



AGENDA: REGULAR SESSION

WEDNESDAY, MAY 6, 2020

WASCO COUNTY BOARD OF COMMISSIONERS

<https://meet.google.com/joo-mudn-vpm?hs=122> OR 1-502-382-4610 PIN: 321 403 268#

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.

In light of the current COVID-19 crisis, the Board will be meeting electronically. You can join the meeting at <https://meet.google.com/joo-mudn-vpm?hs=122> or call in to [1-502-382-4610](tel:1-502-382-4610) PIN: 321 403 268#

We appreciate your patience as we continue to try to serve the public during this time. Please use the chat function to submit real-time questions or comments. You can also submit comments/questions to the Board anytime on our webpage: [Your County, Your Voice](#)

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) NCPHD COVID-19 Updates ; Building Codes Updates ; Voiance Agreement ; Vehicle Surplus Order ; Bakeoven Solar Project Right of Way ; Emergency Declaration Extension Consent Agenda: Minutes: 4.15.2020 Regular Session (Items of a routine nature: minutes, documents, items previously discussed.)
9:30 a.m.	Fee Schedule Ordinance Hearing – Brent Bybee/John Rodriguez
9:45 a.m.	RRED (Rural Renewable Energy Development) Zones – Matthew Klebes
10:00 a.m.	Vacation Policy – Mike Middleton/Nichole Biechler
10:15 a.m.	TMDL Reports – Kelly Howsley-Glover
	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



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REGULAR SESSION**

MAY 6, 2020

This meeting was held on Google Hangout Meet

Meeting ID: <https://meet.google.com/joo-mudn-vpm?hs=122>

or call in at [1-502-382-4610](tel:1-502-382-4610) PIN: 321 403 268#

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

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

Chair Hege opened the session at 9:00 a.m. and reviewed the guidelines to be followed for a virtual meeting. He commented on the progress the country has made and our county in particular in relation to the COVID-19 pandemic, saying that there are still struggles but we are doing great. He opened the floor for public comment. There being none, he asked for updates on the COVID-19 response.

Discussion Item – COVID-19 Updates

Forest Service Area Manager Lynn Burditt said that in regard to recreation in the forest, they are trying to align and ease restrictions in the scenic area. They held a forum last week with a number of community partners such as cities, ports and county commissioners to gather input. The goal is to align state and local interests. She stated that the Oregon governor will be issuing sector guidance today or tomorrow along with a new executive order. Washington State eased some restrictions yesterday and there was an increase in fishing activity. She said that she wants to hear from Wasco County.

Ms. Burditt stated that they are looking at a variety of areas for which it will take work in order to meet guidelines. There may be other locations where opening may be easier. Locals want access and she has heard concerns such as transmission from higher to lower infection rate areas and managing access to restroom facilities. There are challenges in keeping people from outside the area from using our local facilities as the ability to manage that is limited. She went on to say that they are looking for strategies; Washington State wants people to come self-contained. The goal is to come up with ways to manage restroom facilities and

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have unified timing for easing restrictions. Each agency, in addition to easing restrictions, has core elements for which they are responsible such as preparing for fire season. They are continuing to meet around that and assess what might look different – if we get into a higher fire danger, we may close earlier than we might have otherwise. She reported that they will be doing a tabletop exercise later this morning to practice.

Chair Hege asked if they have any sense of timing for when some of the openings might occur. Ms. Burditt responded that the goal is to learn when the various agency partners can be ready and get them all in alignment. Each has similar guidance for reopening but there are nuances. She said that hopefully, in less than a week, we will have information toward reopening, at least for the areas that are less complex to open. She reported that Klickitat County Commissioners would like to start before Memorial Day.

Vice-Chair Schwartz asked what the main driver is for opening the gorge area. Ms. Burditt replied that they need to hear from the various partners about their concerns. What they are hearing now is that it is challenging to remain indoors as the weather gets nicer. Hood River is trying to open just for locals; the other piece is that businesses need the benefit they get from tourism. It is a difficult balance between fiscal health and physical health.

Vice-Chair Schwartz commented that she agrees with the unified approach and hopes that we can be in sync with Washington. Ms. Burditt said that it is the goal as we are so interconnected. Ideally we would all open at the same time as we don't want everyone to show up at the same place at the same time – that will mean multiple, synchronized openings.

Vice-Chair Schwartz said that her view is that the most important thing as we open is to continue to educate the public on how to use the facilities in the safest way possible. We need to continue to message that and encourage people to stay locally whenever possible. Ms. Burditt stated that they have a gorge website they will use for unified messaging.

Commissioner Kramer said that we do need to get reopened and get businesses going under the guidelines that we are given. Those guidelines will be used to formalize our local plan. The economy is knocking on the door – citizens want us to reopen safely and wisely. Ms. Burditt added that their focus is not only the gorge – they are also working with stakeholders along the Lower Deschutes and John Day

Rivers to get some alignment around river management.

Public Health Official Doctor Mimi McDonell reported one new case in Wasco County bringing their total to 14 with one death. Sherman County has one recovered case and Gilliam County has seen no cases. North Central Public Health District (NCPHD) is following the new contact tracing guidelines as of last Friday. The more robust guidelines will mean they will reach out to immediate family members and anyone who has been in contact for 15 minutes or more with a person testing positive. Any symptomatic contacts will be tested and isolated; all other contacts will be quarantined for 14 days. She observed that it is a big burden but will allow more people to get out as we isolate exposure.

Dr. McDonell stated that they continue to work on preparations for the seasonal work force and have had a lot of cooperation from partners and orchardists. She cautioned that because we live in a small community, we need to continue to respect the privacy of those testing positive.

NCPHD Executive Director Teri Thalhofer stated that Unified Command is working diligently to put data together to support entry into Phase One; Oregon Health Authority (OHA) may be helping to coordinate that data. She noted that we are getting paired with counties with which we have not historically been paired – that is creating a bump in the road. She said they hope to have a plan to commissioners soon.

Chair Hege commented that the obvious question is “When?” Ms. Thalhofer said that they hope to have a Phase One reopening by the end of May.

Vice-Chair Schwartz asked what is considered Personal Protective Equipment (PPE) for the public when determining close contact. Dr. McDonell said that although cloth face masks are considered actual PPE for the public, those wearing them would still be considered as contacts.

Vice-Chair Schwartz commented that it is confusing to have some of the guidance apply to counties and other guidance apply to regions. Ms. Thalhofer acknowledged the difficulty. She said that one of the regional requirements is adequate hospital capacity for a 20% surge plus a 14-day supply of PPE. Hood River and Wasco Counties feel comfortable that they meet those criteria but we do not know about the other hospitals in the region. All we have now is the draft level guidance; we will need to wait for the final documents. She pointed out that there

are quarantine exceptions for health care workers and first responders – those who have had contact but are asymptomatic, will continue to work with monitoring and PPE.

Commissioner Kramer asked when we might have the final plan. Ms. Thalhofer replied that they hope to have that from the State by the end of the week. Dr. McDonell commented that because of the ongoing work of Unified Command, we have been able to work on the data for our region and have some already compiled. We will be able to keep up on the rolling rates.

Chair Hege asked if they are working with Mid-Columbia Economic Development District (MCEDD). Ms. Thalhofer responded affirmatively saying that they have been amazingly supportive. Carrie Pipinich has drafted a document and Nate Stice has been critical in getting them information quickly. She said she has been so impressed with every aspect of this community pulling together to keep our citizens healthy.

Agenda Item – Fee Schedule Public Hearing
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At 9:36 a.m., Chair Hege opened a public hearing for the Wasco County Amended Uniform Fee Schedule Ordinance and explained the process for the hearing. He noted that they have seen this information previously at a hearing; noticing issues required the hearing to be repeated.

Associate Planner Brent Bybee reviewed the presentation included in the Board Packet.

Finance Director Mike Middleton said that the two Building Codes funds have revenues although the electrical fund will continue to see a decrease in fund balance as their revenues do not meet expenses even with the proposed increases. Both funds have substantial balances brought over from Mid-Columbia Council of Governments (MCCOG), but we need to be in a position where they are covering costs as we cannot continue to use reserves indefinitely.

Mr. Stone stated that generally speaking, it is an across the board 15% increase to fees with some new fees added. This is the original fee schedule inherited from MCCOG with no increase since 2014. He commented that while this is a substantial increase, it will not cover costs. We will continue to analyze the program. He stated that they believe that at least the electrical fees will need to continue to increase.

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

Commissioner Kramer asked about the effective date of the Ordinance. Ms. Clark responded that she has confirmed with County Counsel that the effective date cannot be sooner than 90 days from adoption.

Commissioner Kramer read the title of the Ordinance into the record: Ordinance 20-002 In the matter of amending Wasco County's Uniform Fee Schedule for various County departments.

The Hearing was closed at 9:56 a.m.

Agenda Item – Rural Renewable Energy Development (RRED) Zone

Administrative Services Director Matthew Klebes introduced a resolution to establish a RRED Zone in Wasco County. He explained that such a zone would be county-wide with a cap of \$250 million on abated taxes; he would serve as manager for such a zone if established. He reviewed the memo and other documents included in the Board Packet. He pointed out that a RRED Zone does not circumvent the Planning process.

Commissioner Kramer said that he wants to make sure that the process keeps everyone as whole as possible so as not to place additional burdens on the fire districts especially in the south part of the county. If we do petition the State for a RRED Zone, he wants processes in place to protect those entities. Mr. Klebes responded that a RRED Zone would not reduce the existing tax base but can have impacts on demands for service.

Chair Hege observed that this is very much the same as an Enterprise Zone in that if some acceptable project applies and meets the criteria, they automatically get a 3-year abatement; years 4 and 5 are optional with the possibility of conditions. Mr. Klebes concurred saying that the distinction is that the Enterprise Zone program has a long-term component that allows for a 15-year abatement. Otherwise, the ORS and guidance default to the Enterprise Zone guidance for much of the RRED Zone program.

Vice-Chair Schwartz asked if the Bakeoven Solar Project is asking for this. Mr. Klebes replied that they have expressed an interest. Vice-Chair Schwartz asked how this would compare to the Strategic Investment Program (SIP). Mr. Klebes explained that a county can designate a SIP zone but it can also be done ad hoc to

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consider outside of a zone. Another difference is the SIP has the 15-year option. We do not currently have a SIP Zone.

Chair Hege said that he had a discussion about the SIP with one of the companies; with everything we have before us, these projects are likely not large enough to qualify for the SIP. Mr. Klebes concurred.

Vice-Chair Schwartz asked if there is an option for negotiation. Mr. Klebes replied that there is no negotiation in the first 3 years; years 4 and 5 permit local negotiation. For the Enterprise Zone we have set 50% of taxes in the 4th year and 75% in the 5th year.

Vice-Chair Schwartz asked if neighboring counties have RRED Zones. Chair Hege replied that Sherman and Jefferson Counties do, along with a number of others throughout the state; cities can also apply.

Brian Walsh from Avangrid read the following into the record:

Wasco County Board of County Commissioners
Tyler Stone
511 Washington St, Ste 101
The Dalles, OR 97058
(541) 506-2520

BOCC Regular Session May 6th, 2020

RE: Rural Renewable Energy Development (RRED) Zones

Chair Kramer, Commissioners Hege and Schwartz,

My name is Brian Walsh and I am the Director of Project Development for Avangrid Renewables in the Pacific Northwest. Avangrid Renewables US headquarters is located at 1125 NW Couch Portland, OR 97209. I am writing you today in support of the creation of a Rural Renewable Energy Development Zone within Wasco County. The RRED zone incentive has been a strong incentive tool for renewable energy development in rural parts of Oregon counties. The 11 counties with established RRED zones all have operating solar projects that are, or will be, benefitting from property taxes after the abatement period. Take a look at the list of 11 counties with RRED zones, <https://www.oregon4biz.com/Oregon-Business/Tax-Incentives/Renewable-Energy/Zones/>. You can compare the counties with the permitted or operating projects on the Oregon Department of

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Energy GIS tool here: <https://www.oregon.gov/energy/energy-oregon/Pages/Oregon-Solar-Dashboard.aspx>. (You can turn off the commercial and residential layers to look just at utility-scale solar).

Avangrid has 3 solar projects in development in Wasco County. In order to be more competitive in the market, a RRED Zone provides the best incentive to improve the project economics over the other property tax incentives available for solar projects. If a project cannot assume the benefits of a RRED zone, the project economics become less viable compared to projects in neighboring counties with established RRED zones.

Why not use one of the other property tax incentives available? There are two other tax incentives available today, the \$7,000/MWac installed PILOT and the Strategic Investment Plan (SIP). The PILOT incentive expires at the end of 2021. The \$7,000/ MW PILOT (payment in Lieu of (property) taxes) is no longer an incentive now that the cost of solar has declined. Initially, in 2015 when the legislation was enacted the cost of solar was 3x times what it is today providing a good incentive. Today, paying ordinary taxes is more economically beneficial than the \$7,000 PILOT until you reach an initial investment of ~\$200M. At that time, the SIP becomes a better incentive.

The SIP agreement was created to benefit very large infrastructure projects. The benefit is only realized once a project becomes large enough in scale/cost. Most solar projects in the market today are not large enough to benefit from a SIP. It works well for wind project of a 100MW or larger. The statutory \$25 million in assessed value under the SIP agreement actually creates a negative financial impact until a solar project is over 150-160MW in today's estimates. It is more economical to pay ordinary taxes rather than use the SIP agreement. The SIP agreement is a great incentive for economic development, but it requires the solar project to be large before providing a benefit.

I encourage the commission to inquire with Art Fish and Business Oregon. They can provide further support on the various property tax incentives and how they work. Here is a link to the state incentives: <https://www.oregon4biz.com/Oregon-Business/Tax-Incentives/Renewable-Energy/>. Here is a link to Chapter 571 HB3492 governing the \$7,000 PILOT. Section 1(2) establishes the value. Section 3(1) repeals the act on Jan 2, 2022.

https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2015orLaw0571.pdf

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In other counties where they have debated the benefits of approving a property tax abatement for 3-5 years, they have raised concerns over the lack of any property taxes for the first years after a project is built. I want to offer some recent relevant statistics from the construction of our 200MW Montague Wind project.

