering with your organization. If you have any questions or comments, please contact Carrie House or myself at (509) 773-4707.

Sincerely,

Lisa Cunningham  
Director of Business Development  
[lisa@bishopholdings.biz](mailto:lisa@bishopholdings.biz)  
for Carrie House  
Director of Contracts & Compliance  
[clysh@bishopservices.com](mailto:clysh@bishopservices.com)

## Attachment B: Tygh Valley Water Letter of Intent



## **Attachment C: Gem Ice Letter of Intent**

### **Letter of Intent**

**10-24-2016**

To whom it may concern, Gem Ice Co. will provide a trailer with ice to Soak LLC for the Soak festival to be held at the Justesen Ranch, 89720 Davidson Rd. Tygh Valley OR 97063, on May 24<sup>th</sup> thru May 29<sup>th</sup> 2017.

No charge for the use of the trailer if a minimum of \$150.00 worth of ice is used. All ice will be charged at \$1.00 per 7 # bag of crushed and \$1.15 per block ice.

**Gem Ice Co.**

**3003 E. 2<sup>nd</sup> St.**

**The Dalles OR 97058**

**541-296-5386**

**Jerry Moyer**



## **Attachment D: Crackerjack First Response Specialists Letter of Intent**

See next page

Crackerjack First Response Specialists LLC  
1530 NE 10<sup>th</sup> St. Bend OR, 97701  
Tel 844-991-0911  
info@crackerjackresponse.com  
www.crackerjackresponse.com



**2017 SOAK Letter of Intent On Site EMS Services**

**Crackerjack First Response Specialists LLC**

To:

SOAK LLC

Crackerjack First Response Specialists is a registered non-transport EMS agency. Crackerjack works under ECEMS protocols and the supervision of a licensed medical director with standing orders. Crackerjack is insured for medical, profession, and general liability. All staff is employees covered under SAIF workers comp insurance.

We are contracting with SOAK LLC to provide 24/7 on site medical and safety services for the duration of the SOAK event. All off- site transport of patients requiring escalation in care will be coordinated with SWCA via direct 911 notifications.

This will be our fourth year with the event and the third at this location and we believe the model of care, communication, and coordination employed during the 2015 event was successful and met the needs of the event, the county, and SWCA. We look forward to another successful year. Once directed by SOAK LLC we will contact all appropriate local agencies for collaboration.

Crackerjack will supply

- 6 EMS staff, with minimum of 2 ALS providers
- Two women on staff.
- 3 Staff arrive Wednesday to set up and check in (1 ALS)
- 6 Staff Thurs 2pm to Mon 10am
- 3 Staff Mon 10am (1 ALS) to release as determined by SOAK LLC.

- 4 treatment beds with privacy screening
- 3 AED
- Cardiac Monitor
- Full medical station BLS and ALS supplies including oxygen, narcotics, IV fluids, respiratory therapy, and Narcan (Naloxone).
- Enhanced basic first aid and trauma supplies to be shared with volunteer staff.
- Representation at daily staffing briefs during the event
- Handling and disposal of all medical waste materials
- Medical tent(s) 1(12x18) or 2(12x14) These are rugged full-walled tents with lighting, vents, and floors if needed,
- 1 4WD Medical UTV - would like to have a second provided by LLC at especially at night.
- 1 Medical UTV
- Meals for medical staff
- 3 UHF F80 radios - to be programmed by SOAK
- Coordination with local EMS and contracted Air Medical resource (SWCA, Lifeflight, Airlink)
- LZ markings and coordinates

LLC to provide

- Power (via extension cords and power outlet strips)
- Access to ice daily
- Hand Washing station (non potable water)
- Porto Potty at medical station – Handicapped accessible located away from event bathrooms with “Medical Staff and Patients – or Handicapped” marking.
- Housing
- Assistance from Volunteer Medical Team

Please contact us with any questions or concerns.

Sincerely,

Craig McClure

Owner, Crackerjack First Response Specialists

844-991-0911 x801

craig@crackerjackresponse.com

## Attachment E: Life Flight Network Letter of Intent



22285 Yellow Gate Lane, Suite 102  
Aurora, Oregon 97002  
Office (503) 678-4364  
Fax (503) 678-4369

October 11, 2016

Chris Schneider  
Burning Man Portland/SOAK, LLC  
555 SE 99th Avenue, Ste. 201  
Portland, OR 97216

Chris,

Life Flight Network is happy to provide our services for your event from May 25-29, 2017. Our understanding is that you need to have ALS transport services available in the case of a medical emergency that requires immediate transport to the closest, most appropriate facility.

#### Our Services in the Region

Life Flight Network has two AgustaWestland Koala 119 helicopters available in the region. Our closest aircraft is based in Dallesport, WA. This flight time for this helicopter to 89720 Davidson Grade Road Tygh Valley, OR, is 25 minutes. The second helicopter in the region is in Redmond, OR, and would have a 35 minute flight time. The critical care crews on these aircraft consist of a nurse and a paramedic.

Patients are generally transported to the closest, most appropriate facility. From Tygh Valley, we would most likely transport to The Dalles, Portland, or Bend, depending upon the patient's unique circumstances.

#### Pricing

Burning Man Portland/SOAK, LLC will incur no charges for utilizing Life Flight Network during this event. We typically respond from our base location when requested. We bill the patient directly, a base fee plus a per loaded mile fee. We do have a membership program available for purchase that would result in no out-of-pocket expenses for a patient. If you would like to make this available for your participants, I can get you further details.

#### Availability

We cannot guarantee availability, especially when considering factors beyond our control (on another flight, weather, unpredictable maintenance, etc.). In the event both Dallesport and Redmond are busy or otherwise unavailable, we have additional resources we could utilize in Aurora, La Grande, and Pendleton.

Please let me know if we can provide additional information. As we get closer, I'd like to discuss the specific logistics of utilizing Life Flight Network (how to contact us, how we will communicate once we're in the air, and where we will land).

Thank you,

Jacob Dalstra  
Regional Director  
(360) 241-8985

## Attachment F: Vanguard Security Letter of Intent



921 SW 6th Ave Suite#3033  
Portland, Oregon 97204-1202  
[www.vanguard-security.com](http://www.vanguard-security.com)

Letter of intent  
Re: SOAK 2017

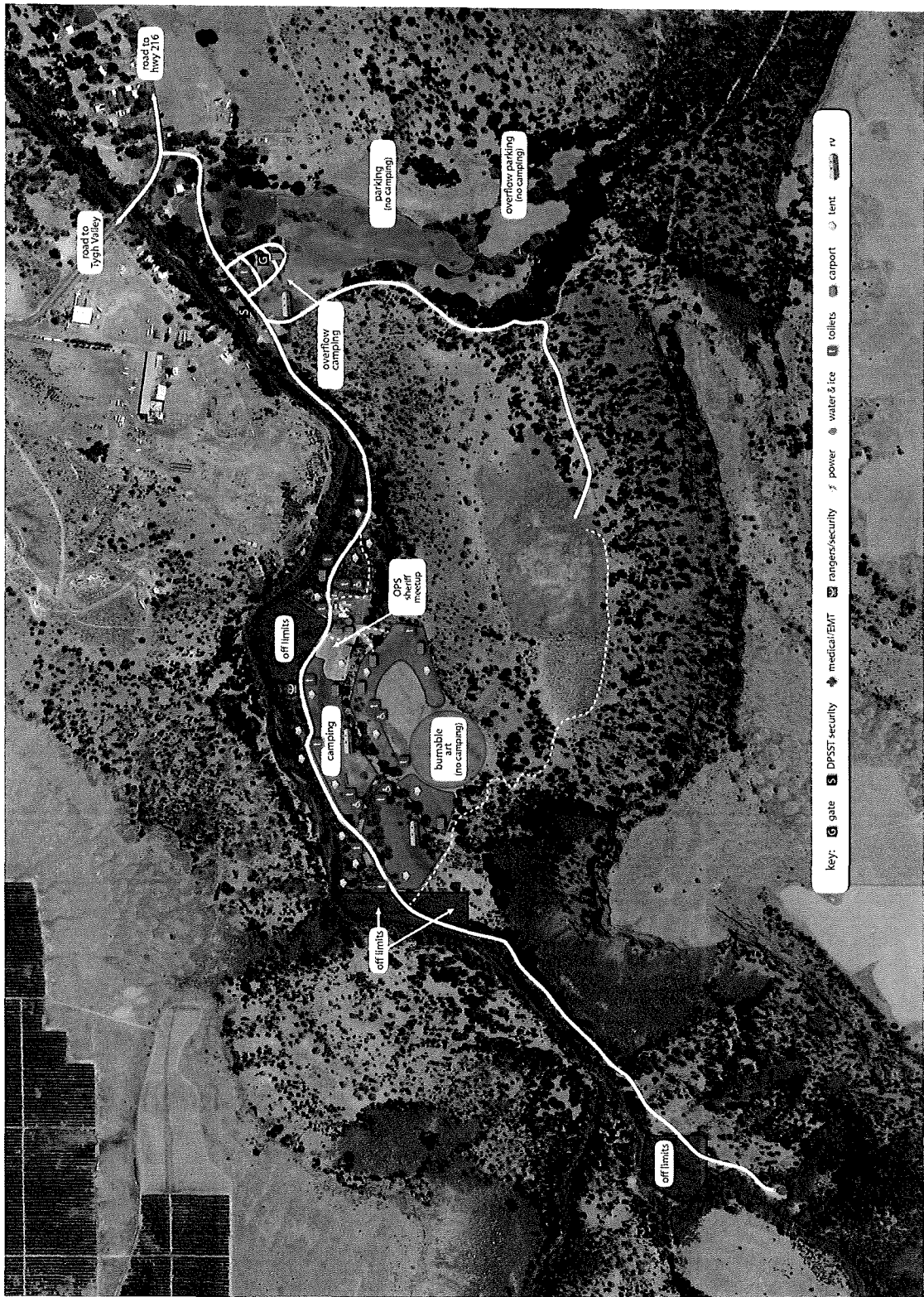
We are providing security for SOAK, Thurs May 25th, to Monday May 29th, 2017. We will be providing 24hr security coverage on the event perimeter, gate and patrols throughout.

Our security staff and supervisors are all DPSST certified and have extensive experience in event and festival security. We thoroughly understand the unique challenges and concerns at all types of events.

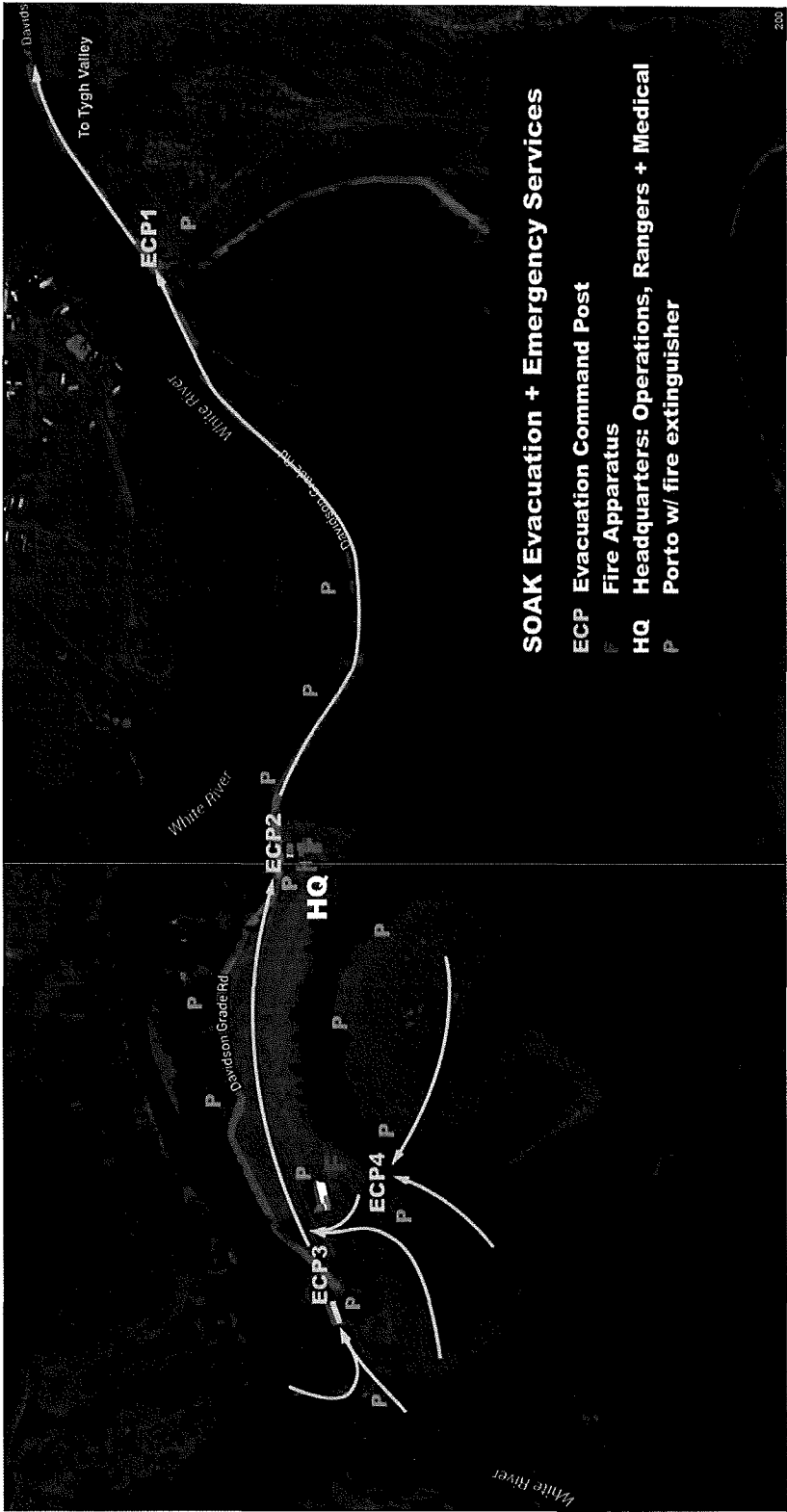
Looking forward to SOAK 2017

Eric Hartmann  
Security Supervisor  
DPSST PSID#55208  
Phone: (503) 272-1224  
Email: [ericcruse@vanguard-security.com](mailto:ericcruse@vanguard-security.com)

# Attachment G: SOAK\*2017 Site Plan



# Attachment H: SOAK\*2017 Evacuation Map





Attachment I: SOAK\*2017 Traffic Control Plan



## Attachment J: Affected Tax Lots

### Primary address associated with tax lots:

89720 Davidson Grade Rd.

Tygh Valley, OR 97063

Tax Lot	Township	Range	Section	Acres
800	4S	13E	10	126.06
2200	4S	13E	<del>16</del> -15 0	163.62
401	4S	13E	10	77.31
100	4S	13E	15	67.29



# Wasco County Planning Department

*"Service, Sustainability & Solutions"*

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

## SUMMARY OF INFORMATION

### Prepared for Wasco County Board of Commissioners Hearing

**FILE #** PLAOMG-16-02-0003

**HEARING DATE:** February 15th, 2017

**PUBLISH DATE:** February 8th, 2017

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**REQUEST:** Outdoor Mass Gathering permit for a camping and art festival entitled "SOAK 2017," (also known as "Burning Man Portland") to be held May 25-29, 2017. Estimated attendance is 1,500-1,800 including staff and volunteers (same number as 2016).

*Note: SOAK, LLC is in the process of becoming a non-profit organization. As a result, the name of the organization and event may change.*

**RECOMMENDATION:** **Approval**, with conditions

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#### APPLICANT/OWNER INFORMATION:

**Applicant:** SOAK, LLC, 555 SE 99<sup>th</sup> Ave. Ste. 201, Portland, OR 97216

**Owner:** Fred Justesen and Jonnie Justesen, Justesen Ranch Recreation, 59720 Twin Lakes Road, Grass Valley, OR 97029.

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#### PROPERTY INFORMATION:

Located in the White River Canyon, along Jake Davidson Grade Road, immediately south of Tygh Valley, Oregon. More specifically described as:

<u>Existing Tax Lots</u>	<u>Acct#</u>	<u>Acres</u>
4S 13E 10 800	10464	126.06
4S 13E 15 100	10445	67.29
4S 13E 15-16 2200	12314	163.62

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#### ATTACHMENTS:

- A. Options & Staff Recommendation
- B. Recommended Conditions
- C. Maps (vicinity map and site plan)
- D. Staff Report

## ATTACHMENT A – OPTIONS & STAFF RECOMMENDATION

Under ORS 433.750, the Board of County Commissioners is the only body authorized to issue an outdoor mass gathering permit in Wasco County. While Wasco County has exercised its authority to expand the definition of outdoor mass gathering, the only applicable regulations are those contained in ORS 433.735 to 433.770 and OAR 333 Division 39.

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

### Board of County Commissioner Options:

1. **Approve** the application for an Outdoor Mass Gathering, and accept the proposed conditions and findings contained in the Staff Report.
2. **Approve** the application for an Outdoor Mass Gathering with amended findings and conditions.
3. **Deny** the application with amended findings that the request does not comply with the applicable health and safety regulations contained in ORS 433.735 to 433.770 and OAR 333 Division 39
4. **Continue** the hearing, to a date and time certain, if additional information is needed to determine whether applicable standards and criteria are sufficiently addressed.