Avangrid requires our contractors to track their local spending, head count and hours. The local spend for all contractors was \$9,285,000. The "local spend" is defined as money spent within 100 miles within the project site. The \$9.285M for Montague Wind broke down into categories this way:

- Porta-Johns 0.29%
- Local Electrical Contractor 0.89%
- Fuel for all equipment/trucks: 5.50%
- Erosion control materials: 4.01%
- Local hardware: 0.39%
- Farmland support: 3.53%
- Recycling: 1.11%
- Foundation Installation: 69.07%
- Local office supplies: 0.30%
- Local Geo-tech: 8.30%
- Local aggregate supplier: 21.04%
- Site security: 1.43%
- Office compound rentals: 1.58%

In addition to the local spend, we track on number employees, both local and "travelers" and the payroll for those employees. I am attaching this file with my letter today. The total spend was \$15,510,831. These is the payroll paid between Nov 2019 through September 2019, and does not include all Avangrid hours. The \$15M includes the Per Diem paid for living expenses for all workers who are temporarily relocated during construction (the majority). The living expenses include housing, food, entertainment, etc. that is being spent in the local communities. Not included in these numbers are the lease payments made to land owners over the years and for the life of the project which is millions of additional dollars directly benefiting the community.

To my point, the total \$24,800,000 spent locally during construction for Montague, or really any large utility-scale energy project, would provide a far greater benefit than the property taxes that would be paid during the RRED zone standard or extended abatement period.

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Avangrid is benefiting from the RRED zone abatement at Oregon's largest operating solar project in Crook County in Prineville, OR. It was a key incentive that helped that project and two others in Crook County become a reality,

Again, we support the creation of a RRED zone in Wasco County. If approved to less than the entire county, we would support the creation of the RRED zone in south county where our Bakeoven Solar Project is being developed. We also support approving it at the full \$250M in assessed value.

Thank you for your time today,
Brian Walsh
Avangrid Renewables

Kate Wilson, Wasco County resident asked if this is an area that is going to be attached to the county. Mr. Klebes replied that it will encompass the entirety of Wasco County. Ms. Wilson asked if it is a first-come-first-served process. Mr. Klebes responded that there is a planning component – they must still comply with our rules. It is first-come, first served; however, there is a maximum exemption amount of \$250 million and no additional would be permitted without establishing a new zone. Mr. Walsh pointed out that this program is only for rural areas. Mr. Klebes confirmed saying that there are population levels attached to where it can apply.

Chair Hege said that a few years ago the County updated the energy ordinance for planning. Through the update process, we found that the areas in the county where this can happen are limited. Planning Director Angie Brewer agreed saying that they are not allowed everywhere; there are scale limitations as well as zoning and soils being limiting factors.

Rodger Nichols asked how much of the \$250 million would the Bakeoven Solar Project use. Mr. Walsh replied that it would likely use it all and more.

County Assessor and Tax Collector Jill Amery stated that central assessment for renewable energy is valued by the State. Avangrid would be evaluated in the aggregate across all their projects in the State and then sent out throughout the places where they exist. They are evaluated on income; the first 10 years are the most profitable and then begin to slide downward.

Commissioner Kramer thanked Ms. Wilson for her participation in the process.

Vice-Chair Schwartz asked how long the RRED Zone would last were it to be approved by the Board. Mr. Klebes replied that he believes it would last for 10 years or until the \$250 million cap is reached. At that time, the Board could ask to re-designate.

Commissioner Kramer asked about the State's approval process. Mr. Klebes replied that we would submit to Business Oregon and they review it for approval. It is a fairly straightforward process; if we submit, it will likely be approved.

Vice-Chair Schwartz said she would like to hear the other Commissioners' thoughts on the matter. Chair Hege said he has a background in rural economic development. The Enterprise Zone was a critical element for us to be in the game. He said his thought process is that 3 years is a fairly short time frame for the investment in the community. We can refuse to do years 4 and 5. The initial costs are in the first 3 years and that is when the help is needed. It is usually a key factor in a project happening.

Commissioner Kramer stated that the resolution has a lot of protections and gives us some leeway. This is another tool in the box.

{{{Commissioner Kramer moved to approve Resolution 20-004 requesting designation of the Wasco County Rural Renewable Energy Development Zone. Chair Hege seconded the motion which passed unanimously.}}}

Vice-Chair Schwartz asked, in light of COVID-19, have the timelines for the project changed. Mr. Walsh replied that they are still moving forward and are in the process of selecting contractors. He said they have ordered materials for this and other projects. So far, none of the manufacturers have indicated any delays. He said they are looking at how to manage labor and construction; there are already projects in process where they have instituted safety measures in compliance with State guidance. He said that construction is set to begin in 2021.

Agenda Item – Vacation Policy

Finance Director Mike Middleton reviewed the memo and policy included in the Board Packet. Human Resources Director Nichole Biechler thanked the committee that worked on this policy and noted that their support of the final draft was unanimous. She pointed out that one of the reasons for revisiting the policy was the promotion piece from deputy to sergeant which made it so that the promoted sergeant actually lost benefits as a result of the promotion. When looking at hiring,

trends have changed drastically – people are not staying as long as they used to, but they do at Wasco County. We wanted to recognize those years of service.

Commissioner Kramer asked if accrued vacation will be phased out. Mr. Middleton replied that it will be phased out over time. Those are agreements that are in place from when people moved from rep to non-rep. WCLEA still accrues and own their leave which can be sold back at separation. That will not be true for non-rep staff under this policy.

Vice-Chair Schwartz thanked the team for their work. She said this policy seems to be in alignment with what she has heard over the past 15 months to address work/life balance. She asked if the policy has been vetted by the Management Team. Mr. Middleton replied that it was taken to the team and reviewed there as well as taking it to each manager individually. The team worked through all the issues and concerns that were expressed. Ms. Biechler added that all county policies are vetted through both the Management Team and legal.

Chair Hege stated that he has been around for a while and this issue has been a thorn in our side for quite some time. You can see how we have been lagging behind other entities; it has been a frustrating disincentive for staff. He said that he is very happy that a broad swath of our staff worked on this and happy to be on the higher end of the market for vacation – our staff deserves it. He observed that in the public sector, it is difficult to increase salaries; this is a great way to support our staff. He noted that Mr. Stone, budget gatekeeper, seems to support it as well. He said that he is very enthusiastic about it.

Mr. Stone said that he hopes he is doing a good job for the citizens in protecting their tax dollars. He said that he generally supports the program. One of the things he would like to see come out of this is sun-setting all of the legacy programs that get more expensive over the years; we need to find a way to phase them out. He said that he hopes this team will look at that. The hours earned decades ago get more expensive every year – we need one program/one policy. He said he will take some heat from neighboring counties for this vacation policy as they are not offering this – but they should look at it. Tangent to this policy, he said he would like to have a program in place to ensure that we are not using overtime to cover vacation shifts – that is a hard cash cost to the organization. We need our Directors to manage this responsibly; Finance will need to track that so we can hold the departments accountable. This has been a long-time coming and a lot of work has gone into it.

Mr. Middleton said we are not taking away any accrued leave; it will naturally go away by attrition. Mr. Stone responded that perhaps we can pay it all out now and get us all on one system.

{{Vice-Chair Schwartz moved to approve the 2020 Wasco County Amended Vacation Policy to supersede all previous vacation policies applying to non-represented Wasco County employees. Commissioner Kramer seconded the motion which passed unanimously.}}

Commissioner Kramer praised the entire Wasco County team and thanked them for the work they do.

Discussion Item – COVID-19 Updates

Ms. Brewer said that last week she asked for the Board's feedback on agricultural labor housing in relation to the pandemic. She reported that she has not received additional contact from orchardists. She asked around the state and none of the other counties are reporting contact from their agricultural community on this topic. She said that she recommends no further action at this time. Use of RVs would still need to comply with existing regulations and could not be used for more than 60 days in a calendar year. She said that if the situation changes, she will come back.

Agenda Item – Total Maximum Daily Load (TMDL) Reports

Long-Range Planner Dr. Kelly Howsley-Glover reminded the Board that the State requested completion of this work. We have two areas for which we are implementers. We sent the State a final draft in December and they gave us updates based on FEMA's review. These are the updated final drafts and the State has asked for a letter of submittal to accompany the reports. The work focuses on what we are already doing to encourage best practices.

*****The Board was in consensus to sign the letters of submittal for the John Day and Miles Creek Implementation Plans.*****

Discussion Item – Building Codes Update

Chair Hege removed the Building Codes update from the agenda saying that he still has questions and this would be best moved to a future work session.

Discussion Item – Voiance Agreement

9-1-1 Dispatch Manager Joe Davitt reported that legal has reviewed the

agreement. A language line interpreter system is a requirement for dispatch call centers; this company is offering a dollar a minute reduction from what we are currently paying.

Chair Hege asked for an example of how this works. Mr. Davitt explained that when a non-English speaker calls we transfer it to the interpreter – the dispatcher tells the interpreter what to ask. He said that it takes about 3 times as long as a regular call, but we are able to help the caller. The service can provide interpretation for any language. He said that Voiance will be the main provider with the current provider falling back to a back-up position – they have been less reliable with considerable lag time.

Commissioner Kramer thanked Mr. Davitt for his work and planning.

{{Vice-Chair Schwartz moved to approve the Voiance Service Agreement for Over-the-Phone interpretation. Commissioner Kramer seconded the motion which passed unanimously.}}

Discussion Item – Vehicle Surplus

Finance Manager Kayla Nelson stated that in Fiscal Year 2019 we started transitioning the vehicle program to the Finance Department. Last October, we surplussed 9 vehicles and will get those moved out of the system. In preparation for that work, we discovered 3 vehicles that were missed in the initial search. These 3 will go with the others to auction – they are all out of service and mostly non-operational.

{{Commissioner Kramer moved to approve Order 20-034 surplussing Wasco County vehicles to be disposed of according to State statute. Vice-Chair Schwartz seconded the motion which passed unanimously.}}

Discussion Item – Bakeoven Solar Project Right-of-Way Agreement

Public Works Director Arthur Smith stated that the Bakeoven Solar Project is a subsidiary of Avangrid Renewables. He reported that in the summer of 2018, he worked with them and issued a utility permit for pole structures and they are ready to go forward. However, their investors wanted some further documentation. This agreement documents and codifies that they have the right to be in the right-of-way. County Counsel Kristen Campbell added that she has reviewed the document and worked on it with Avangrid; it is good to go from a legal perspective.

Chair Hege observed that cities get revenue for right of way access and the counties do not. Mr. Smith commented that we need lobbying for that gap; ODOT was able to have state law amended so that they can charge fees.

Chair Hege pointed out that when fiber came through, we had no agreement with them. Mr. Smith replied that all they needed legally was the utility permit; they do have to go through the State to be deemed essential as a public utility.

Commissioner Kramer questioned the language that allows assignment of the agreement without the County's consent. Mr. Smith responded that they just wanted to make sure that if they change contractors or sell the project, it can be reassigned.

{{{Commissioner Kramer moved to approve the Right of Way Use Agreement between Wasco County and Bakeoven Solar, LLC. Vice-Chair Schwartz seconded the motion which passed unanimously.}}}

Discussion Item – Emergency Declaration Extension

Mr. Stone said that our COVID-19 Emergency Declaration expires on May 15th which is before the next Board Session. The way circumstances are progressing, we will need to have that in place to access federal funds.

Chair Hege noted that it is an open-ended extension. Mr. Stone said that we should probably put a date on that; that is the general practice. Some discussion ensued regarding an end date. The group agreed to have it expire July 20th.

{{{Vice-Chair Schwartz moved to approve Order 20-033 extending Order and Resolution 20-003 Declaring a Local State of Emergency And Declaring Emergency Measures with the recommended addition of an expiration date of July 20, 2020. Commissioner Kramer seconded the motion which passed unanimously.}}}

Consent Agenda – 4.15.2020 Regular Session Minutes

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

Commission Call

Mr. Klebes announced that an EPA Brownfield Grant that he worked on for the City of The Dalles was awarded to them in the amount of \$600,000.

Rodger Nichols announced that next Tuesday, the Gorge Commission will be dealing with urban area boundaries. They will consider the idea of switching Dallesport to The Dalles.

Vice-Chair Schwartz said that Blue Zones has transitioned to various other entities to continue the work. She said that she has received notice that State Parks will be opening for day use. Mr. Stone said that a limited number opened today but none in our County.

Vice-Chair Schwartz said that the homeless issues are exacerbated by the pandemic; she is working with Darcy Long-Curtis on the issues. The warming shelter may not be happening this winter. She said she will bring more info as she learns more.

Commissioner Kramer said that we are in week 5 of a drought; at week 8 there will be the potential of declaring an emergency. He said he is concerned about burning; Sherman County has already issued a ban. He suggested that we hold weekly public COVID-19 update meetings. He said he thinks the community will appreciate that.

Ms. Clark explained that she is in touch with Mid-Columbia Fire and Rescue regarding the burn ban. Historically, the County follows their lead on the start date. That does not mean that the Board cannot issue and order independent of the MCFR and the Forest Service. Chair Hege suggested reaching out to Kristen Dodd to learn what their plans are. Commissioner Kramer said that he would do that.

Chair Hege noted that next Tuesday and Wednesday are Budget Committee meetings. He said that he will need a representative for next Friday's BiState Recreational Insights meeting. Vice-Chair Schwartz said she would take it.

Chair Hege adjourned the session at 11:44 a.m.

Summary of Actions

MOTIONS

- **To approve Resolution 20-004 requesting designation of the Wasco County Rural Renewable Energy Development Zone.**
- **To approve the 2020 Wasco County Amended Vacation Policy to supersede all previous vacation policies applying to non-represented Wasco County employees.**

- **To approve the Voiance Service Agreement for Over-the-Phone interpretation.**
- **To approve Order 20-034 surplussing Wasco County vehicles to be disposed of according to State statute.**
- **To approve the Right of Way Use Agreement between Wasco County and Bakeoven Solar, LLC.**
- **To approve Order 20-033 extending Order and Resolution 20-003 Declaring a Local State of Emergency And Declaring Emergency Measures with the recommended addition of an expiration date of July 20, 2020.**
- **To approve the Consent Agenda: 4/15/2020 Regular Session Minutes.**

CONSENSUS

- **To sign the letters of submittal for the John Day and Miles Creek Implementation Plans.**

Wasco County
Board of Commissioners



Scott C. Hege, Board Chair



Kathleen B. Schwartz, Vice-Chair



Steven D. Kramer, County Commissioner



DISCUSSION LIST

[NCPHD COVID-19 UPDATES](#) – Mimi McDonnell/Teri Thalhofer

[BUILDING CODES UPDATES](#) – Mike Middleton

[VOIANCE AGREEMENT](#) – Joe Davitt

[VEHICLE SURPLUS ORDER](#) – Kayla Nelson

[BAKEOVEN SOLAR PROJECT RIGHT OF WAY](#) – Arthur
Smith/Kristen Campbell

[EMERGENCY DECLARATION EXTENSION](#) – Tyler Stone



DISCUSSION ITEM

NCPHD COVID-19 Updates

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



DISCUSSION ITEM

Building Codes Updates

[STAFF MEMO](#)



From: Mike Middleton
Finance Director, Wasco County
To: BOCC
Re: Building Codes Reserve and Indirect Cost Allocation

Building Codes Indirect Cost Allocation

The indirect administrative costs for the General and Electrical Building Code Funds are calculated based on general accounting principles. Overhead costs are stratified into groups that can be allocated using the same “driver”. The “driver” is a basis for allocating the overhead cost in a reasonable manner. Different costs types can be allocated using differing drivers. All overhead costs are reduced by any revenues generated by the cost center. This means only the expenses in excess of related revenues are allocated out using the cost allocation plan.

For the Building Code Funds, overhead from General Administration, EAS (except Payroll & HR), Commissioners and a portion of dues for AOC, Chamber of Commerce, MCEDD and NACO are all allocated based on the relative budgets of all funds and departments. These are general costs with no simple tie to a Fund/Department so the most equitable process is to share based on the size of the Fund/Department budget.

EAS Payroll & HR as well as EAP charges are allocated based on FTE count. This is because the number of employees in a Fund/Department is a reasonable basis to allocate costs as the number of employees drives these cost centers.

Facility maintenance is allocated by the sqft of space utilized by the Fund/Department. This does not include rent which is charged directly.

Information Systems overhead is allocated based on the number of computers the IS team maintains for the Fund/Department.

The total allocation for FY21 would be \$149,526 and \$45,219 for General and Electrical Building Codes respectfully. However, that is not what is being recovered. The allocation is being slowly increased with a target of 40% of the total allocation. At this point, the budget for FY21 puts the recovery for General Building Codes at 20% of the allocated amount (\$29,329) and Electrical Building Codes at 32% of the allocated amount (\$14,273).

Reserve Funds Available

The split of the remaining MCCOG funds have been agreed to by the County partners. The share to Wasco County is \$3,269,119.35. This has been moved to the Wasco County LGIP account as of 4/7/2020. This was 80% of the balance as of 3/31/2020. The remaining 20% is evenly split between Gilliam and Sherman Counties and will be distributed to the Counties when Wasco County Finance receives the delivery instructions. Wasco County Finance has reached out to the counties but has not received a response yet. There will be some additional interest depending on how long the funds sit before being distributed.

The difficult process now is to determine the split between General and Electrical Building Code funds. Looking back at the audits of MCCOG and at information provided in the transition process, the funds have been reported together. OAR 918-308-0170 requires, "an accounting system which segregates electrical revenues, shows the source of electrical income including interest earned on held funds, shows charges, and where electrical revenues were spent." I assume this was tracked on the correct level as if not, it would have been an audit finding. The reporting of the different fund balances for Electrical and General is not specifically required and reporting is commonly rolled up for accounting purposes. Without access to the detailed reporting or even the raw data, the split becomes estimation.

One solution is to keep the MCCOG reserve received by the County in a separate fund and only move funds from it to the General and Electrical Building Code Funds as needed. This sounds like a clear and simple answer. However, it just prolongs the problem. The issues of allocation would come up anytime the funds needed to be utilized, the accounting would create more work on the back side, it could lead to inconsistent methodologies between allocations of the fund and possible audit issues. I do not recommend this choice.

The alternative is to determine a rational estimate of the fund split. When the Department was first added, the budget was based on an 80% to 20% split. This does not seem far off based on the revenue ratio from permits – 85.7% to 14.36% (General to Electrical). The related expenses to consider – primarily personnel – have a ratio of \$75.4 to 24.6%. The net change to fund balance for the year to date could be considered, but with the funds losing fund balance it would not be a fair assumption. For completeness, a comparison of 75% to 25% is also included. I recommend the 75% to 25% (General to Electrical) split as this puts the Electrical Building Codes in a good spot for future success. The calculations discussed in this paragraph are shown on Attachment #1. While I have a recommendation, I am very open to a different allocation as long as it has a reasonable basis.

The fund balance had grown with MCCOG. There was a significant increase in FY16. At the end of FY15, the combined fund balance was \$1,326,699. At the end of FY16, it had grown to \$3,030,935. The new fund balance was 228% of the prior fund balance. This was due to significantly increased Permit Fees and Plan Review fees. Permit fees had

averaged \$678K from FY10 to FY15 – in FY16 this was \$1,268K. The Plan Review fees had averaged \$212K from FY10 to FY15 – In FY16 this was \$1,023K. FY17 returned to average levels. The timing matches up to a major project at Design LLC identified with the Abatement project. I can't identify how much is related to Design LLC as I do not have access to the raw data.

Level of Reserve Funding going forward

The General Building Codes Fund for the upcoming FY21 budget year was created to not expend any fund balance. The revenues have been greatly reduced from the FY20 budget as have expected expenses. However, with the COVID-19 going on, this is expected to have a negative impact on revenue which will mean usage of the fund balance. The Contingency is budgeted for 14% of operating expense for the fund (\$129,220). The Unappropriated is budgeted for \$2,532,268 which is made up of 50% of the operating costs for one (1) year times 4 years (\$3,101,280) which is then reduced to match the resources budgeted as available. (Reduced by \$569,012). The intent is to have the funds set aside to weather an economic downturn the equivalent of reducing revenues by 50% for 4 years. This is the target.

The Electrical Building Codes Fund for the upcoming FY21 budget year had the goal for the fund balance not to decrease. That has not been achieved. Including interest, projected revenues are \$134,000. Revenues have been significantly reduced – as have expenses – based on the actual results seen in the FY20 fiscal year. However, with the COVID-19 going on, this is expected to have a negative impact on revenue which will mean an increased usage of the fund balance. Expenses are projected to be \$234,710. On the face, this is a budgeted use of \$100,710 of fund balance. The Contingency is budgeted at \$117,355 – six months of operational costs. The Unappropriated amount is \$572,096 – this is made up of 50% of the operating costs for one (1) year times 4 years (\$469,424) which is then increase to match the resources budgeted as available. (Increased by \$102,672). Management is working to identify ways to contain the costs – which are being found. (Time charged to the General Building Codes Fund for work on other than Electrical tasks primarily.)

As the Department gains more experience, projections are being refined to be more accurate.

Building Code ratios
Based on FY20 actuals through March

	General	Electrical	Combined
Total Revenue	2,054,410.24	89,605.58	2,144,015.82
Less:			
Beginninng Fund Balance	(1,412,371.13)	(16,159.85)	(1,428,530.98)
Interest	(21,590.46)	(8.24)	(21,598.70)
State 12% Surcharge	(32,050.78)	(7,188.69)	(39,239.47)
CET	(190,058.70)	-	(190,058.70)
Total Permit Revenue	398,339.17	66,248.80	464,587.97
	85.7%	14.3%	100.0%
Total Expense	668,678.35	143,360.62	812,038.97
Less:			
State 12% Surcharge	(42,535.30)	(5,360.85)	(47,896.15)
CET	(130,148.92)	-	(130,148.92)
Contracted Services	(73,843.03)	-	(73,843.03)
Total Comparative Expense	422,151.10	137,999.77	560,150.87
	75.4%	24.6%	100.0%
Personnel Costs	357,598.50	116,826.49	474,424.99
	75.4%	24.6%	100.0%
Building Codes Reserve to Distribute			3,269,119.35
at 80% - 20%	2,615,295.48	653,823.87	3,269,119.35
at 85.7% - 14.3% (revenue ratio)	2,801,635.28	467,484.07	3,269,119.35
at 75.4% - 24.6% (expense ratio)	2,464,915.99	804,203.36	3,269,119.35
at 75% - 25%	2,451,839.51	817,279.84	3,269,119.35



DISCUSSION ITEM

Voiance Agreement

[STAFF MEMO](#)

[VOIANCE SERVICE AGREEMENT](#)

[MOTION LANGUAGE](#)



MEMORANDUM

SUBJECT: Voiance Agreement

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JOE DAVITT

DATE: APRIL 7, 2020

BACKGROUND INFORMATION:

While Wasco County has an agreement with a translation service provider; however, occasionally they are engaged when we need to call on them. This agreement will allow us to have a back-up provider to fill those gaps in service.



Service Agreement

Vendor name and address: Voiance Language Services, LLc ("Vendor") 2650 East Elvira Road, Suite 132 Tucson, Arizona 85756	Client name and address: Wasco County 9-1-1 ("Client") 425 E 7th Street St. Dalles OR 97058
Services:	Exhibit (Exhibit attached hereto if box is checked): <input checked="" type="checkbox"/> A: Over-the-Phone interpretation <input type="checkbox"/> A -1: ClearLink® Telephones <input type="checkbox"/> B: Translation and Localization <input type="checkbox"/> C: Interpreter Training and Assessments <input type="checkbox"/> D: On-Site Interpretation <input type="checkbox"/> E: Video Remote Interpretation <input type="checkbox"/> E – 1: Video Remote Interpreting Equipment <input type="checkbox"/> F: Facilities
Voiance Language Services, LLC: By: _____ Print Name: _____ Title: _____ Date: _____	Wasco County 9-1-1: By: _____ Print Name: <u>Scott C. Hege</u> Title: <u>Chair, Wasco County Board of Commissioners</u> Date: <u>May 6, 2020</u>

Introduction. In consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. **Formation.** This Service Agreement ("Agreement") is formed between Vendor and Client.
2. **Services.** Pursuant to the terms of this Agreement, Vendor shall provide the Services to Client and to any affiliate Facilities listed on Exhibit F.
3. **Payment.** Client will be invoiced by Vendor and shall remit payment to Vendor within thirty (30) days of invoice date. Vendor will provide Client a one percent (1%) discount when payment is made via ACH within 10 days of invoice date. Vendor's preferred method of payment is by any electronic means, including automated clearing house (ACH) payment or wire, however checks and credit cards are accepted. Any third-party fees incurred by Vendor in the course of receiving or preparing to receive payment from Client, such as a third-party payment processing service, shall be applied to Client's next invoice, due and payable by Client in accordance with the provisions of this Agreement. Any payment Client fails to remit to Vendor as provided herein shall incur simple interest on all overdue amounts at the rate of one and one-half percent (1.5%) every thirty (30) calendar days.
4. **Term and Termination.** This Agreement shall commence on the date by which: (i) all Parties have executed this document ("Commencement Date"), and (ii) a copy of the executed document has been delivered to Vendor; and shall

terminate three (3) years from the Commencement Date, unless otherwise provided in this Agreement or sooner terminated as provided elsewhere in this Agreement. On the initial termination date, and on each successive anniversary of that date, this Agreement shall renew for one year. This agreement may be terminated, without penalty, by either party upon thirty (30) days' written notice of termination to the other party. The "Termination Date" of this Agreement shall be the sooner of: (i) the date identified by the terminating party in that party's notice of termination to the other party, or (ii) the date on which Vendor terminates Client's access to Services.

4.1 Survival. Without limiting other provisions of this Agreement, obligations of the following sections shall survive the termination of this Agreement: 9 (Confidentiality/Prohibited Uses) and 20 (Arbitration).

4.2 Trial Period. Notwithstanding any other provision of this Agreement, Client may terminate this Agreement upon notice to Vendor at any time within thirty (30) days' of the Commencement Date.

4.3 Termination for Non-Payment. Vendor may suspend PIN(s) and terminate the account if payment is not received within 60 days of invoice date.

5. Independent Contractor Relationship. The relationship between the parties is that of independent contractors. Neither party is an agent, partner or employee of the other party, and neither party has any right or any other authority to enter into any contract or undertaking in the name of or for the account of the other party, or to assume or create any obligation of any kind, express or implied, on behalf of the other party, nor will the acts or omissions of either party create any liability for the other party. This Agreement shall in no way constitute or give rise to a partnership or joint venture between the Parties.

6. Insurance. Vendor shall maintain insurance against claims for injury to persons or damage to property that may arise from or relate to Vendor's performance of Services pursuant to this Agreement. All insurance coverage required by this Agreement shall be procured from and maintained with duly licensed or approved non-admitted insurers in the State of Arizona with an "A.M. Best" rating of not less than A- VII. Upon Client's written request, Vendor shall furnish Client with copies of certificates of insurance or other forms of verification of coverage, duly signed by an authorized representative of the respective insurer.

6.1. Vendor shall maintain per-occurrence commercial general liability insurance including bodily injury, property damage, personal injury, and broad-form contractual liability coverage of not less than the following amounts:

General Aggregate	\$2,000,000.00
Products – Completed Operations Aggregate	\$2,000,000.00
Each Occurrence	\$1,000,000.00
Damage (Rented Property)	\$1,000,000.00
Medical Expenses	\$10,000.00

6.2. Vendor shall maintain coverage for Errors and Omissions and Workers Compensation of not less than the following amounts:

Errors and Omissions	\$5,000,000.00
Worker's Compensation	\$500,000.00

7. Limited Liability. Vendor shall provide Services in a professional and workmanlike manner utilizing translators, interpreters and/or other language professionals with skills and qualifications that meet or exceed the standards of the industry. Client understands and agrees that Services are inherently inexact disciplines and some discrepancies may arise despite Vendor's professional provision of Services. Client releases Vendor from any and all liability, other than liability that cannot be waived by law, for: (i) non-negligent errors made by Vendor in the provision of Services, and (ii) any failure of or interruption to Services due to the failure of any telecommunications facilities, gear, infrastructure, and/or similar equipment beyond Vendor's control. Beyond the limits of its insurance coverage, Vendor shall not be liable to Client for any direct, indirect, punitive, special, incidental or consequential damage of any kind (including loss of business, revenue, profits, use, data or other economic advantage) in connection with or arising out of Client's use of Services or any failure to connect to Services, if applicable, whether in contract or in tort, even if Vendor has been previously advised of the possibility of such damages. The foregoing limitation on Vendor's liability for damages shall apply even if any exclusive remedy provided for in this Agreement fails of its essential purpose.