### Staff Recommendation:

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

## ATTACHMENT B – RECOMMENDED CONDITIONS

The full staff report with all proposed findings of fact and conclusions of law is enclosed as **Attachment D** and was available at the Wasco County Planning Department for review one week prior to the February 15th, 2017 hearing. The full staff report is made a part of the record. This summary does not supersede or alter any of the findings or conclusions in the staff report, but summarizes the results of Staff's review and recommendation. The request and subsequent decision do not constitute land use decisions, as governed by Oregon law. All applicable standards are addressed in **Attachment D**.

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

- A. Applicant and property owners shall comply with the application as reviewed and approved by the staff report, which is available at the Wasco County Planning Department. This report details the restrictions on aspects of the proposed event including but not limited to location, dimensions and use. This decision does not constitute tacit approval for any other development or use.
- B. **Location:** Event shall only occur on Wasco County tax lots 4S 13E 10 800; 4S 13E 15 100; and 4S 13E 15-16 2200 and may not occur on adjacent lands owned by the Bureau of Land Management (BLM) or any other individual or organization whose signature was not obtained for the application. To demonstrate compliance, the applicant shall:
  - i. Install temporary fencing and signs that provide notice that adjacent BLM land is off limits to event participants.
  - ii. Coordinate site visits with BLM staff to inspect the condition of BLM property, to ensure there is not unauthorized use of BLM lands, and to confirm there are no resource impacts as a result of the event.
- C. **Attendance:** Maximum attendees for SOAK 2017 shall be 1,800, including staff and volunteers necessary to operate the event safely and effectively, as described in **Attachment D**.
- D. **Insurance:** Applicant shall maintain a Commercial General Liability Insurance policy of not less than \$1,000,000 specific to SOAK 2017, and naming Wasco County, its officers, agents, volunteers, and employees as an additional insured for the duration of the event and event clean up.
- E. **Water Supply:** Applicant shall comply with OAR 333-039-0015 that requires 12 gallons of water are available per person, per day of the event and 5 gallons of water are stored per person, per day, as described in **Attachment D**.
- F. **Water Supply System Construction, Maintenance, and Design:** Any temporary water system shall be inspected by Wasco County or partner agencies prior to the event for compliance with OAR 333-039-0015(3)(a) through (3)(l).
- G. **Water Quality:** If the on-site well water source is used, it shall be tested for bacterial and chemical requirements pursuant to OAR 333-039-15(2) within 30 days before the event.

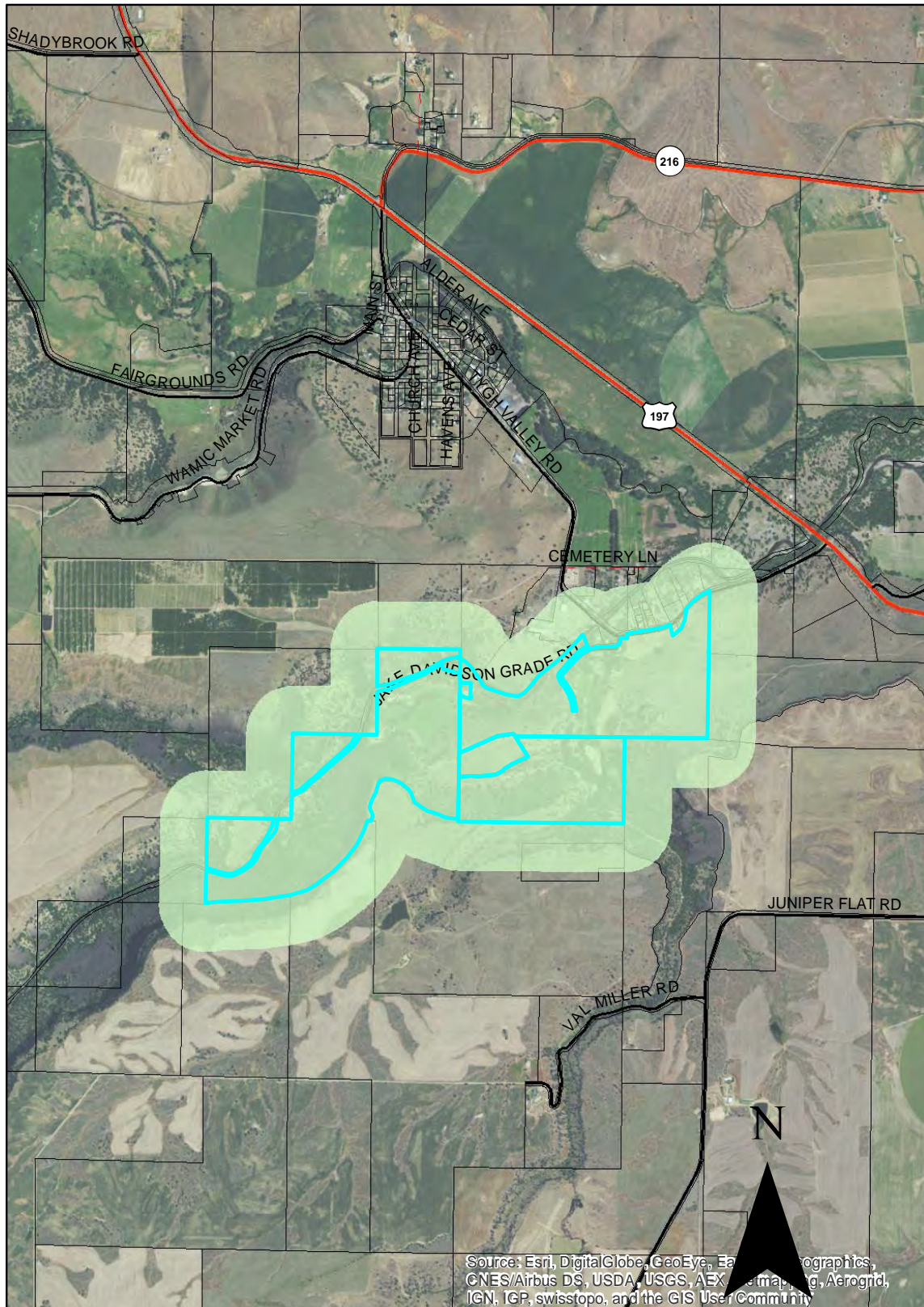
- H. **Water Quality:** All transport of water shall follow the standards contained within the *2008 Drinking Water Hauling Guidelines*. Documentation shall be provided by the applicant to demonstrate compliance with these guidelines, including the forms supplied by the State/North Central Public Health District to track chlorine levels of potable water when delivered. The chlorine that is being used to increase the chlorine levels needs to be and NSF certified product. There should a copy of that on hand when the inspection takes place.
- I. **Grey Water:** No grey water is anticipated by the applicant. In coordination with the North Central Public Health District, the applicant shall develop a plan for unanticipated grey water storage needs.
- J. **Refuse Storage and Disposal:** The applicant anticipates minimal refuse storage and disposal needs. Given that the event spans a holiday weekend, the applicant shall provide a plan for unanticipated refuse storage and disposal that is consistent with OAR 333.039.0030.
- K. **Food and Sanitary Food Service:** No food vendors are proposed. If that changes, all food vendors shall comply with the applicable food and sanitary food service requirements listed in OAR 333-039-0035 and shall make themselves available for inspection during the event. Furthermore, only vendors with valid licenses, as provided by the Oregon Health Authority, shall be contracted to prepare and provide food for the event.
- L. **Emergency Medical Facilities:** Applicant shall implement proposed emergency medical services outlined in the 2017 Letter of Intent from CrackerJack First Response Specialists. The applicant shall confirm any additional emergency medical services required or recommended by the local fire and emergency service providers having jurisdiction, and the North Central Public Health District.
- M. **Fire Protection:** The applicant shall secure written statements from the local fire protection agency having jurisdiction that fire protection and fire safety access complies with state and local laws, ordinances and regulations and is satisfactory with respect to anticipated crowds and location.
- N. **Security Personnel:** At least one Department of Public Safety Standards and Training (DPSST) certified supervisor must be on shift at all times.
- O. **Security and Personnel:** Within event staff, a single point of contact must be clearly identified for security and law enforcement. Contact information for this individual shall be provided to the Wasco County Sherriff Department prior to the event.
- P. **Security and Personnel:** Applicant shall coordinate radio frequencies to be used during the event with the Wasco County Sherriff Department to prevent disruption of local emergency service provider communications.
- Q. **Traffic:** Traffic Control Plan shall be implemented as submitted. If changes are proposed, they must be coordinated and approved by the Wasco County Public Works Department prior to the event.

- R. **Traffic:** Each vehicle parking space shall have a minimum width of 10 feet and a minimum length of 20 feet, and parking shall be clearly marked. Parking shall be arranged to provide clear access to exits at all times.
  
- S. **Site Visits:** Applicant shall coordinate an inter-agency site visit before the event, and after the event to allow County Planning Department staff and health and safety agencies to confirm compliance with the conditions described above, as well as any resource impacts that may have occurred as a result to the event.



# PLAOMG16-02-0003

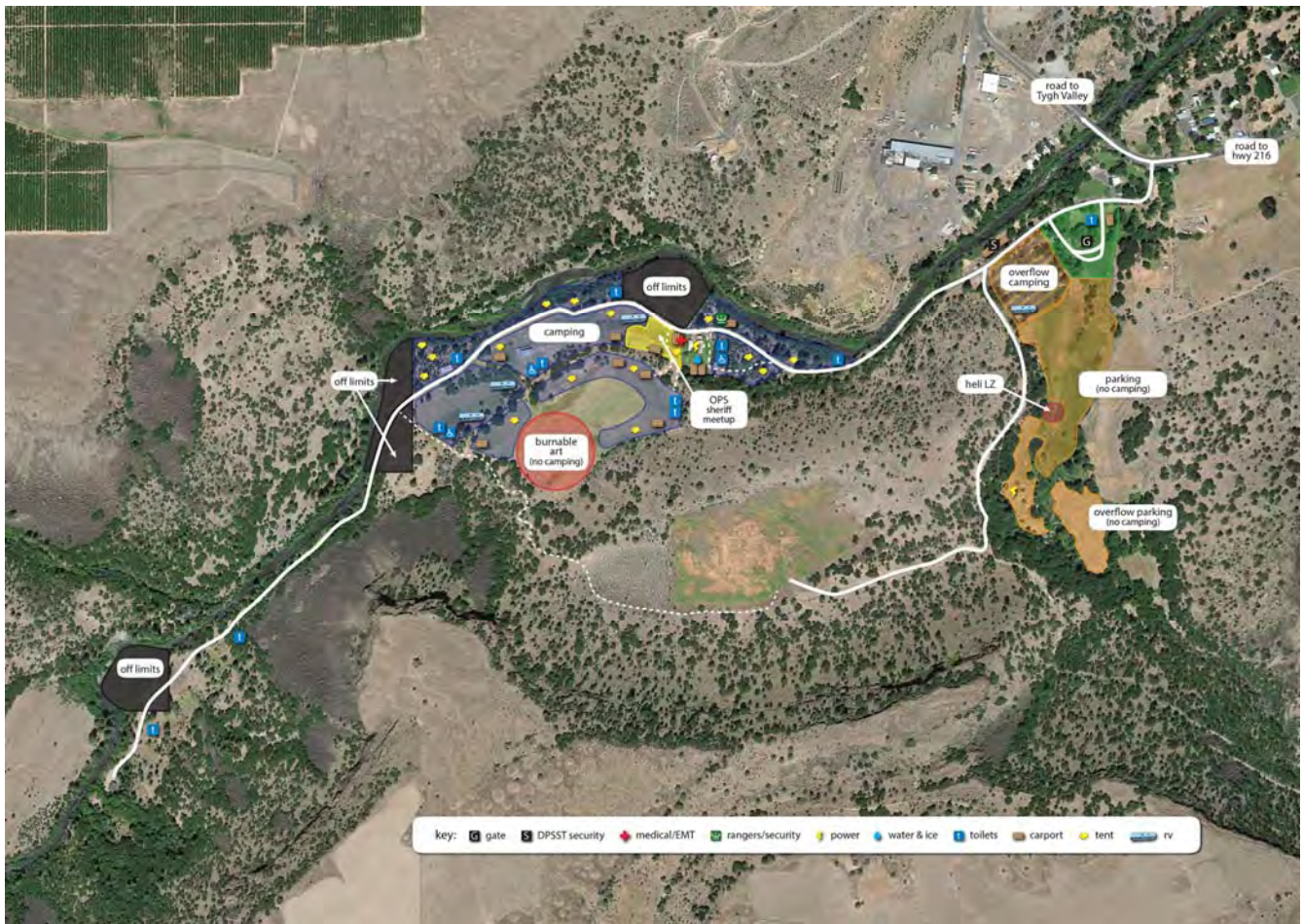
## VICINITY MAP AND 750' APO





## ATTACHMENT C – MAPS

### Site Plan



**Please note**, the above site plan reflects changes to restrict usage of contiguous public lands pursuant to the SOAK 2017 application and review.

## ATTACHMENT D – STAFF REPORT

**File Number:** PLAOMG-16-02-0003

**Applicant:** Thomas McElroy of SOAK, LLC  
Event Coordinator and onsite contact is Xandra Green

*Note: SOAK, LLC is in the process of becoming a non-profit organization. As a result, the name of the organization and event may change.*

**Property Owners:** Fred Justesen and Jonnie Justesen

**Request:** Outdoor Mass Gathering permit for a music and art festival entitled “SOAK 2017,” (also known as “Burning Man Portland”) May 25-29, 2017. Estimated attendance is 1,500-1,800 including staff and volunteers.

**Event Location:** White River canyon, along Jake Davidson Grade Road, immediately south of Tygh Valley, Oregon. More specifically described as:

<u>Tax Lot#</u>	<u>Acct#</u>	<u>Acres</u>
4S 13E 10 800	10464	126.06
4S 13E 15 100	10445	67.29
4S 13E 15-16 2200	12314	163.62

**Zoning:** A-1 160 (Exclusive Farm Use) and TV-R (Tygh Valley Residential)

**Past Actions:**

4S 13E 10 800  
PLAARC-08-05-4307 - (PAR-07-101) Land division  
PLAARC-08-06-5066 - (PAR-07-102) Land division

4S 13E 15 100  
PLAARC-08-04-3812 - (REP-95-106) Lot line adjustment  
PLAARC-08-06-5066 (see above)  
PLAARC-08-05-3997 - (MIN-05-117) Replacement dwelling

4S 13E 0 2200  
PLAARC-08-05-3756 - (LOC-05-WR) Water right

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

**Staff Recommendation:** Approval, with conditions

**Hearing Date:** February 15th, 2017 at 6:00pm

**Hearing Location:** Tygh Valley Community Center  
57594 Tygh Valley Road  
Tygh Valley, OR 97063

**Prepared By:** Dustin Nilsen, Senior Planner

## I. APPLICABLE STANDARDS

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

<b>A. Chapter 3</b>	<b>Basic Provisions</b>
Section 3.210.B.13	Uses Permitted Without Review: Commercial Uses

### Oregon Revised Statute (ORS)

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

### Oregon Administrative Rules (OAR)

<b>C. OAR 333 Division 39</b>	<b>Regulations Governing Health and Safety at Outdoor Mass Gatherings</b>
OAR 333-039-0015	Water Supply
OAR 333-039-0020	Drainage
OAR 333-039-0025	Sewerage Facilities
OAR 333-039-0030	Refuse Storage and Disposal
OAR 333-039-0035	Food and Sanitary Food Service
OAR 333-039-0040	Emergency Medical Facilities
OAR 333-039-0045	Fire Protection
OAR 333-039-0050	Security Personnel
OAR 333-039-0055	Traffic

## II. BACKGROUND

- A. Legal Parcel:** The proposed event will occur on multiple properties owned by Fred Justesen and Jonnie Justesen, collectively known as “the Justesen Ranch” in the White River canyon, immediately south of Tygh Valley. The properties include three tax lots: 4S 13E 10 800; 4S 13E 15 100; and 4S 13E 16-15 2200.

Section 1.090 of the Wasco County Land Use and Development Ordinance (LUDO) defines “legal parcel” as a unit of land created as follows: (a) A lot in an existing, duly recorded subdivision; or (b) A parcel in an existing, duly recorded major or minor land partition; or (c) By deed or land sales contract prior to September 4, 1974.

- Tax Lots 4S 13E 10 800 and 4S 13E 15 100 were approved in their current configuration in Partition Plat PAR-07-122, filed with the Wasco County Clerk on June 12, 2008.
- Tax Lot 4S 13E 16-15 2200 was approved in its current configuration in 1995 by Property Line Adjustment Plat PLA-95-108-WAA18-A, filed with the Wasco County Clerk on November 7, 1995.

The subject properties are consistent with LUDO. In addition to the recorded plats, deed documentation provided by the applicant confirms Fred and Jonnie Justesen are the owners of the subject parcels.

- B. Site Description:** As previously noted portions of three properties owned by the Justesen’s will be used for the proposed event. In total, the tax lots include approximately 357 acres. Site plans provided by the applicant indicate most of the proposed event will occur near Jake Davidson Grade Road, and will therefore only occur on a portion of the larger property.