8. **Background Checks.** Vendor, subject to any federal, state or local laws, rules or regulations which may limit any Vendor action otherwise required by this section, shall make reasonable and legally permitted efforts, including checking background and verifying personal information, to determine that no Vendor employee or independent contractor who shall perform any Services that permit physical, virtual or other access to Client's or its customer's premises, systems, networks or information at any time during the term of the Agreement, has been convicted of any felony or misdemeanor less than ten (10) years prior to becoming Vendor's employee (unless a lesser time period is required by law) involving violence, sexual misconduct, theft or computer crimes, fraud or financial crimes, drug distribution or crimes involving unlawful possession or use of a dangerous weapon. Vendor shall not permit any employee having such a conviction to perform any Services that permit such access during the term of the Agreement, subject to any federal, state or local restrictions on the consideration of criminal convictions in making employment decisions, unless in the sole judgment of Client, said conviction has no reasonable relationship to the employee's fitness or trustworthiness to perform the Services. Vendor shall comply with obligations under this section through the use of a third party service which shall perform a review of applicable records for those counties, states and federal court districts in which a proposed Vendor employee has identified as having resided, worked or attended school in the searched time period. Notwithstanding any of the foregoing, exceptions for individual Vendor personnel may be granted by Vendor on a case-by-case basis.
9. **Confidentiality/Prohibited Uses.**
- 9.1. **Terms.** Neither party shall disclose the terms of this Agreement to any third party without the written consent of the other party, except: (i) as required by law, court order or governing legal authority, or (ii) for disclosure of the terms of this Agreement to a party's accountants, attorneys or similar representatives who are bound by an equal or greater obligation of confidentiality, or to the representatives of any prospective purchaser of a party who is bound by an equal or greater obligation of confidentiality. This paragraph shall survive indefinitely any termination or expiration of this Agreement.
- 9.2. **Confidential Information.** All information provided to Vendor by Client or its affiliates, subsidiaries or agents that is: (i) labeled as confidential and/or proprietary, or (ii) reasonably identifiable as confidential and/or proprietary is the confidential and/or proprietary information of Client (collectively, "Confidential Information"). Client retains all rights, title and interest in and to all of the Confidential Information provided to Vendor. Vendor agrees that it will only use Confidential Information in connection with its performance of its obligations under this Agreement. Vendor shall take reasonable precautions necessary to safeguard the confidentiality of Confidential Information. Vendor agrees to immediately notify Client in the event of any accidental loss or unauthorized access, use, disclosure or breach by it or any of its employees, agents or other permitted users of any Confidential Information. Vendor shall only disclose Confidential Information in response to the order, requirement or request of a court, administrative agency or other governmental body of competent jurisdiction, and Vendor shall provide prompt notice of such disclosure to Client.
- 9.3. **PHI.** Vendor shall apply safeguards to Personal Health Information ("PHI") in conformity with HIPAA and HITECH requirements.
- 9.4. **Prohibited Uses.** The following uses of Services are prohibited: (i) transmission of any message which constitutes an infringement of any copyright or trademark; (ii) any unauthorized disclosure of a trade secret; (iii) transfer of any information or technology in violation of any applicable law or regulation; (iv) violation of any telecommunications law or regulation regarding the use of telephones in interstate or foreign commerce to transmit obscene, threatening, harassing or other prohibited messages; (v) making libelous or slanderous statement; and (vi) violation of any applicable statute or government rule, ordinance, law, regulation or similar edict. Client shall indemnify and hold harmless Vendor for any liability Vendor incurs arising out of or relating to Client's prohibited use of Services. This indemnity protection shall survive the termination of this Agreement. Without waiving any other remedy available to Vendor at law or in equity, Vendor may terminate this Agreement at any time following Client's prohibited use of Services.
10. **Safe Harbor.** Vendor agrees that it will fully and accurately satisfy its responsibilities, as provider of the Services, under the Safe Harbor Regulations relating to program "fraud and abuse" promulgated under the Social Security Act and Medicare and Medicaid Patient and Program Protection Acts.
11. **Disbarment.** Vendor warrants that it is not disbarred or suspended, proposed for disbarment or declared ineligible for award of contracts by any federal agency.

12. **Cost of Living Increase.** The contracted pricing may be increased at each anniversary of the contract in accordance with the U.S. Department of Labor, Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U).
13. **Solicitation of Personnel.** Neither party shall, directly or indirectly, knowingly solicit, induce, recruit or encourage, or cause another to solicit, induce, recruit or encourage, any person employed or engaged by the other party, whether as an employee or independent contractor, to terminate his or her engagement with the other party during the term of this Agreement and for the one (1) year period following the Termination Date.
14. **Marketing and Publicity.** Without obtaining prior written consent, no party may use the other party's name, trademarks, logos and/or service marks without complying with the other party's requirements for such use.
15. **Remedies.** The remedies in this provision do not replace or otherwise limit the remedies included elsewhere in this Agreement. Either Party may, in its sole and absolute discretion, terminate this Agreement upon the other party's breach or within ten (10) days of learning of the other party's breach. Any decision by either party to forego cancellation upon a breach by the other party shall not constitute a waiver of such party's right to terminate due to any subsequent breach.
16. **Notices.** All notices and communications must be in writing and will be effective upon receipt. Such notices shall be sent by registered or certified U.S. mail return receipt requested or by a nationally recognized overnight courier service, to the address set forth for such party herein, marked "Attn: Controller".
17. **Equal Opportunity.** In accordance with 41 CFR 60-1.4(a), 60-300.5(a) and 60-741.5(a), Vendor prohibits harassment or discrimination against any individuals based on their status as protected veterans or individuals with disabilities, and prohibits discrimination against any individuals based on their race, color, religion, sex, sexual orientation, gender identity or national origin. Vendor takes affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, disability or veteran status.
18. **Entire Agreement.** This Agreement represents the complete agreement of the parties and will supersede any and all other agreements, understandings and representations by and between the parties hereto. The parties agree that this Agreement represents the joint drafting of the parties. By signing below, the parties represent and warrant that neither is relying on any promise, guarantee or other statement not contained in this Agreement.
19. **Governing Law.** The performance of Vendor and Client under this Agreement shall be controlled and governed by the laws of the State of Arizona, excluding conflicts of law provisions. Jurisdiction and venue for any dispute between Vendor and Client concerning this Agreement shall rest exclusively within the state and federal courts of Pima County, Arizona. Each of Vendor and Client hereby waives all defenses of lack of personal jurisdiction and forum non conveniens related thereto.
20. **Arbitration.** The Parties agree that all controversies, disputes and/or claims arising out of or in any way related to the interpretation, validity, construction, performance, breach or termination of this Agreement shall be submitted to final and binding arbitration. The arbitration shall apply Arizona law and shall comply with and be governed by the American Arbitration Association under its Commercial Arbitration Rules. The prevailing party in any such arbitration shall be entitled to an award of attorneys' fees, expert witness fees and reimbursement of all reasonable costs and other fees associated with the arbitration, unless the Parties stipulate otherwise. Judgment on the arbitrator's award may be entered by any court of competent jurisdiction.
21. **Severability.** Should any provision of this Agreement be held invalid or illegal, such invalidity or illegality shall not invalidate the remainder of this Agreement. Instead, this Agreement will be construed as if it did not contain the illegal or invalid part, and the rights and obligations of the parties shall be construed and enforced accordingly.
22. **Force Majeure:** Notwithstanding any other provision of this Agreement, Vendor shall not be liable in any way for any loss, damage, delay or failure of performance resulting from any cause which is beyond Vendor's reasonable control, including, but not limited to fire, explosion, lightning, power surges or failures, acts of God and acts or omissions of communications carriers (including without limitation local exchange companies).
23. **Counterparts.** This Agreement and any amendments hereto may be executed by the Parties hereto individually or in any combination, in one or more counterparts, each of which shall be an original and all of which shall together constitute one and the same agreement. Signatures to this Agreement and any amendments hereto transmitted by any electronic

means intended to preserve the original graphic and pictorial appearance of a document, shall have the same force and effect as physical execution and delivery of the paper document bearing the original signature.

EXHIBIT A: OVER-THE-PHONE (OPI) SERVICES

Vendor shall provide Client (and to the Facilities) with Over-The-Phone Interpretation (“OPI”) Services, available twenty-four (24) hours per day each calendar day for the term of this Agreement, for the languages referenced below. Vendor shall provide the following features and services at no additional charge to Client: (i) Vendor’s standard training services and materials; (ii) toll-free over-the-phone customer support available twenty-four (24) hours per day each calendar day for the term of this Agreement; (iii) on-line service-usage reporting; (iv) monthly invoices with Vendor’s standard granular usage details; and (v) such additional PIN numbers as Client may reasonably request from time to time.

Client may access Vendor OPI Services using Vendor’s telephone interface or Vendor’s ClearLink telephones by entering a valid PIN. If Client is issued 1 800 number(s) for its convenience by Vendor, Vendor shall retain ownership and a right in the 1 800 number(s) and Client agrees that use is limited to Client, its subsidiaries, affiliates or Employees and that Client is responsible for payment for calls made using these 1800 number(s). Client is solely responsible for the security of Client’s PIN cards and preprogrammed ClearLink telephones, as well as for any use of Services arising out of or relating to unauthorized access thereto. If Client discovers or suspects unauthorized use of Client’s PINs, Vendor shall promptly disable any such PIN upon Client’s request and issue a replacement PIN.

Languages: All available Vendor languages

Pricing and Fees*:

Interpretation Service Charges – Billed Monthly

OPI Interpretation	\$ 0.82	Per Minute
Third Party Added to Domestic Call	Waived	Per Minute
Third Party Added to International Call	Varies by Location	Per Minute
Minimum Service Charge	\$ 25.00	Per Month, Per Billing Account
Activation Fee	Waived	One Time Only



MOTION

SUBJECT: Voiance Agreement

I move to approve the Voiance Service Agreement for Over-the-Phone interpretation.



DISCUSSION ITEM

VEHICLE SURPLUS

[STAFF MEMO](#)

[ORDER 20-034 SURPLUSSING VEHICLES](#)

[MOTION LANGUAGE](#)



MEMORANDUM

SUBJECT: ADDITIONAL VEHICLE SURPLUS FY 2020

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KAYLA NELSON, FINANCE MANAGER

DATE: 5/6/2020

BACKGROUND INFORMATION:

The Finance Department assumed responsibility for the vehicle program in FY 2019 and as such, is now requesting authority to surplus several vehicles. The vehicles listed below are no longer in working condition.

These vehicles have been rotated from the Sheriff's department over the years. Following arrival of the current year vehicles, the listed vehicles have either already been replaced or are on a planned replacement schedule.

SURPLUS REQUEST:

Year / Make	Vehicle ID	Asset #	VIN	Book Value
2007 Dodge Durango	07-03	0000428	1D8HB48257F536784	\$0.00
2008 Dodge Durango	08-02	0000431	1D8HB48258F126794	\$0.00
2006 Dodge Durango	N/A	N/A	1D8HB48276F146423	\$0.00

The current request is for the BOC authorize the Finance Department to begin the process of disposing of these vehicles, per the Wasco County Contracting Regulations, Section 17 – Use or Disposal of Personal Property – and dispose of this equipment either by placing them in a publicly advertised auction and selling them to the highest bidder, or by sale to another public agency.



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF SURPLUS OF VEHICLES

ORDER #20-034

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 the vehicles listed below are no longer in working condition and have been replaced or are scheduled to be replaced; and

NOW, THEREFORE, IT IS HEREBY ORDERED: That the below listed vehicles will be considered surplus and disposed of by Wasco County staff in accordance with state laws governing the disposition of property:

Year / Make	Vehicle ID	Asset #	VIN	Book Value
2007 Dodge Durango	07-03	0000428	1D8HB48257F536784	\$0.00
2008 Dodge Durango	08-02	0000431	1D8HB48258F126794	\$0.00
2006 Dodge Durango	N/A	N/A	1D8HB48276F146423	\$0.00

DATED this 6th day of May, 2020

APPROVED AS TO FORM:

Kristen Campbell, County Counsel

WASCO COUNTY BOARD OF COMMISSIONERS:

Scott C. Hege, Commission Chair

Kathleen B. Schwartz, Vice Chair

Stephen D. Kramer, County Commissioner



MOTION

SUBJECT: Vehicle Surplus

I move to approve Order 20-034 surplussing Wasco County vehicles to be disposed of according to State statute.



DISCUSSION ITEM

RIGHT OF WAY AGREEMENT

[BAKEOVEN SOLAR PROJECT RIGHT OF WAY AGREEMENT](#)

[MOTION LANGUAGE](#)

RIGHT OF WAY USE AGREEMENT

This Right of Way Use Agreement (“Agreement”) is May __, 2020 by and between Wasco County, Oregon (“County”) and Bakeoven Solar, LLC (“Project Company”). The County and Project Company are collectively, the “Parties.”

Recitals

A. Project Company has the right under ORS 758.010(1) to construct, maintain, and operate electric lines, fixtures, and other facilities along public roads in Oregon (collectively, “Facilities”) as long as the Facilities do not obstruct the public road.

B. Bakeoven Road is a public roadway located in Wasco County, and the County has jurisdiction over the public right of way of Bakeoven Road (“Bakeoven Road right of way”). Under ORS 758.010(2), the County may designate where Facilities may be located within the public road right of way.

C. Project Company seeks to construct, maintain, and operate a portion of a 230-kilovolt (“KV”) transmission line to interconnect a wind power generation facility or a solar power generation facility, or some combination thereof (“Renewable Project”), to the regional power grid at the Bonneville Power Administration (“BPA”) Maupin substation (“Bakeoven gen-tie line”).

D. Project Company seeks to use a portion of the Bakeoven Road right of way to construct, maintain, and operate a length of the Bakeoven gen-tie line.

E. The Parties wish to document Project Company’s legal right to construct, maintain, and operate Facilities, including the Bakeoven gen-tie line within the Bakeoven Road right of way and document the agreed-upon location of the Facilities as provided in ORS 758.010(2).

F. Wasco County Public Works issued Utility Permit No. PWUTIL-18-07-0001 on July 19, 2018 to Avangrid Renewables, Project Company’s parent company, to install an overhead electric pole structures and other associated infrastructure.

NOW, THEREFORE, in consideration of the mutual promises herein expressed and for no additional valuable consideration, the Parties hereby agree as follows:

Agreement

1. **Right to Construct, Maintain, and Operate Facilities.** The County hereby acknowledges that Project Company, its employees, contractors, and agents have the legal right under state law to construct, maintain, and operate Facilities within the Bakeoven Road right of way for the life of the Renewable Project.

2. **Location of Facilities.** The County hereby authorizes the placement of about 3.17 miles of the Bakeoven gen-tie line, along with all accessory infrastructure, within the Bakeoven

right of way between mile marker 3 and mile marker 7, as shown on Exhibit 1. The Parties may adjust the specific location of the Facilities subject to mutual written agreement.

3. Coordination of Construction and Maintenance. For any work within the Bakeoven Road right-of-way, Project Company will submit a Traffic Control Plan and detailed work schedule to County Public Works Department, for approval, which shall not be unreasonably withheld. All traffic control activities and protective devices shall meet the requirements of the Manual on Uniform Traffic Control Devices. During the utility work, no more than one-half of the travel way is to be closed at any one time and traffic shall not be held or stopped for more than ten (10) minutes. Upon completion of the work, Project Company shall remove any debris, refuse, and waste material that has accumulated because of the work. All costs for damage, additional maintenance and repairs due to Project Company's activities in the Bakeoven Road right of way shall be the sole responsibility of the Project Company and all required repair work will be performed by a certified contractor approved by the County.

4. Indemnification and Hold Harmless. Project Company shall indemnify and defend the County from and against any and all loss, claims, causes of action, damages, liability, cost or expense (including without limitation, counsel fees and costs in connection therewith) relating to its operation of the Facilities within the Bakeoven Road right of way, or any damage to the Facilities caused by motor vehicles, and from any loss, claims, causes of action, damages, liability, cost or expense (including without limitation, counsel fees and costs in connection therewith) resulting from the negligence of Project Company or its employees, contractors and agents in the construction, maintenance or operation in the Bakeoven Road right of way.

5. Assignment. Project Company may assign this Agreement as needed for the construction and operation of the Renewable Project without the County's consent.

6. Miscellaneous Provisions. The terms and provisions of this Agreement shall run with the land and be shall be binding upon and inure to the benefit of the Parties, their successors and assigns. This Agreement contains the entire agreement of the Parties. It may not be changed orally, but only by an agreement in writing signed by the Parties. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date first written above.

[SIGNATURES ON FOLLOWING PAGE]

Wasco County, Oregon

Bakeoven Solar, LLC

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____
Authorized Representative

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____
Authorized Representative

By: _____
Name: _____
Title: _____

STATE OF OREGON }
 } ss.
COUNTY OF _____ }

This record was acknowledged before me this _____ day of _____, 2020, by
_____, as _____ of Wasco County, Oregon.

NOTARY PUBLIC – State of Oregon
My commission expires: _____

STATE OF OREGON }
 } ss.
COUNTY OF _____ }

This record was acknowledged before me this _____ day of _____, 2020, by
_____, as _____ of Wasco County, Oregon.

NOTARY PUBLIC – State of Oregon
My commission expires: _____

STATE OF OREGON }
 } ss.
COUNTY OF _____ }

This record was acknowledged before me this _____ day of _____, 2020, by
_____, as _____ of Wasco County, Oregon.

NOTARY PUBLIC – State of Oregon
My commission expires: _____

STATE OF OREGON }
 } ss.
COUNTY OF _____ }

This record was acknowledged before me this _____ day of _____, 2020, by
_____, as _____ of Bakeoven Solar, LLC
.

NOTARY PUBLIC – State of Oregon
My commission expires: _____

STATE OF OREGON }
 } ss.
COUNTY OF _____ }

This record was acknowledged before me this _____ day of _____, 2020, by
_____, as _____ of Bakeoven Solar, LLC
.

NOTARY PUBLIC – State of Oregon
My commission expires: _____

EXHIBIT 1

Exhibit 1



Legend

- Mile Marker
- Maupin Substation
- Overhead Transmission Line

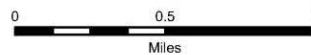


Exhibit 1

General Depiction of the Transmission Easement North of Bakeoven Road



Path: \\gis-ar\local\GIS\USA\SOLAR\PROJECTS\BakeovenSolar\MXD\REPORT_FIGURES\Wasco County ROW\Exhibit_1_Wasco_County_ROW_Transmission.mxd

Modified Date: 4/13/2020



MOTION

SUBJECT: Bakeoven Solar Project Right of Way

I move to approve the Right of Way Use Agreement between Wasco County and Bakoven Solar, LLC.



DISCUSSION ITEM

EMERGENCY DECLARATION EXTENSION

[ORDER 20-033](#)

[MOTION LANGUAGE](#)



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF EXTENDING ORDER AND RESOLUTION 20-003 DECLARING A LOCAL STATE OF EMERGENCY AND DECLARING EMERGENCY MEASURES

ORDER 20-033

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.

WHEREAS, ON MARCH 18, 2020, The Wasco County Board of Commissioners adopted Order and Resolution 20-003: IN THE MATTER OF DECLARING A LOCAL STATE OF EMERGENCY AND DECLARING EMERGENCY MEASURES; and

WHEREAS, the conditions necessitating the declaration of a state of emergency and the declaration of emergency measures still exist.

NOW THEREFORE, BE IT ORDERED BY THE WASCO COUNTY BOARD OF COMMISSIONERS

1. That the state of emergency and the emergency measures proclaimed by the Wasco County Board of Commissioners on March 18, 2020 shall continue until terminated by order of the Commission.
2. This Order is passed pursuant to ORS 401.305 and shall be effective on May 15, 2020.

DATED this 1st day of May, 2020.

APPROVED AS TO FORM

Wasco County Board of Commissioners

Kristen Campbell, County Counsel

Scott C. Hege, Chair

Kathleen B. Schwartz, Vice-Chair

Steven D. Kramer, County Commissioner



MOTION

SUBJECT: Emergency Declaration Extension

I move to approve Order 20-033 extending Order and Resolution 20-003 Declaring a Local State of Emergency And Declaring Emergency Measures.



CONSENT AGENDA

[MINUTES: 4.15.2020 REGULAR SESSION](#)



**WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
APRIL 15, 2020**

This meeting was held on Google Hangout Meet
Meeting ID: <https://meet.google.com/jfy-tpta-hju?hs=122>
or call in to [1 515-518-6967](tel:15155186967) PIN: 492 437 569#

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

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

Chair Hege opened the session at 9:06 a.m. Chair Hege noted that North Central Public Health District's (NCPHD) Executive Director Teri Thalhofer and Public Health Dr. Mimi McDonnell had joined the meeting. He asked them to report on the COVID 19 pandemic.

Ms. Thalhofer reported that there are currently 11 cases in the three-county region that composes NCPHD – Wasco (10), Sherman (1) and Gilliam (0) Counties. Testing is increasing so we should expect more cases to be revealed. NCPHD is still dealing with other communicable diseases, but COVID-19 is the main focus. WIC has been modified to accommodate the circumstances. Visiting nurses are visiting by phone or FaceBook - if it becomes necessary, they have the capacity to go on a home visit with PPE. Reproductive Health continues to provide services. Refills are done over the phone. The Tobacco Prevention Program is on hold; the Prevention Coordinator is working with the team for public announcements. Environmental Health is busy helping restaurants to safely navigate the curbside pick-up model; 45% of local restaurants are not operating right now. Building continues as construction is seen as essential; NCPHD is providing consultation for that.

Dr. McDonnell stated that the Unified Command effort has been going for 4 weeks between Wasco, Sherman and Gilliam Counties along with cities, emergency managers, health care providers, etc. It is a massive effort to keep everyone as safe as possible and provide essential services. The current emphasis is on congregate settings. She said that she has been impressed by the response from

the local long-term care facilities. Washington, Oregon and California are working together to have a scientific and standardized approach to opening services, which will largely depend upon the availability of mass testing and the ability to conduct contact investigations and provide effective isolation measures. Locally, we are trying to protect the seasonal workers coming into our community; we want to ensure safe housing and meet basic needs. She commented that she appreciates the efforts of the elected officials and wants to encourage them to continue to work to send out the message for social isolation and masks to protect our community. Every citizen has a responsibility here – we have to work together and we need that leadership.

Chair Hege asked when we need and need not wear a mask. Dr. McDonnell replied that masks need to be worn to help prevent the spread of virus. If you are in a setting where you could infect others, you should wear a mask. She said she was in Fred Meyer last night and only 5% of the people in the store were wearing masks. Everyone needs to wear them – it protects others and the workers at the store. If you are in an office space, you may not need to wear a mask all the time, but if there is a time when you cannot stay far enough away, you should wear the mask.

Vice-Chair Schwartz commented that when she went to the store, she was shocked by how many people were not wearing masks. She asked if NCPHD is working with grocery stores to encourage them to encourage their customers. She noted that even workers were not fully covered. She said that we are all familiar with the signage saying, “No shoes, no shirt, no entry,” perhaps we can add “no mask” to that. Dr. McDonnell responded that there are areas of the country that are requiring masks. We have been working with local grocers and they are putting up signage but it is difficult to monitor that. NCPHD put out a PSA on grocery store etiquette but will need to do an additional social media push. This is very important; social distancing will be in place for some time.

Commissioner Kramer thanked Ms. Thalhoffer and Dr. McDonnell for their efforts. It is good to hear that elected officials are making a difference.

Chair Hege thanked Ms. Thalhoffer and Dr. McDonnell for being here and he hopes they will be able to regularly update the Board. Ms. Thalhoffer said that they would be happy to be at upcoming Board sessions to provide the latest information.

Chair Hege explained that the second Fee Schedule Ordinance hearing had been scheduled for today. Due to the recent ownership transition at the local paper, the

first hearing was not properly noticed. Therefore, we will we begin the process again; the first hearing will take place on May 6, 2020.

Discussion Item – CAFFA Grant Application

Wasco County Assessor/Tax Collector Jill Amery explained that this is an annual grant program that assists counties across the State for assessment, valuation, BOPTA, tax collection and distribution, GIS, cartography and data processing. These functions involve multiple departments within the County. The biggest change this year is that we have put in some capital improvement requests for software.

{{Vice-Chair Schwartz moved to approve the 2020-21 County Assessment Function Funding Assistance Grant Application. Commissioner Kramer seconded the motion which passed unanimously.}}

Agenda Item – Labor Counsel

Human Resources Director Nichole Biechler explained that in January we were notified that our current labor counsel would be starting his own firm. This was a good opportunity to go out to bid for services. The request for qualifications responses were evaluated on multiple criteria to develop a recommendation to the Board:

- Fees
- Location
- Structure
- Area(s) of expertise
- Time in business/years in practice
- Local government law and labor law staff and bargaining experience
- Experience with specific union organizations
- Public sector collective bargaining philosophy
- References and why the firm thought they would be the most qualified to represent Wasco County

The recommendation is to move forward with Barran Liebman.

Chair Hege asked if the RFQ Process followed the process we used for County Counsel. Ms. Biechler replied that the overall process was the same however we were looking for a more specific area of expertise rather than general counsel. Commissioner Kramer asked about the final page of the packet materials. Ms. Biechler said that the spreadsheet is a general analysis of the firms and how they

ranked in the criteria. The recommended firm will be a significant savings. Our current counsel's new firm is much more expensive. She noted that there may not be a lot of negotiations as the recommended firm was very thorough in pricing within their response.

{{{Commissioner Kramer moved to direct staff to proceed with negotiations with Berran Liebman, LLC. Vice-Chair Schwartz seconded the motion which passed unanimously.}}}

Chair Hege offered an opportunity for public comment. There was none.

Discussion Item – XTR Master Service Agreement

Ms. Amery explained that for a number of years Lane County has provided software support for an Eastern Oregon Consortium that was composed of six counties. Last year, Lane County had some significant changes in staffing and in June provided only two weeks' notice before discontinuing the mapping portion of the service. They tried to continue to provide the software support but they need to move on – their key person's last week is next week. Lane County simply does not have the capacity to continue. Along with Wasco County Information Services staff, she has explored the possibility of bringing it in-house; it is a four to five year learning curve. She stated that we were lucky to find this company. They have a great reputation and one of their staff actually helped write the program we are using; many others have worked with both Ascend and Proval. Lane County will be using them as are other counties. This will help us make the transition to a new system and there really is no other resource out there.

Chair Hege asked about the terms. Ms. Amery replied that they are very competitive to Lane County's original IGA - \$2,500 per month. They are asking for an 18 month term; that is a good amount of time for us as it will take time to transition to a new system. After the 18 months we can renew for shorter periods of time. As we get closer to the end of the 18 months, we will have a better idea of our transition timeline.

Chair Hege asked how much we are paying now. Ms. Amery stated that we were up to almost \$4,000 per month with Lane County. She said that every time one of the six Consortium members dropped out, the price would go up for the remaining counties. Chair Hege asked if this will be a fixed monthly amount. Ms. Amery replied that it will.

{{{Commissioner Kramer moved to approve Order 20-031 in the matter of authorizing Wasco County Tax and Assessment to contract with XTR Value

Services, LLC for software maintenance and support services for Assessment and Taxation software through a sole-source procurement. Vice-Chair Schwartz seconded the motion which passed unanimously.}}

{{{Commissioner Kramer moved to approve the Master Agreement for Licensed Software, Hardware and Services between XTR Value Services and Wasco County. Vice-Chair Schwartz seconded the motion which passed unanimously.}}}

{{{Commissioner Kramer moved to approve Amendment 1 to the Intergovernmental Agreement for Ascend/Proval Software Support terminating the IGA. Vice-Chair Schwartz seconded the motion which passed unanimously.}}}

Agenda Item – Bakeoven Solar Project Update

Planning Director Angie Brewer stated that one each of two wind farm and two solar farm applications have been approved. The deadline for comments on the Bakeoven Solar project is Monday. Recently, parties have filed an appeal seeking judicial review of a rejected appeal related to the Summit Ridge Wind Farm project. Avangrid is requesting a Rural Renewable Energy Development (RRED) Zone; Matthew Klebes will be providing more information about that in an upcoming Board Session. RRED Zones are specifically relevant to energy facilities.

Chair Hege asked what the timing is for the Summit Ridge appeal. Ms. Brewer explained that it is not technically appealed. They are seeking review of the State's decision to reject an appeal. Right now Summit Ridge is free to move forward with the project. Some of the local projects were reviewed at the same hearing and will be moving on the same timeline. They have the same 2-year timeline with an opportunity for a 1-year extension as with any land use approval.

Vice-Chair Schwartz asked if all the current projects would qualify for a RRED Zone if we were to decide to establish one. Ms. Brewer replied that a resolution establishing a RRED Zone would trigger the program immediately; qualification is tied to the date of application and the date of construction. If the application occurs before construction, then all the work is eligible; any work that occurs before application submission is not eligible

Discussion Item – OWEB Comments

Ms. Brewer said that she wanted to make sure the Board knew she had sent a comment letter in January; we do not need to resubmit. She reported that the

OWEB timeline has been delayed until June due to the COVID-19 pandemic. Commissioner Kramer stated that he has spoken to the Oregon Water Enhancement Board (OWEB) Director to convey concerns from southern Wasco County property owners. This property has an aggregate site that could be of benefit to the County in the future. He said they are working toward a solution.