The subject property consists of variable terrain and slopes with some level areas near Jake Davidson Grade Road; gently rolling hills maintained as pasture between the road and basalt rock buttes to the south; and the shoreline of the White River to the north. Much of the property is bordered by a buffer of oak and pine trees. Existing improvements to the property include residential development and agriculture structures. A portion of the White River also crosses through the subject property. The photo below was taken by staff at the site on and provides an example of the characteristic landscape of the event site:



**Surrounding Land Use:** The subject parcel is located in the White River canyon, south of Tygh Valley. Within the canyon, lands contain a mixed forest of oak and pine trees with some open pastures and grassy areas. Outside of the canyon, the landscape rises in elevation with steep basalt rock outcrops and large buttes. Orchard and haying farm activities are visible in aerial photographs to the north and south of the event site. Two large tracts of public land zoned Exclusive Farm Use are located directly north and west of the property and are. Private properties to the north and north east are zoned Tygh Valley Residential and Tygh Valley Medium Commercial/Industrial. Properties to the south are zoned Exclusive Farm Use, are privately owned and appear to be active ranching lands.

Using GIS and aerial photographs, an analysis of surrounding taxlots indicates that much of the community of Tygh Valley, including dozens of dwellings, are located within one mile of the proposed event. Most of the dwellings within one mile are located north of the event site, on the other side of a butte – which provides some intervening topography. The nearest dwellings are located on the subject parcel and on adjacent parcel also owned by Jonnie Justesen.

- C. Public Notice & Comments:** Per ORS 433.750(4), notice of the public hearing was published 10 days prior to the hearing on February 15th, 2017 in *The Dalles Chronicle*. Additionally, staff mailed the hearing notice to all owners of property within 750' of the subject parcel, shared it with the partner agencies for continued coordination, and posted the application materials and hearing notice on the Planning Department website.

**Agency Comments:** The applicant was encouraged to work with agencies and departments directly to coordinate event and event application needs. Upon deeming the application complete, Staff notified partner agencies on January 31st, 2017 and invited additional written comments. Comments were received from the following individuals and are briefly summarized here.

**Lane Magill, Wasco County Sherriff** by email February 2nd, 2017:

- At this time there are no issues with the application.

**Casey Gatz, Natural Resource Planner** by email February 1st, 2017:

- At this time there are no water related concerns with the application.

**Robert Wood, Watermaster** by email February 8th, 2017:

- At this time there are no water related concerns with the application.

**Staff Response:** Comments are addressed throughout the report and applicable conditions of approval are included.

## **FINDINGS:**

### **A. Applicable provisions of the Wasco County Land Use and Development Ordinance (LUDO):**

Chapter 3 contains Basic Provisions for each zone. Chapter 3 Section 3.210.B.13 allows outdoor gatherings as a commercial use permitted without review in the Exclusive Farm Use zone. It states:

*“An outdoor gathering as defined in ORS 433.735 or other gathering of fewer than 3,000 persons that is not anticipated to continue for more than 120 hours in any three month period.”*

ORS 433.735(1) generally defines outdoor mass gatherings as an assembly of more than 3,000 persons which continues or can reasonably be expected to continue for more than 24 consecutive hours but less than 120 hours within any three-month period and which is held primarily in open spaces and not in any permanent structure. Additionally, the provision listed above includes the gathering of fewer than 3,000 persons that is not anticipated to continue for more than 120 hours in any three month period in the Exclusive Farm Use zone. **NOTE:** A gathering described above is not subject to a land use decision or land use permitting. A Permit is required for *outdoor mass gathering*. *Permit Application, notice, and fee, requirements are outlined in ORS 433.750-755, to protect health and safety.*

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

Applicant is requesting approval for an outdoor mass gathering for an art and music festival entitled, “SOAK 2017,” May 25-29, 2017 on the Justesen Ranch located at 89720 Jake Davidson Road Tygh Valley, Oregon. The application form states that 1,500-1,800 people are anticipated to attend.



As proposed, core staff will arrive on May 23 and remaining staff and volunteers will arrive May 25 to set up event space and theme camps. The event will begin May 25 and the box office will open to take tickets from participants. Participation in the event and arrival of additional participants will continue through May 30, with some exodus occurring throughout. The final clean up and final exodus will occur on May 30. Per the site plan and narrative submitted by the applicant, the event will be held primarily in open spaces and not in any permanent structures. The applicant proposes several temporary structures spread throughout the festival site including a box office, lounges/shade structures, and interactive art displays.

Based on proposed event characteristics, estimated number of attendees and schedule, staff finds that this event constitutes an Outdoor Mass Gathering as defined in LUDO Section 3.210.B.13 and ORS 433.735. Staff recommends a **condition** that attendance is capped at 1,800, including staff and volunteers necessary to operate the event safely and effectively, as described throughout this report to be consistent with the size of event that has been coordinated with public health and safety agencies.

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

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

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

- (1) *The governing body of a county in which an outdoor mass gathering is to take place shall issue a permit upon application when the organizer demonstrates compliance with or the ability to comply with the health and safety rules governing outdoor mass gatherings to be regulated according to the anticipated crowd and adopted by the Oregon Health Authority (\*\*\*).*

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

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

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

The referenced Oregon Health Authority rules (OAR 333 Division 39) are addressed beginning in C, below.

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

**FINDING:** Staff notified partner agencies on January 31st, 2017 of a complete application and invited additional written comments.

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

**FINDING:** Good faith coordination between both Applicant and partner agencies has been ongoing in order to address applicable regulations. Partner agencies were invited to submit additional comments once the current application was deemed complete. Notice of the hearing was provided to partner agencies January 31<sup>st</sup>, 2017 and additional comments were invited. Comments received have been made part of the record and are addressed throughout this report.

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

**FINDING:** A public hearing with the Wasco County Board of Commissioners has been scheduled for February 15<sup>th</sup>, 2017. Ten days prior written notice of the hearing was provided to *The Dalles Chronicle Newspaper* and mailed to adjacent property owners within 750 feet of the proposed event site. The application materials and hearing notice were also posted on the Wasco County Planning Department website February 8th, 2017. Notice of the time and location of the hearing was provided and published at least ten calendar days before the hearing in the local newspaper, consistent with this requirement.

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

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

**FINDING:** Information obtained during the review led staff to conclude that the proposed gathering creates a potential for injury to persons or property. Staff required the applicant to provide a Commercial General Liability Insurance policy of not less than \$1,000,000 specific to SOAK, LLC, and naming Wasco County, its officers, agents, volunteers, and employees as an additional insured as part of their application. The applicant has provided proof of insurance, consistent with ORS 433.755(1) and is therefore consistent with this requirement.

**C. Regulations Governing Health and Safety at Outdoor Mass Gatherings - Oregon Administrative Rules 333 Division 39 (as referenced in ORS 433.750(1)):**

***Oregon Administrative Rule 333-039-0015 - Water Supply***

***(1) Required Amounts:***

- (a) *A minimum of 12 gallons per person per day shall be available for the anticipated assembly;*  
(b) *Storage facilities equal to one day's total water usage shall be provided, unless a greater or lesser amount, with a minimum of five gallons per person per day, is determined by the Division*

- as sufficient or necessary, based on the availability and quantity of the reserve water supply and the required water demands for toilets, food vendors, camping areas and other facilities;*
- (c) A Division approved well or water system may be used as a source of water, or in addition to Division approved outside sources, to meet all requirements;*
  - (d) An amount of water equal to one day's total usage shall be kept in reserve at all times.*

**FINDING:** The application coversheet describes the event as up to 1,800 people. The applicant has proposed to have 3,000 gallons of water stored on site at all times, and to require all participants to provide 2 gallons per day per person.

The applicant stated that last year it did not use any contracted water and proposes that any water needs not met by the participants will be available through Tygh Valley Water. Tygh Valley Water District has stated that it would supply up to 21,600 gallons per day. Based on maximum attendance of 1,800 people (including attendees and staff/volunteers), 21,600 gallons of water per day would need to be available (1,800 people x 12 gallons per day = 21,600 gallons per day). The Oregon Health Authority approves municipal water systems and enforces drinking water quality standards. Staff recommends a **condition** is included to ensure 12 gallons of water are available per person, per day of the event and any testing and hauling of drinking water consistent with the *2008 Drinking Water Hauling Guidelines* and is coordinated with the North Central Public Health District.

Due to the large supply and availability of municipal water sources within close proximity to the event, Staff recommends a **condition** require storage facilities be provided to meet the minimum requirement of 5 gallons/person/day. Maximum attendance (1,800 people) would require water storage facilities of 9,000 gallons. To meet this requirement, the applicant has proposed meeting part of the 5 gallon/person/day requirement by requiring event participants to bring their own water (at least 2 gallons/person/day), supplying 15 20-gallon hand washing stations (to be serviced daily), and providing a 3,000 gallon water truck on site daily, provided by Tygh Valley Water.

The applicant has interpreted (d) to require the same as “readily available.” Staff agrees that (d) does not explicitly require the reserve, equal to one day’s total usage, to be kept on site. Assuming “one day’s total usage” refers to 5 gallons/person/day (9,000 gallons), it is possible that the applicant can meet that requirement on site with the well water source, the 3,000 gallon water truck, requiring participants to bring at least 2 gallons/person/day to enter the event and by providing the hand washing stations described above. Given this information, and the known availability of municipal water in the nearby area, Staff finds the reserve requirement of (d) is achieved. Staff finds the proposed source and supply method can provide the required volume, storage, and reserve of approved water for 1,800 people.

*(2) Bacteriological and Chemical Requirements:*

- (a) All water provided shall give a negative result for the presence of coliform bacteria when subjected to standard laboratory test procedures for detecting the presence of coliform bacteria and shall be from sources and in containers approved by the Division;*
- (b) Water provided shall not contain the following substances in excess of amounts listed. The organizer shall provide a laboratory analysis report as evidence of this: Substance Concentration in mg/1:*
  - (A) Arsenic -- 0.1;*
  - (B) Cadmium -- 1.0;*
  - (C) Chloride -- 250.0;*
  - (D) Copper -- 1.0;*
  - (E) Cyanide -- 0.01;*
  - (F) Fluoride -- 1.7;*



- (G) Iron -- 0.3;
- (H) Lead -- 0.05;
- (I) Selenium -- 0.01;
- (J) Nitrate (NO<sub>3</sub>) -- 45.0;
- (K) Total Dissolved Solids -- 500.0;
- (L) Zinc -- 5.0.

**FINDING:** The applicant has specified that the on-site well will be tested for nitrates and arsenic within 30 days before the event. The applicant also states that they will follow all transport and storage regulations outlined in the *2008 Drinking Water Hauling Guidelines* to ensure compliance with this requirement and as requested by the North Central Public Health District. Staff recommends a **condition** to ensure the on-site water source is tested for quality within 30 days before the event and provides documentation to confirm the guidelines contained within the *2008 Drinking Water Hauling Guidelines* are adhered to.

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

- (a) *All parts of the water supply system shall be constructed of non-toxic materials;*
- (b) *All water distribution lines and fittings shall be constructed of galvanized wrought iron, galvanized steel, copper, or NSF approved plastic pipe. All plastic pipe and fittings must bear the NSF seal;*
- (c) *Pressure tanks and storage tanks shall be constructed of non-toxic materials. Tanks which have previously been used to contain toxic substances shall not be used;*
- (d) *Prior to placing the water supply system into use, all portions of the system including storage tanks and distribution system shall be disinfected by adding a chlorine solution of not less than 50 mg/1 and retaining the mixture within all portions of the system for at least 24 hours. Following disinfection, the system is to be thoroughly flushed of the chlorine solution;*
- (e) *Hydrants equipped with self-closing faucets shall be provided at a ratio of not less than one for every 250 persons or fraction thereof anticipated;*
- (f) *Each faucet shall be mounted on a minimum 36 inch riser. The riser is to be securely fastened to a supporting structure equal in strength to a four inch by four inch timber which is securely anchored in the ground;*
- (g) *Each faucet and riser shall be accompanied by a seepage pit located directly beneath the faucet which shall have a minimum inside diameter of 12 inches and a minimum depth of three feet and shall be backfilled with clean coarse rock;*
- (h) *All water distribution lines shall be installed at a minimum depth of 12 inches in the soil and shall be covered;*
- (i) *If camping and activity areas are separately designated, 60 percent of the total required faucets shall be located within the area designated for camping, and 40 percent of the total required faucets shall be located in the area designated for activities;*
- (j) *A minimum of one faucet shall be located not more than 25 lineal feet from each food service facility and a minimum of one faucet shall be located not more than 25 lineal feet from any emergency medical facility;*
- (k) *Garden hoses, flexible hoses, pipes, or similar devices shall not be connected to any faucet or any other portion of the water supply system for personal convenience or any other reason;*
- (l) *A minimum pressure of 20 pounds per square inch shall be maintained at all times and at all points within the water distribution system.*

**FINDING:** Applicant states that all potable water storage materials will be NSF approved and site inspections will be coordinated with North Central Public Health District prior to the event to ensure compliance with the *2008 Drinking Water Hauling Guidelines*. Staff finds it reasonable that the location of the existing water supply and

proposed uses will facilitate compliance with the “Construction, Maintenance and Design” standards listed above.

***Oregon Administrative Rule 333-039-0020 - Drainage***

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

**FINDING:** According to the applicant, the property has been inspected previously for drainage by the North Central Public Health District and was deemed to be acceptable. The application materials state that the Justesen Ranch has employed best management practices to ensure proper erosion control from pedestrian and automobile traffic, farming and recreation impacts. Jake Davidson Grade Road is an existing and maintained road, and can provide access to the event. Staff finds the selected event site provides sufficient drainage and roads will be provided with adequate protections from erosion due to precipitation.

***Oregon Administrative Rule 333-039-0025 - Sewerage Facilities***

- (1) Non-Water Carried Sewage Facilities...*

**Finding:** No non-water carried sewage facilities (earth-pit privies) are proposed. One earth-pit toilet currently exists on the property, but will be closed to event participants. Instead, the applicant has contracted with Columbia Affordable Portables to provide 55 onsite portable toilets (5 will be ADA accessible).

- (2) If water carried subsurface sewage disposal facilities are provided, they shall be governed by OAR 333-041-0001 through 333-041-0040, and by this reference are incorporated herein and made a part hereof...*

**Finding:** No subsurface water carried sewage disposal facilities are proposed. Instead, the applicant has contracted with Affordable Portables, Inc. to provide onsite portable toilets.

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

**FINDING:** Affordable Portables will provide 55 or more portable toilets”. As previously noted, the applicant proposes a total of 15 (2 Place) washing stations throughout the site. Based on maximum attendance of 1,800 (including staff/volunteers), this represents approximately 32 attendees per toilet, which exceeds the standard (7 toilets per 800 attendees or 114 attendees per toilet) listed above.

Per the submitted site plan, the applicant proposes toilets in proximity to camping areas and activity areas. With the exception of parking areas being located away from camping and activity areas, the event site is open and easily accessible. Staff finds the quantity and location of the toilet facilities meets the standard.

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

- (a) Facilities shall be provided for the disposal of all liquid wastes not containing human excreta such as, but not limited to, kitchen or cooking waste water, grease, dishwater, wash water, and bath water. These facilities shall be specifically identified by means of a sign which states "**Waste Water Disposal**";*
- (b) Such facilities shall consist of a seepage pit having a minimum depth of three feet and a lateral area of not less than 32 square feet. The pit shall be backfilled with clean, coarse rock and be protected by a one-fourth inch screen which is removable and will effectively trap food particles and prevent other wastes from entering the backfilled rock;*
- (c) All food particles and other waste material shall be removed from the facilities at least once every 24 hours or at more frequent intervals if necessary to prevent fly and insect attraction;*
- (d) Such facilities shall be located or spaced so as to uniformly serve the participants of the outdoor mass gathering;*
- (e) One facility shall be provided for each 3,000 persons or fraction thereof anticipated;*
- (f) At least one facility shall be located not more than 50 lineal feet from each food service facility.*

**FINDING:** The application materials state that food and liquor vendors are not allowed at the event, no shower facilities will be provided, and event participants are required to collect and remove all waste - including grey water - when they depart the event. Staff recommends a **condition** that a plan is developed in a manner consistent with this regulation to handle any unanticipated grey water storage needs.

***Oregon Administrative Rule 333-039-0030 - Refuse Storage and Disposal***

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

**FINDING:** The applicant proposes educating attendees upon arrival to be consistent with “leave no trace” ethos and the “pack it in, pack it out” requirements of the event. Detailed searches of the area for debris are proposed to follow the event. In its application the applicant stated that it required no outside trash service and that all materials were handled by participants and the event was able to support its own refuse disposal without outside contracting. It has requested to rely upon the use of an onsite dumpster of 2.5 yards, a 25 foot rental truck, and The Dalles Disposal as only contingency to satisfy the 14.4 yards of necessary refuse handling. The event requires attendees to collect refuse in fly-tight containers, made of impervious materials. The applicant has a letter of intent with The Dalles Disposal in case additional trash removal becomes necessary.

Staff recommends a **condition** to require the development of a plan to be implemented in the event that the participants and on site dumpster is not large enough to meet event needs.