Agenda Item – EDC Quarterly Report/Appointment

Mid-Columbia Economic Development District Senior Project Manager Carrie Pipinich reviewed the memo included in the Board Packet regarding the appointment of Fritz Ellett to Position 9 on the Economic Development Commission. She explained that it is an at-large position previously held by Gary Grossman. Historically, they have tried to fill that position with someone from the business community. There are two other vacancies, one for Dufur and one for the City of The Dalles. They hope to have recommendations for those positions by June.

{{Vice-Chair Schwartz moved to approve Order 20-030 appointing Fritz Ellett to Position 9 on the Wasco County Economic Development Commission. Commissioner Kramer seconded that motion which passed unanimously.}}

Ms. Pipinich reviewed the report included in the Board Packet. She noted that they are partnering with Regional Solutions in supporting an Economic Reliance Team in the area. The Team includes Hood River, Wasco, Gilliam, Sherman, Wheeler, Skamania and Klickitat Counties along with Chambers of Commerce, Port Authorities and others. They are sharing information with the state and federal agencies so they can better understand the impact on the ground. She commended the work of the Chambers and Small Business Development center – they have done a lot to keep us informed and provide resources to their customers.

Ms. Pipinich went on to say that they are working with the Emergency Operations Center and JIC to get information out especially to the agricultural community and migrant workers. She praised Commissioner Kramer for the work he has done with the schools to get resources out to students to gain access to remote education. She added that they are working through the Oregon Investment Board to provide relief for loan clients and trying to extend that relief for a few months.

Vice-Chair Schwartz asked for a sense of what our businesses are experiencing. Ms. Pipinich reported that they have heard stories of businesses not being able to access the relief programs; some that applied early had to apply again to get the

forgivable feature of the program. There are delays in getting the funds and they hope that there are fixes coming for that. Our local lenders were a little slower to get the Paycheck Protection Program implemented; federal requirements around that program went out after the program was established. The window was short and system got overwhelmed. It has been challenging for everyone. Ms. Amery reported that four businesses were approved for funds through the Oregon Investment Board yesterday. Ms. Pipinich observed that businesses want to prepare but it is a challenge – they do not know what the timeline will be or what the environment will be like.

Ms. Pipinich went on to say that the State has approved 9,508 loans. Nationally the average loan is under \$150,000 with construction being the largest portion. She said that she would share the report with the Board. We have not been able to collect data locally, but are working with partners to gather that information. The unemployment claims provide a stark indication of what is going on locally.

Commissioner Kramer expressed his appreciation for the work MCEDD is doing especially in this time when they are short-staffed, including a Deputy Director position that is open. Vice-Chair Schwartz agreed, saying that it is great to have MCEDD as a resource.

Discussion Item – Tri-County Mental Health IGA

Chair Hege stated that Mid-Columbia Center for Living is overseen by the Tri-County Mental Health Board – a joint organization with representatives from Hood River, Sherman and Wasco Counties. Every year, each county is invoiced, based on population, for funding. The staff at MCCFL asked for the documentation that provides the foundation for that funding; neither their organization, nor any of the member counties were able to locate the document. This agreement will document the commitment for the annual contribution.

Commissioner Kramer expressed his appreciation for Chair Hege's efforts, saying that mental health is one of our key issues.

Vice-Chair Schwartz asked how our support for mental health compares to other counties. Chair Hege replied that he does not know; a lot of counties have their own internal mental health authority. Up to now, mental health has been able to survive on its own but they are really challenged by the switch from per capita to pay for service and staffing changes. People are reluctant to come in for service during COVID-19 and with no service, there are no fees.

{{Commissioner Kramer moved to approve the Tri-County Mental Health

Board Intergovernmental Agreement authorizing invoicing rates for Wasco, Hood River and Sherman Counties. Vice-Chair Schwartz seconded the motion which passed unanimously.}}

Discussion Item – ETractor Initiative Letter of Support

Commissioner Kramer explained that he sits on the Wy'East Committee which is looking at a pilot project for the local orchards. They want to test the technology to see if it can work in our area. They are looking for County support so that their partners at the BPA, Oregon Trust, etc. know that we support the technology.

Chair Hege asked how much an e-tractor costs. Commissioner Kramer replied that he does not know – it is still in development. It will be cost-prohibitive until it gets to the stage of being mass-produced. First, we need to see if it can work.

*****The Board was in consensus to send a letter of support for the e-tractor pilot project.*****

Discussion Item – Building Codes Updates

Chair Hege said that he hopes to have a more robust discussion around Building Codes but has not had the opportunity to meet with the Finance Director to review the information. Ms. Clark explained that when MCCOG managed Building Codes Services it had been for Hood River, Wasco, Sherman, Gilliam and Wheeler Counties. Prior to the dissolution of MCCOG, Hood River withdrew from the Building Codes program and began offering those services independent of the other partner counties. Recently, the four remaining counties signed an agreement for the distribution of the MCCOG Building Codes reserve funds; that agreement did not include Hood River County. This release agreement formalizes the distribution of those funds to not include Hood River County.

{{Vice-Chair Schwartz moved to approve the release between Wasco County and Hood River. Commissioner Kramer seconded the motion which passed unanimously.}}

Consent Agenda – 4.1.2020 Regular Session Minutes

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

Chair Hege offered the opportunity for public comment. There were none.

Departments

Ms. Amery said that the senior/disabled property tax deferral application deadline has been moved from April to June. It is a program that touches one of our most vulnerable populations.

Agenda Item – COVID-19 Response

Mr. Stone stated that the financial aspects of the COVID-19 response are very complex. In a normal response, such as to a wildfire, you would have a primary agency responsible such as the Fire Department. They would lead and be responsible for the financial applications for reimbursement. COVID-19 is very different. The primary agency is Public Health which is a 3-county agency. We need to be able to respond regionally. The Unified Command is not an entity and does not have a budget or spending authority but is dealing with operations and needs to have a cash flow. For example, we need to get porta-potties and wash stations to homeless camps in Rufus, Biggs and The Dalles – that would involve two of the three counties. UC then has to determine who pays and is responsible. As we have new financial needs, we will continue to face this issue. UC also works with MCMC, The Dalles, Wasco City, etc. – it very quickly becomes complicated.

Mr. Stone reviewed the UC Financial Policy #1 included in the Board Packet. Each entity has its own budget, ability to pay, contracting rules, etc. Each entity will have to determine how to expend resources. The delegation of authority to expend resources up to \$25,000 prior to a Board session will give him the ability to commit necessary resources without delay. We think we will get reimbursement on certain items that meet certain criteria, but we don't know yet what those are. When that happens, it may come through the County. We can put dollars up front for use with the expectation that it will be reimbursed through whatever means are available. North Central Public Health has already received more than \$100,000 but that is mostly being expended on salaries.

Finance Director Mike Middleton explained that he is developing a workflow for the payments and he needs to consider timeliness in the process. He said there will be feedback from the group; more information will follow.

Vice-Chair Schwartz asked if the Board is expected to do anything regarding the sub-recipient agreement. Mr. Stone replied that it is a template that can be used by any of the partners by just adjusting the names in the agreement. If we need to use it, it will come before the Board for approval at that time. Chair Hege commented that the Board would decide on a case by case basis.

Vice-Chair Schwartz observed that it does not seem like a very nimble process.

Mr. Stone agreed. He said that we might have been better off treating this much the same as a wildfire by having NCPHD be the responsible agency.

Discussion ensued about various scenarios for funding and reimbursement. Chair Hege suggested that since the Board will have to approve each one, language could be modified at that time to be appropriate to each circumstance. County Counsel Kristen Campbell concurred.

Chair Hege commented that the sub-recipient agreement and UC Fiscal Policy are both informational for the Board; the primary issue is the spending authority. Mr. Stone agreed saying that one of the criticisms has been the slow response through all the various entities in the procurement process. This will give the UC the agility to approve spending without having to wait for a Board session.

Commissioner Kramer said that we need to continue to be flexible; the essential services need to be maintained for the folks on the ground. This is a very good move.

Vice-Chair Schwartz agreed saying that probably means that Public Health will be meeting more frequently. As local government, we need to take care of the basic needs and sometimes that requires thinking outside the box.

{{Vice-Chair Schwartz moved to approve Order 20-032 in the matter of authorizing the County Administrative Officer to expend and commit County resources during an emergency until a meeting of the Board can be convened. Commissioner Kramer seconded the motion which passed unanimously.}}

Chair Hege offered the opportunity for public comment. Rodger Nichols said that the Gorge Commission met yesterday with mixed results. He said he can make a report at any time.

Commission Call

Chair Hege noted that there will be an all-staff County video conference tomorrow. He suggested that the other two commissioners record a brief video for staff. He said that he will be moderating the call. We have asked for questions from staff and will be responding to those.

Chair Hege said that he wants to point out that we are moving ahead with budget. More than likely it will be a virtual meeting although we have space reserved in case it becomes possible to have an in-person meeting. He noted that state

funding for the next year will be an unknown.

Vice-Chair Schwartz reported that she is participating in weekly calls with Sherman and Gilliam Counties. There are a lot of people on those calls and she gets a lot of information. She attended a NACo webinar on caring for our aging population and has not heard from our Area Agency on Aging agency – CAPCO. She said she has reached out to them and hopes to hear back in the next week. Circles of Care, a volunteer organization, seems to be better in touch with what is happening on the ground; although they are working hard, they are not well funded.

Vice-Chair Schwartz announced that NCPHD is moving forward on the hiring process to replace Executive Director Teri Thalhofer who retires in June. Ms. Thalhofer has offered to stay on longer if needed. The application process closes May 27th; interviews will be in June.

Commissioner Kramer thanked everyone for the extra work they are doing. He said he reached out to people for the educational piece; there is a meeting this afternoon that may illuminate some funding streams. Dr. Cronin, President of Columbia Gorge Community College, has increased their Wi-Fi capacity and offered to allow District 21 students the opportunity to use the campus to download assignments. This will help plan for the start of next school year.

Mr. Stone commented that everyone is doing a stellar job of keeping County business moving along.

Chair Hege adjourned the meeting at 11:12 a.m.

Summary of Actions

MOTIONS

- **To approve the 2020-21 County Assessment Function Funding Assistance Grant Application.**
- **To direct staff to proceed with negotiations with Berran Liebman, LLC.**
- **To approve Order 20-031 in the matter of authorizing Wasco County Tax and Assessment to contract with XTR Value Services, LLC for software maintenance and support services for Assessment and Taxation software through a sole-source procurement.**
- **To approve the Master Agreement for Licensed Software, Hardware and Services between XTR Value Services and Wasco County.**
- **To approve Amendment 1 to the Intergovernmental Agreement for Ascend/Proval Software Support terminating the IGA.**

- **To approve Order 20-030 appointing Fritz Ellett to Position 9 on the Wasco County Economic Development Commission.**
- **To approve the Tri-County Mental Health Board Intergovernmental Agreement authorizing invoicing rates for Wasco, Hood River and Sherman Counties.**
- **To approve the release between Wasco County and Hood River.**
- **To approve the Consent Agenda: 4/1/2020 Regular Session Minutes.**
- **To approve Order 20-032 in the matter of authorizing the County Administrative Officer to expend and commit County resources during an emergency until a meeting of the Board can be convened.**

CONSENSUS

- **To send a letter of support for the e-tractor pilot project.**

Wasco County
Board of Commissioners

Scott C. Hege, Board Chair

Kathleen B. Schwartz, Vice-Chair

Steven D. Kramer, County Commissioner



AGENDA ITEM

Fee Schedule Hearing

[STAFF MEMO](#)

[STAFF PRESENTATION PLANNING CHANGES](#)

[PLANNING SCHEDULE – HIGHLIGHTED CHANGES](#)

[JANUARY STAFF MEMO](#)

[BUILDING CODES – HIGHLIGHTED CHANGES](#)

[ORDINANCE 20-002 UNIFORM FEE SCHEDULE](#)



MEMORANDUM

SUBJECT: Amended Fee Schedule

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KATHY WHITE

DATE: 3/11/20

BACKGROUND INFORMATION:

Wasco County reviews and, if necessary, amends our Fee Schedule Ordinance at the end of each calendar year to reflect changes in costs and state fees. We followed that process last year with the knowledge that the Building Codes fees were still under discussion. The fee schedule was amended mid-2019 (prior to regular year-end update) to include fees for our newly acquired Building Codes Program which opened its doors on July 1st. Those “new” fees were actually fees that had been set in 2013 by MCCOG, the former umbrella agency for Building Codes. We did not want to hold up other departments while the Building Codes review was being completed.

In addition, Planning has some extensive review of their fees which were not ready in December. Those changes are included in the amendment you will review today. I anticipate a second amendment to be considered at the end of this calendar year for any other internal changes as well as expected changes from pass-through fees from the State.

Today’s hearing will be the first reading of the Amended Ordinance; no action may be taken on the Ordinance at today’s hearing other than giving direction to staff for any changes or requesting more information.



Wasco County
Planning



Fee Schedule Analysis

Conducted by
Brent Bybee, Associate Planner
January 2020

What is This Presentation Addressing?

- Minor Amendments staff has proposed for the 2020 update
- Staffs current analysis of the fee schedule, and possible future amendments/studies

Analysis Parameters

- State Statute
- Past Wasco County Fee Schedules and Update Strategies
- Wasco County Land Use and Development Ordinance
- Other County Fee Schedules

ORS 215.416(1)

- (1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service.

State Statute

ORS	Fee Information
227.175(10)(E)(ii)(b)	\$250 for initial hearing (appeal)
227.180	Appeal of initial hearing shall reflect actual cost, not including \$500 for written transcript.
227.505	Residential and Commercial structures with solar, Ministerial if able to meet criterion, no planning fee.
215.211(3)	Fee charged by DLCD for soils assessment review.
215.416(11)(b)	Refund of initial appeal fee if upheld.
215.439	Repeat of ORS 215.505

Past Fee Schedules and Update Strategies

- Past updates analyzed the amount of time it took past staff to process a high volume of applications with findings that are not as strong as our current findings.
- The Portland Consumer Price Index was used from 1996-2004
 - Updated every year on January 1st
- Staff identified in 2001 past analysis tactics were flawed without time being tracked on applications.

1994

PLANNING AND ECONOMIC DEVELOPMENT OFFICE
WASCO COUNTY

3076 EAST SECOND STREET THE DALLES, OREGON 97058

KIMBERLY J. JACOBSEN Director

PHONE (503) 268-5109

FAX (503) 268-5101

July 13, 1994

TO: Kim
 FROM: Dawn *DB*
 SUBJECT: Hours spent on applications

Since January 1, 1994, I have documented the hours shown below for planning applications. I think these figures should be considered on the low side, as I am not perfect and know that I've missed keeping track of time on a few days/items.

Site Plan Reviews	HOURS
District #9 - Chenoweth Grade School	4.75
District #9 - Chenoweth Middle School	9.25
District #9 - Wabunika High School	3.25
Lee	3.50
TOTAL	20.75

Average time per review: 5 hours, 11 minutes

Partitions/Property Line Adjustments

Baldwin (PAR)	4.50
Schubert (PAR)	1.50
Skiles (PLA)	2.50
Luster (PAR)	2.75
Fine Hollow Development Corp. (PLA)	6.50
Ashley (PLA)	2.25
TOTAL	20.50

Average time per review: 3 hours, 25 minutes

Temporary Use Permits

Bonnell	1.50
Pishon	3.75
Parsons	5.00
TOTAL	10.25

Average time per review: 3 hours, 25 minutes

K. Jacobsen
 July 13, 1994
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Variances

Keitchum	2.00
Mitzel	2.25
Guess	8.00
Hembling	4.00
Arnett	5.25
Deardorff	2.25
TOTAL	24.25

Average time per review: 4 hours, 5 minutes

Conditional Use Permits

Tinker	24.50
Rodgers	11.00
Oregon Trail Swap Meet	27.25
TOTAL	62.75

Average time per review: 20 hours, 55 minutes

5661 Applications

Rodgers	11.75
Bower	14.75
Johnson	9.50
TOTAL	36.00

Average time per review: 1.8 hours

Please let me know if you need any additional information.

db

c:\pdp\plans\applications

1994

#APL-92-108-WAFF4-H
 Applicant: Walter Thomson
 Appellant: Walter Thomson

Fee Class.	Staff Position	Labor per Hour
1	Director	\$30.00
2	Senior Planner	\$25.00
3	Planner	\$22.00
4	Admin. Assist.	\$16.00

APPEALS TO WASCO COUNTY COURT - Labor/Materials Cost Chart

Task	Total Labor Hours	Fee Classification Appeal Labor Dollars				Total Labor \$	Total Materials \$	Total Labor and Materials
		1	2	3	4			
Interaction w/ Parties of Record	13.5			\$297.00		\$297.00	\$10.00	\$307.00
Newspaper Notice	1		\$12.50		\$8.00	\$20.50	\$25.00	\$45.50
Party of Record Notice	0.75				\$12.00	\$12.00	\$20.00	\$32.00
Second Site Visit	0					\$0.00	\$15.00	\$15.00
Conf. with District Attorney	2	\$30.00		\$22.00		\$52.00	\$0.00	\$52.00
Staff Preparation for Hearing	28	\$30.00		\$594.00		\$624.00	\$0.00	\$624.00
Order Calling Hearing	2.5			\$44.00	\$8.00	\$52.00	\$0.00	\$52.00
Prep. Record Packets	1.5				\$24.00	\$24.00	\$198.00	\$222.00
Public Hearing	5	\$75.00		\$55.00		\$130.00	\$0.00	\$130.00
Decision Order	2			\$33.00	\$8.00	\$41.00	\$0.00	\$41.00
Notice of Decision	1.75			\$22.00	\$12.00	\$34.00	\$20.00	\$54.00
Miscellaneous Costs:	0					\$0.00		\$0.00
Telephone							\$7.00	
TOTALS:	58	\$135.00	\$12.50	\$1,067.00	\$72.00	\$1,286.50	\$295.00	\$1,574.50

Note: Materials total includes, but is not limited to, paper and postage costs. It does not include computer time, office overhead, or time and materials for District Attorney, County Court, or Admin. Assistant to County Court.

<6C\123R23\APPEAL\THOMSON>

Past Fee Schedules and Update Strategies Continued

- 2003 - 2008 Major Overhaul
 - Staff time was tracked on applications from Nov 2003 – Nov 2004, and updated the fee schedule based off that data in 2005
 - BOCC had choice of percentages pertaining to cost recovery, they typically chose 50% recovery.
 - Time tracking continued until 2008, tracking time on the face of the file folder, with the planning coordinator inputting the data into a master spreadsheet.
 - Staff used data from 2006 – 2008 to find the average amount of time spent on applications. Time tracking stopped after 2008.

2005 Update

FEE SCHEDULE CHANGE
1 DECEMBER 2004

APPLICATION	Current Fee	Staff & Notification Costs	75% of Cost	50% of Cost	25% of Cost	CC Adopted Fee
TYPE I - Ministerial						
Address W/Cut Land Use Permit	\$ 25.00	\$ 25.04	\$ 19.01	\$ 12.47	\$ 6.34	
*Sign Off W/Cut Land Use Application	\$25/Signal		\$ -	\$ -	\$ -	
Property Line Adjustment	\$ 160.00		\$ -	\$ -	\$ -	
Land Use Verification Letter not involving a and use decision.	\$ 80.00		\$ -	\$ -	\$ -	
TYPE II - Administrative						
NSA						
Scenic Area Review	\$ 400.00	\$ 644.75	\$ 491.06	\$ 327.38	\$ 163.69	
*Minor Uses	\$ 200.00		\$ -	\$ -	\$ -	
Property Boundary Changes						
Partition or Part of Parcel Review not involving a public or private road	\$ 165.00	\$ 103.88	\$ 75.65	\$ 50.43	\$ 25.22	
Property Line Adjustment	\$ 165.00	\$ 150.83	\$ 98.12	\$ 65.42	\$ 32.71	
Replat	\$ 165.00	\$ 544.04	\$ 408.03	\$ 272.02	\$ 136.01	
Uses Subject to Additional Standards						
Vapor/Utility Facility, Guest House, R-R(10) Dwelling	\$ 200.00	\$ 130.85	\$ 98.14	\$ 65.43	\$ 32.71	
Minor (Farm Stand, Sign Permit, Forest Accessory Structure, Chapter 4 provisions, EPD reviews)	\$ 100.00	\$ 137.40	\$ 103.05	\$ 68.70	\$ 34.35	
Resource Dwellings (Farm Dwelling, End of Road Dwelling, Forest Dwelling, Accessory Farm or Forest Dwelling, Replacement Dwelling)	\$ 320.00	\$ 281.60	\$ 211.20	\$ 140.80	\$ 70.40	
Site Plan Review Outside NSA (Chapter 20) Conditional Uses	\$ 300.00	\$ 130.85	\$ 98.14	\$ 65.43	\$ 32.71	
Nonfarm dwelling or Farm Ranch Residence	\$ 470.00	\$ 158.57	\$ 269.23	\$ 179.49	\$ 89.74	
Other conditional uses reviewed by Planning Director	\$ 400.00	\$ 277.16	\$ 207.87	\$ 138.58	\$ 69.29	
Other						
Nonconforming Use			\$ -	\$ -	\$ -	
Verification	\$ 200.00		\$ -	\$ -	\$ -	
Alteration	\$ 100.00		\$ -	\$ -	\$ -	
Major Modification of Approval	Cost		\$ -	\$ -	\$ -	
Time Extension Requests and Temporary Use Permit Renewals	\$ 150.00	\$ 49.87	\$ 37.40	\$ 24.94	\$ 12.47	
Legal Parcel Determination						
Preliminary	\$ 75.00					
Final	\$ 100.00	\$ 111.60	\$ 83.72	\$ 55.81	\$ 27.91	
Temporary Use Permit	\$ 240.00	\$ 160.87	\$ 120.65	\$ 80.19	\$ 40.09	
Similar Use ruling	\$ 195.00		\$ -	\$ -	\$ -	
Administrative Variance	\$ 100.00	\$ 54.67	\$ 40.99	\$ 27.25	\$ 13.63	
*Pre-Application Conference	\$ 150.00		\$ -	\$ -	\$ -	
Written Ordinance Interpretation	\$ 100.00		\$ -	\$ -	\$ -	
Ocean Space Lands Tax Assessment	\$ 375.00		\$ -	\$ -	\$ -	
Significance Determination for Aggregate Overlay	\$ 500.00		\$ -	\$ -	\$ -	
TYPE III - Planning Commission						
Appeal of Administrative Decision	\$ 250.00		\$ -	\$ -	\$ -	
Variance	\$ 435.00		\$ -	\$ -	\$ -	
Conditional Use Review	\$ 430.00	\$ 1,220.71	\$ 920.07	\$ 613.38	\$ 306.69	
Other reviews directed to PC by ordinance or minutes (i.e. director elects not to review)	\$ 295.00		\$ -	\$ -	\$ -	
Zona Change	\$ 650.00		\$ -	\$ -	\$ -	
LLDO Text Amendment	\$ 600.00		\$ -	\$ -	\$ -	
Preliminary subdivision plan approval..... plus \$30 per lot	\$ 850.00		\$ -	\$ -	\$ -	
- Public Use approval	\$ 220.00		\$ -	\$ -	\$ -	
- Private Road approval	\$ 106.00		\$ -	\$ -	\$ -	
Final subdivision plan review..... plus \$10 per lot	\$ 355.00		\$ -	\$ -	\$ -	
Planned Unit Development..... plus \$30 per lot	\$ 850.00		\$ -	\$ -	\$ -	

FEE SCHEDULE CHANGE
1 DECEMBER 2004

TYPE III - Planning Commission Cont'd.						
Mobile Home Park/Recreational Vehicle Park..... plus \$10 per lot	\$ 620.00		\$ -	\$ -	\$ -	
Private Road Approval	\$ 290.00		\$ -	\$ -	\$ -	
Preliminary Partition or Part of Parcel Review involving private or public road approval	\$ 605.00		\$ -	\$ -	\$ -	
Conditional use for aggregate uses	\$ 1,060.00		\$ -	\$ -	\$ -	
TYPE IV - County Court						
Appeal of Planning Commission Decision - Deposit and build fee fee	Cost w/5395 Deposit	\$ 1,267.00	\$ 959.25	\$ 643.50	\$ 321.75	
LLDO Text Amendment	\$ 850.00	\$ 1,280.78	\$ 960.07	\$ 640.38	\$ 320.19	
Comprehensive Plan Amendment (with or without zone change)	\$ 1,000.00	\$ 1,280.78	\$ 960.07	\$ 640.38	\$ 320.19	
Goal Exception	\$ 728.00	\$ 1,280.78	\$ 960.07	\$ 640.38	\$ 320.19	
Road Dedication	\$ 200.00		\$ -	\$ -	\$ -	
Measure 37 Claim						
MISC.						
Extra Fees						
*Complex Projects (As determined by Planning Director)			\$ -	\$ -	\$ -	
Multiple Fees						
If more than one non-legislative application is made, full fee shall be paid for most expensive and half of any other additional fees.						
Double fees shall be charged for work commenced without required land use approval						
Annual Subscriptions						
Full subscription for entire County (includes scenic area)	\$ 1,500.00	\$ 1,623.74	\$1,270.31	\$ 846.87	\$ 423.44	
NOC subscription for entire County (includes scenic area)	\$ 330.00	\$ 436.47	\$ 326.60	\$ 217.74	\$ 108.87	
Full subscription for National Scenic Area Administrative Actions only	\$ 600.00	\$ 781.62	\$ 571.21	\$ 380.81	\$ 190.41	
NOC subscription for National Scenic Area Administrative Actions only	\$ 180.00	\$ 233.11	\$ 167.33	\$ 111.56	\$ 55.78	
Full subscription for County Administrative Actions only	\$ 800.00	\$ 932.12	\$ 699.09	\$ 466.06	\$ 233.03	
NOC subscription for County Administrative Actions only	\$ 210.00	\$ 212.36	\$ 160.27	\$ 105.18	\$ 53.09	
Full subscription for National Scenic Area Planning Commission Actions only		\$ 100.00	\$ 75.00	\$ 50.00	\$ 25.00	
Full subscription for County Planning Commission only		\$ 225.00	\$ 168.75	\$ 112.50	\$ 56.25	
Full Electronic (on-line) Planning Commission Action Subscriptions (NSA & County)		\$ -	\$ -	\$ -	\$ -	
Materials						
LLDO (NSA or Wasco County) - Electronic Version (includes Cost of CD)	\$ 10.00		\$ -	\$ -	\$ -	
LLDO (NSA or Wasco County) - Paper Version	\$ 30.00		\$ -	\$ -	\$ -	
Comprehensive Plan - Paper Version	\$ 30.00		\$ -	\$ -	\$ -	
Duplicate CD of public hearings (includes cost of CD)	\$ 10.00		\$ -	\$ -	\$ -	

Wasco County LUDO

- CPI language is not codified in Chapter 2
- Section 21.100(D)(9) states planning will collect surveyor fee at time of application.
 - Policy has been set that at the time of a land division application, the surveyor fee shall be paid separately, but at the same time.

2019 County Fee Schedule Comparisons							
Use	Wasco	Crook	Deschutes	Hood River	Lane	Multnomah	Clackamas
Ministerial	\$316	\$165 - 550	\$531	\$245	\$689	Dependent on Use	Dependent on use
Ministerial Marijuana	\$1,000 + 76/hr after 10 hrs	N/A	\$3,451	\$1,290	N/A	\$403	\$1,000
Collocation	\$1600	N/A	\$4,945 (CUP)	2,370	\$832(Type I) \$2,756(Type II)	\$108 – 3,054	\$585-3,945
Subject to Standards	\$640 – 2,040	\$770 - 935	\$3,916 + Ind STS fee	\$775	\$2,756	\$1,881	\$960-2,010
STS Utility Facility	\$2,540	N/A	\$4,945	\$4,330	N/A	N/A	\$960
Conditional Use Permit	\$1,340	\$825	\$2,897	\$1,135	\$5,343 (HO)	\$3,054 (PC Review)	3,945 (PC Review)
Non Farm Dwelling	\$2,040	\$1,100	\$3,603	\$1,755	(Marginal Lands)	N/A	\$960
NSA	\$640 - 1,840	N/A	N/A	\$415-1670	N/A	\$345 – 1,777	N/A
Partition	\$1,569	\$1,430 – 1,650	\$3,375 + 37/parcel	\$1,400	\$832-4,134	\$1,227	\$3,600
Site Plan Review	\$640	N/A	\$1,040 – 2,833	\$930	\$2,756	\$108-2,000	\$520 - 1,560
Legal Parcel Determination	\$540 + 76/r after 5 hrs	\$750 + 100/taxlot	\$957/lot	\$1,030	\$416 (Type I) \$2,756(Type II)	N/A	N/A
Subdivision Prelim	\$4,844	\$2,000 + 200/lot	\$5,996 + 44/lot	\$3,605 + 52/lot	\$4,420 + 210/lot + 28% + 100	\$3,204	\$2,600(4-10 lots) \$5,090+45/lot(11+)
Subdivision Final	\$954 + 65/lot	\$550	\$138 + 85/lot	N/A	\$2, 756	N/A	N/A
Goal Exception	\$1,740 +76/hr after 20 hrs	\$5,500	\$6,314	\$4,120	\$13K-16K	\$5,000	\$3,560 + additional app fee
Zone Change	\$1,740 +76/hr after 20 hrs	\$2,200 – 3,850	\$6,155	\$4,120	\$5,343	\$5,000	\$4,110
LUBA Remand and Review	\$300	\$1,000	\$5,000	\$825	\$4,864	N/A	N/A
OMG	\$2,500 – 4,500	N/A	\$3,030	\$2,785 < 3K ppl	\$1,040-6,730	N/A	N/A

Considerations for Future Schedule Updates(Not Included in the 2020 Update)

- Track CPI from 2004 to present and compare
- Individual cost analysis for EPD's
- Restructure fee schedule to be less confusing
 - Have single cost for Subject to Standards, Conditional Use, etc., and add additional cost for certain reviews.
- Possibly codify CPI language in WCLUDO Section 2.070 – Filing Fees.
- Ongoing conversations with impacted departments
 - Assessors Office
 - Clerks Office
 - Surveyor
 - GIS
- Perform time analysis on all applications and perform a similar analysis to what was completed from 2006 – 2008.