***Oregon Administrative Rule 333-039-0035 - Food and Sanitary Food Service***

- (1) Food service facilities, if supplied, shall be located in clean surroundings and shall be maintained in a clean and sanitary condition.*
- (2) Food service facilities, if supplied, shall be so constructed and arranged that food, drink, utensils, and equipment will not be exposed to rodents, insects, dust, dirt, or other contamination. If flies are present, screening shall be required.*
- (3) The water supply for food service facilities shall be adequate in amount to serve the requirements of the facility and shall be safe for human consumption. Storage tanks or containers, when used, shall be of smooth, easily cleanable material, and shall be cleaned and sanitized each time they are refilled. Water shall not be dipped from a receptacle for drinking or culinary purposes.*
- (4) Toilet or privy facilities which comply with these rules shall be available within the immediate area for use by the food service facility personnel.*
- (5) Hand washing facilities shall be made available for the food service facility personnel. In lieu of a handwashing sink, there shall be provided a pan with soap and water for washing of hands, and a pan of water containing a bactericidal solution of 50 mg/1 of available chlorine or its equivalent for rinsing of hands. Sanitary paper towels shall be provided. The use of a common-type towel is prohibited. Utensil washing vats shall not be used for handwashing.*
- (6) (a) All multi-use utensils and all display cases or windows, counters, shelves, tables, refrigeration equipment, sinks, and other equipment used in connection with the operation of a food service facility shall be constructed as to be easily cleaned and shall be kept in good repair;*  
*(b) Utensils containing or plated with cadmium or lead shall not be used, provided, however, that solder containing lead may be used for jointing;*  
*(c) Food containers with seams which are not sealed flush with the surface shall not be re-used. Single service containers and utensils shall not be re-used.*
- (7) (a) Single service paper plates, cups, and plastic or wood knives, forks, and spoons are recommended but not required. If multiple use dishes, utensils, or equipment are used, they must be subjected to one of the following methods of bactericidal treatment after cleaning and washing:*
  - (A) Immersion for at least two minutes in clean, hot water at a temperature of at least 170° Fahrenheit. If hot water is used, a dependable thermometer shall be available at all times and shall be used. The pouring of scalding water over washed utensils is not acceptable as a satisfactory bactericidal treatment;*
  - (B) Immersion for at least two minutes in a lukewarm chlorine bath. This bath shall be made up at a strength of at least 100 mg/1 of available chlorine. The bath shall not be used after its strength has been reduced to 50 mg/1;*
  - (C) Immersion for at least two minutes in an approved quaternary ammonium bath containing at least 25 mg/1 as determined by a suitable field test.**(b) In machine dishwashing, the hot water rinse shall be at least 170° Fahrenheit and shall be for a minimum of ten seconds;*  
*(c) In hand dishwashing, a three compartment sink shall be required. The first compartment shall be used for washing with a soap or detergent solution. The second compartment shall be used for clear water rinse, and the third compartment shall be used for the bactericidal solution and sanitizing bath.*

- (8) *If ice cream or frozen desserts are dipped and served at the food service facility, all scoops and dippers shall be kept in running water dipper wells.*
- (9) (a) *All refuse and solid waste shall be stored or collected in tightly covered, water impervious containers until removed from the food service facility. Such containers when emptied shall be washed to prevent them from attracting flies and rodents;*  
(b) *All dishwater and liquid wastes not containing human excreta shall be disposed of in accordance with OAR 333-039-0025(4)(a) to (f) of these rules.*
- (10)(a) *All readily perishable food shall be kept at or below 45° Fahrenheit except when being prepared or actually served. Readily perishable foods shall be stored in shallow containers under refrigeration until cooled below 45° Fahrenheit. When such foods have been cooled below 45° Fahrenheit, they may be stored in deep containers. Food shall not be served which has been stored, handled, or otherwise cared for in a manner not in compliance with these rules;*  
(b) *A dependable indicating thermometer shall be provided in each refrigerator;*  
(c) *All ice shall be stored and handled in such a way as to prevent contamination. Ice scoops or tongs shall be used to place ice in glasses or cups. Ice shall be obtained only at sources which are licensed under ORS Chapter 624 or 627.*
- (11) *All food products, raw, cooked, canned, or otherwise, shall be wholesome and free of spoilage during storage, preparation, and serving. All milk and milk products shall come from a source which is licensed and approved by the Oregon State Department of Agriculture. Home canned or home processed foods shall not be stored, prepared, or served by the food service facility.*
- (12) *Pre-cooked foods or meats must be kept at or below 45° Fahrenheit at all times and subjected to continuously applied heat which will sustain the internal temperature of the food item to not less than 140° until such time as it is served.*
- (13) *Bottled soda or fruit drinks may be cooled in tanks with water and ice provided the tanks contain not less than 50 mg/1 available chlorine. The tops of the containers shall not be submerged. Milk and milk products shall be kept at or below 45° Fahrenheit in dry refrigeration.*
- (14) *Canned soda or fruit drinks may be cooled in tanks of ice and water provided that the water contains not less than 50 mg/1 available chlorine.*
- (15) *All persons within the food service facility shall wear clean outer garments and shall keep their hands clean at all times while engaged in preparing or serving food and drink, or washing and storing utensils and equipment.*
- (16) *All persons while within a food service facility shall refrain from any personal action or conduct which would directly or indirectly harm the quality or wholesomeness of the food.*
- (17) *No live animals or fowl shall be permitted within the confines of any food service facility.*

**FINDING:** The application materials state that food and food service facilities will not be supplied and that food vendors, liquor sales and vendors of any sort are not permitted at the event. Given this information, OAR 333-039-0035 is not applicable. The applicant intends to only provide pre-packaged food, ice, and the use of a refrigerated trailer from Gem Ice of The Dalles in the event of a medical emergency.

***Oregon Administrative Rule 333-039-0040 - Emergency Medical Facilities***

- (1) *There shall be present at the outdoor mass gathering site for emergency medical services, physicians and nurses in the following ratios:*
  - (a) *Daylight Hours -- At least one Oregon physician plus sufficient other physicians (licensed to practice medicine and surgery in any of the 50 states of the United States) to provide a ratio of one for each 10,000 persons attending or fraction thereof and one nurse for each 7,500 persons attending or fraction thereof;*
  - (b) *Nighttime Hours - (1 a.m. to 7 a.m.) -- At least one Oregon physician plus sufficient other physicians (licensed to practice medicine and surgery in any of the 50 states of the United States) to provide a ratio of one for each 20,000 persons attending or fraction thereof and one nurse for each 15,000 persons attending or fraction thereof.*
- (2) *Facilities shall be provided in which physicians can provide patient care and treatment. The facility shall be enclosed, protected from the elements, and shall have chairs, examining tables with stirrups, and locked cabinets for equipment and medicine. All necessary medicine and instruments for conducting minor surgery and examinations shall be available.*
- (3) *Lighting within the emergency medical facilities shall be provided and shall be not less than 200 foot candles in areas where treatment and minor surgery are conducted.*
- (4) *Attending physicians shall keep accurate records of patients and treatment, and shall notify the local health officer of all cases involving a communicable disease.*
- (5) *Temporary holding facilities shall be provided for the sick and injured while awaiting transport to a hospital. The facility shall be enclosed, protected from the elements, and shall be furnished with one cot or bed for each 1,000 persons anticipated or fraction thereof.*
- (6) *Communication, either telephone or radio-telephone, shall be provided to summon aid or notify the nearest hospital, law enforcement, or fire protection agency, as required.*
- (7) *Ambulances shall be provided at the outdoor mass gathering for emergency evacuation of sick and injured persons at a ratio of one ambulance for each 10,000 persons anticipated or fraction thereof.*

**FINDING:** The applicant contends that due to the size of the event (less than 3,000 people), the event is exempt from (1) through (4) above. The applicant has contracted with Crackerjack First Response Specialists to provide 24 hour medical support services with 6 EMS staff, including 2 ALS providers. The submitted site plan shows centrally located medical facilities easily accessed by attendees and other emergency service personnel. As proposed, the event will have radio frequencies exclusive to the event for communication needs, as well as telephone lines. Through Crackerjack, the onsite facilities will be equipped to handle a range of minor care needs to medical emergencies. Crackerjack provided a letter of intent that provides a list of contracted services and confirms it will coordinate with local emergency medical service providers and air medical resources for basic and advanced life support transport services. Staff recommends a **condition** that the applicant confirms emergency medical facility needs and any public health requirements with the North Central Public Health District and local emergency medical service providers and ambulance services prior to the event.

***Oregon Administrative Rule 333-039-0045 - Fire Protection***

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

**FINDING:** As proposed the application states that a minimum 1,048 feet will be allocated per camp site and that it disallows car camping, segregating the parking area from camping areas. The event is part of the Burning Man regional network and anticipates fire related activities.

The application materials state that the event staff will work in conjunction with the Tygh Valley and Juniper Flats Fire Departments to determine safe roadway access and develop fire prevention plans, including scheduled ceremonial burns.

In addition to complying with (1) and (2) above, the applicant proposes to utilize the following tools to prevent or address small unplanned fire incidents:

- 4 wildland water packs
- 1 type 5 equivalent wildland fire engine (400+ ga., 100+ psi, 50+ gpm)
- 10 pressurized Class A and B fire extinguishers – 1 kept in each staff support vehicle and the remainder placed at each back of portable toilets (an easy access area) for event attendees
- 1 CO2 extinguisher to remain with event operations staff in the event of a chemical or electrical fire.
- Staff a “volunteer fire safety team” which has been trained to use all on site equipment and will be available for any emergencies and onsite during scheduled ceremonial burns.
- Scheduled ceremonial burns will be located in irrigated fields, directly accessible from Jake Davidson Grade Road and in the part of the property containing the fewest trees and furthest from neighboring wheat crops.

With a **condition** of approval to: (1) ensure the organizer secures a written statement from the local fire protection agencies with jurisdiction that the fire protection plan complies with all state and local laws, ordinances and regulations, and it satisfactory with respect to the anticipated number of participants and general location, and (2) implement the fire prevention recommendations made impacted agencies, staff finds the fire protection to be consistent with this rule.

***Oregon Administrative Rule 333-039-0050 - Security Personnel***

- (1) The organizer shall maintain an accurate count of persons attending the outdoor mass gathering and shall provide adequate security arrangements to limit further admissions to the outdoor mass gathering when the anticipated number of persons have been admitted.*
- (2) The organizer shall secure a written statement from the chief law enforcement officer of the county in which the outdoor mass gathering is to take place that arrangements for security and the orderly flow of traffic to and from the outdoor mass gathering complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location of the outdoor mass gathering.*

**FINDING:** The applicant has proposed a security plan that includes internal peer event security staff trained as “Rangers” (trained in conflict resolution, event resource education, law enforcement interactions, and chemically or mentally altered crisis care), “Perimeter” (specialized in event property perimeter security management and trespassing escalation), and “Gate” (specialized in admission security, checking identification, wristband application, vehicle inspections and trespassing escalation). The applicant plans for 1 internal security staff for every 85 participants at all times. In addition, the applicant proposed contracting with outside security agency to provide Public Safety Standards and Training (DPSST) certified Security Professionals (a minimum 6 at all times) to be on shift during event hours. In coordination with Chief Deputy Sheriff Lane Magill, staff finds this ratio acceptable with a **condition** of approval that requires at least 1 DPSST supervisor to be on shift at all times and a clearly identified single point of contact for security and law enforcement. Given this information, Staff finds the applicant has demonstrated compliance, or the ability to comply, with security personnel rules.

***Oregon Administrative Rule 333-039-0055 - Traffic***

- (1) The organizer shall provide easily accessible roads of all-weather construction at the outdoor mass gathering site.*
- (2) All roads shall be graded so as to be self-draining and shall be maintained in such condition that emergency and other required vehicles can move upon them unencumbered and can carry out their functions at all times.*
- (3) An ungraveled dirt road shall not be considered as being an all-weather road.*
- (4) No road or portion of any road constructed shall exceed a maximum grade of 12 percent.*

**FINDING:** Using Jake Davidson Grade Road, the existing access system on Justesen Ranch appears to support the existing residential and agriculture uses authorized on the property. The applicant proposes using the existing road system for festival traffic and states surfaces are all-weather. A staff visit to the site indicated the roads to be all-weather and well-maintained. A Traffic Control Plan (TCP) and Operations and Special Events Permit application was provided to Wasco County Public Works for review. In coordination with Public Works staff, staff finds the TCP sufficiently addresses traffic control measures and access controls. In sum, staff finds that roads serving the event site meet the standards listed in subparts (1) through (4).

- (5) The organizer shall acquire approval from the local agency having jurisdiction for fire safety that the minimum width of all roads complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and locations of the outdoor mass gatherings.*

Ongoing coordination continues with the local agencies having jurisdiction for fire safety. Staff recommends a **condition** is included to require the applicant to secure written approval from the local agency having jurisdiction for fire safety to ensure the access roads are consistent with (5) above.

- (6) The organizer shall provide and designate a suitable area at the outdoor mass gathering for parking of motor vehicles:*
  - (a) The total area provided for motor vehicle parking shall be based on the following ratio: 300 square feet for every four persons anticipated;*

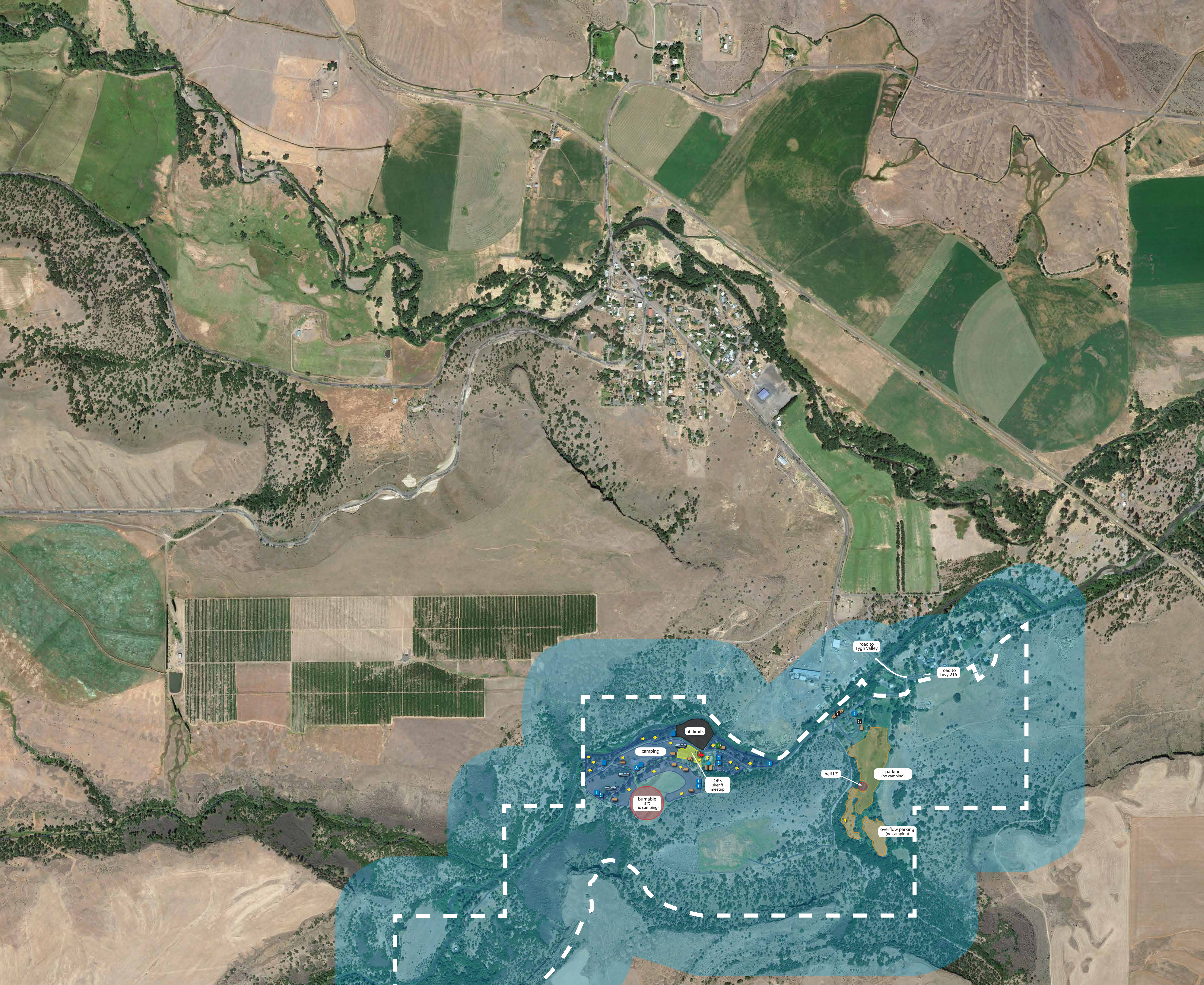


*(b) Each motor vehicle parking space shall have a minimum width of ten feet and a minimum length of twenty feet and shall be clearly marked with lime;*

*(c) The motor vehicle parking spaces shall be arranged to eliminate blockage of parked vehicles and allow vehicles free access to exits at all times.*

**FINDING:** The event will host a maximum of 1,800 people, including staff and volunteers. As part of the Traffic Control Plan, the applicant has provided information to demonstrate sufficient parking exists on the subject property. To ensure compliance, staff recommends **conditions** that (1) each vehicle parking space shall have a minimum width of 10 feet and minimum length of 20 feet, (2) parking areas shall be clearly marked, and (3) parking shall be arranged to provide clear access to exits at all time.





road to Tygh Valley

road to hwy 216

off limits

camping

burnable art  
(no camping)

OPS sheriff  
meet-up

heli LZ

parking  
(no camping)

overflow parking  
(no camping)