2020 Fee Schedule Updates

Fee Schedule Item	2019 Fee	2020 Proposed Fee	Explanation
Extension of Time	\$475	\$515	During the 2019 fee schedule update when the Clerk recording fees were increased by \$40, that change was not reflected in the cost. This will accurately reflect that change.
R-R(10) Dwelling	\$690 (Other)	\$690	There was confusion between whether these reviews would fall under the "Other" fee, or the "Dwelling" fee (which is \$1,340). This codifies exactly how much the cost is.
Planned Unit Development	Pre - \$4,344 Final - \$250	Pre - \$3640 Final - \$790 + \$50/lot	In 2019 when it was decided that the County Surveyor and Clerk's Office would start collecting their own fees for land divisions, these two fees were improperly calculated. This will remedy, and properly reflect the actual cost.
Subdivision	Pre - \$4,844 Final - \$954 + \$65/lot	Pre - \$4,140 Final - \$790 + 50/lot	
Work Commenced Without Land Use Approval (County)	Additional 50% of Total Review Fee	Additional 100% of Total Review Fee	This change is to match the work commenced without review fee in the National Scenic Area. Primarily for continuity and to match what other jurisdictions charge.

We will be returning at some point in the near future to discuss an overhaul of the fee schedule once an accurate analyzation process has been identified.

Questions?

Wasco County Planning Department Fees

Effective **January 1, 2020** per County Commissioner Order **#XX-XXX**

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

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

Type II - Administrative	Fee
Conditional Uses	
• Aggregate and Other Subsurface Resources	\$2,540
• Exclusive Farm Use, Non-Farm Dwelling	\$2040
• Farm Ranch Recreation	\$1,640
• F-F(10) Dwelling Without Farm or Forest Use	\$1,340
• Other	\$1,340
• Power Generating Facility (EFSC approval and required review)	\$76/hr
• Power Generating Facility (Commercial)	\$5,040 + \$1,000/tower
• Power Generating Facility (Non-Commercial)	\$1,640 + \$1,000/tower
Extension of Time for Land Use Approval	\$515
Legal Parcel Determination	\$540 + \$76/hour after 5 hours
LUDO Interpretation or Similar Use Determination	\$76/hr
Major Modification of Approval (notice is required)	\$116 + \$76/hr
National Scenic Area (NSA)	
• Expedited (Used listed in Section 3.110 of Wasco County NSALUDO)	\$640
• Expedited (Removal or Demolition)	\$340
• Full Review (Fences and Accessory Structures Less Than 500 SQ)	\$1,040
• Full Review	\$1,840
Non-Conforming Use Review (verification, restoration or alteration)	\$1040
Partition, Property Line Adjustment, or Replat (not involving public or private roads)	
• Property Line Adjustment	\$1569
• Single Parcel Partition or Replat	\$1569
• Multiple Parcel Partition or Replat	\$1569
Site Plan Review (parking, loading, and home occupations)	\$640
Subject to Standards	
• Aggregate Overlay Significant Determination	\$640
• Dwelling (Accessory, Large Tract Forest, Lot-of-Record, Primary, Relative)	\$1,340
• EPDs (Environmental Protection Districts)	\$690
• Guest House	\$540
• Rural Residential (R-R(10)) Dwelling	\$690
• Marijuana Processing and/or Wholesale	\$2,040 + hourly rate of \$76 after 20 hours
• Other	\$690

• Utility Facilities Necessary for Public Service	\$2,540
Temporary Use Permit	\$740
Temporary Use Permit Renewal (e.g., Medical Hardship Dwelling)	\$440
Variance (Administrative) – Less Than 50% Deviation From Stated Standard	\$740

Type III Action – Planning Commission	Fee
Appeal to Planning Commission: ORS 215.416(11)(b); full refund if upheld	\$250
Mobile Home Park / RV Park	\$2,140
Other Reviews Directed to Planning Commission by Ordinance	\$1,540
Partition, Property Line Adjustment, or Replat (involving public or private roads approvals)	
• Property Line Adjustment	\$1969
• Single Parcel Partition or Replat	\$1969
• Multiple Parcel Partition or Replat	\$1969
Planned Unit Development – Preliminary/Final Plat Review	Prelim. \$3640
	Final \$790 + \$50 per lot
Subdivision – Preliminary/Final Plat Review	Prelim. \$4140
	Final \$790 + \$50. Per lot
Variance – 50% or Greater Deviation From Stated Standard	\$1,040

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

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

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

FEE SCHEDULE ATTACHMENT - POLICY & PROCESS

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

FEE SCHEDULE ATTACHMENT – ADDITIONAL FEE WAIVER SPECIFICS

As part of a fee waiver request, the planning director can require documentation of income at or below 150% of the federal poverty level (FPL) to prove financial need. 150% of the federal poverty level is a measure frequently used by other agencies nationwide to prove individuals' financial need. This measure can be adjusted for household size. Those at or below 150% of the federal poverty level are in poverty. The percentage of the federal poverty level of an individual's income can be calculated using online calculators (http://www.lccaa.net/eligibility_calculator, <http://www.safetyweb.org/fpl.php>).

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

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

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

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

2019 Federal Poverty Guidelines - 150% of the Federal Poverty Level (FPL)								
Household Size	1	2	3	4	5	6	7	8
150%	\$18,735	\$25,365	\$31,995	\$38,625	\$45,255	\$51,885	\$58,515	\$65,145

2019 Federal Poverty Guidelines								
Household Size	1	2	3	4	5	6	7	8
100%	\$12,490	\$16,910	\$21,330	\$25,750	\$30,170	\$34,590	\$39,010	\$43,430
150%	\$18,735	\$25,365	\$31,995	\$38,625	\$45,255	\$51,885	\$58,515	\$65,145



Date: 1/30/2020
From: Mike Middleton, Finance Director
To: BOCC
Cc: Tyler Stone, County Administrator
John Rodriguez
Re: Recommended Rates for Building Code Fees

Current status

The Building Codes Department is using the same fee structure/rates inherited from MCCOG – these rates were last updated in 2014. With these rates in place, Building Codes – General (General) will lose over \$100K while Building Codes – Electrical (Electrical) will lose over \$165K in the current fiscal year. (See Exhibit 1). This is unchanged since the last memo submitted.

On January 22nd, we met with an advisory group of contractors to review the proposed rates. The resulting consensus of the group was a 15% across the board increase in fees would be acceptable. Additionally, the concept of regional fees was put aside.

New Recommendation

Based on the consensus of the advisory group, the recommendation is of a 15% increase to all Building Codes Permit Fees. See Exhibit #2 attached. The increase is 15% across the board with some exceptions. The exceptions are new fees and certain expenses where increasing the expense did not make sense.

Certain new fees have been created to capture additional tasks not billed out in the current fee structure. These have either been handled as miscellaneous items or straight staff time.

Other fees have not increased. Most of these are where the fee is based on a percentage of a subtotal already, or based on actual costs.

No fee increases more than 15%. The projections of the impact are shown in attached Exhibit #3. This will put the General Building Codes in the black however, the Electrical Building Codes will still be losing about \$135K. Management is taking steps to analyze the allocation of expenses between the two funds which should decrease this loss.

Exhibit 1 - Projected balances at current rates

		Projected Revenue FY20 Current Rates
Building Codes General	Manufactured Dwelling	6,400
	Structural	527,404
	Mechanical	65,508
	Plumbing	78,599
	Region Fee - Wasco	-
	Region Fee - Sherman	-
	Region Fee - Hood River	-
Total Operations Revenue BC General		677,911
Expense	Personnel	445,519
	Materials & Service	258,094
	Capital	75,000
	Other	-
Total Operations Expense BC General		778,613
Building Codes General Operations Gain/(Loss)		(100,702)
Building Codes Electrical	Renewable	1,800
	Electrical	82,644
	Region Fee - Wasco	-
	Region Fee - Sherman	-
	Region Fee - Hood River	-
Total Operations Revenue BC Electrical		84,444
Expense	Personnel	201,255
	Materials & Service	23,684
	Capital	25,000
	Other	-
Total Operations Expense BC Electrical		249,939
Building Codes Electrical Operations Gain/(Loss)		(165,495)

Permit Fee types		Wasco County Current	Proposed w/ 15% Across the Board	Increase \$	Increase %
STRUCTURE PERMIT FEES					
In accordance with OAR 918-050-0100(1)(c) and (2)(c)(A), Building Valuation is determined per the ICC Building Valuation Data Table current as of April 1 of each year.					
Valuation:					
\$1-\$2,000		\$ 60.00	\$ 69.00	\$ 9.00	15%
\$2,001-\$25,000	First \$2,000 value	\$ 60.00	\$ 69.00	\$ 9.00	15%
	Each additional \$1,000 or fraction thereof, to and including \$25,000	\$ 9.40	\$ 10.81	\$ 1.41	15%
\$25,001-\$50,000	First \$25,000	\$ 276.20	\$ 317.63	\$ 41.43	15%
	Each additional \$1,000 or fraction thereof, to and including \$50,000	\$ 7.00	\$ 8.05	\$ 1.05	15%
\$50,001-\$100,000	First \$50,000	\$ 451.20	\$ 518.88	\$ 67.68	15%
	Each additional \$1,000 or fraction thereof, to and including \$100,000	\$ 4.70	\$ 5.41	\$ 0.71	15%
\$100,000 and up	First \$100,000	\$ 686.20	\$ 789.13	\$ 102.93	15%
	Each additional \$1,000 or fraction thereof	\$ 3.90	\$ 4.49	\$ 0.59	15%
OTHER INSPECTIONS AND FEES					
Residential Fire Sprinkler 13R (standalone/closed system) fee includes plan review (13D multipurpose/continuous loop requires Plumbing)					
0 TO 2,000 sq. ft. area covered		\$ 98.00	\$ 112.70	\$ 14.70	15%
2,001 to 3,6000 sq. ft area covered		\$ 103.50	\$ 119.03	\$ 15.53	15%
3,601 to 7,200 sq. ft. area covered		\$ 139.75	\$ 160.71	\$ 20.96	15%
7,201 sq. ft. and greater		\$ 186.25	\$ 214.19	\$ 27.94	15%
Perscriptive solar photo voltaic system-fee includes plan review		\$ 160.00	\$ 184.00	\$ 24.00	15%
Non-Perscriptive solar photo voltaic system-requires plan review		Use Structure Permit Fee table above	Use Structure Permit Fee table above		
Phased plan review Application Base		\$ 60.00	\$ 69.00	\$ 9.00	15%

Permit Fee types		Wasco County Current	Proposed w/ 15% Across the Board	Increase \$	Increase %
Deferred plan review	Plus % of total project building permit fee not to exceed \$1,500 for each phase (in addition to standard structural plan review)	10%	10%	0%	0%
	% of building permit fee calculated using the deferred portion valuation	65%	65%	0%	0%
After hours inspection	Minimum (in addition to standard structural plans)	\$ 156.00	\$ 179.40	\$ 23.40	15%
	Work week per hour	\$ 78.00	\$ 89.70	\$ 11.70	15%
After hours inspection	Weekends and holidays per hour with 4 hour minimum (Doubletime)	Not Specified	\$ 179.40	New	NA
Re-Inspections Fee	Each re-inspection	\$ 78.00	\$ 89.70	\$ 11.70	15%
Inspections for which no fee is specifically indicated - per hour		\$ 78.00	\$ 89.70	\$ 11.70	15%
Demolition Permit Fee	Residential	Not Specified	\$ 89.70	New	NA
	Commercial	Not Specified	\$ 89.70	New	NA
Pre-Application Consultation/Consultation Fee					
	Per hour, 1 hour minimum	Not Specified	\$ 89.70	New	NA
Temporary Certificate of Occupancy	Residential - 30 days only	Not Specified	\$ 89.70	New	NA
	Commercial - 30 days only	Not Specified	\$ 179.40	New	NA
Ag Exempt Request Fee		Not Specified	\$ 12.50	New	NA
Plan Review Fees	% of structural permit fee	65%	65%	0%	0%
Fire and Life Safety Plan Review Fees	% of structural permit fee	40%	40%	0%	0%
Additional plan review required by changes, additions, or revisions to approved plans					
Expedited Plan Review Fee - per hour, 2 hour minimum	Residential per hour	\$ 65.00	\$ 74.75	\$ 9.75	15%
	Commercial per hour	\$ 78.00	\$ 89.70	\$ 11.70	15%
	Overtime Fee (if applicable x base rate)	Not Specified	\$ 320.00	New	NA
		Not Specified	1.5	New	NA

Permit Fee types		Wasco County Current		Proposed w/ 15% Across the Board		Increase \$	Increase %
MECHANICAL PERMIT FEES							
ONE & TWO FAMILY DWELLINGS:							
Minimum Permit Fee	Residential	\$	60.00	\$	69.00	\$ 9.00	15%
Furnace/Burner including ducts and vents	Up to 100k BTU/hr	\$	12.00	\$	13.80	\$ 1.80	15%
	Greater than 100K BTU/hr	\$	12.00	\$	13.80	\$ 1.80	15%
Heating/Cooling/Stove/Vents	Ductwork only	\$	12.00	\$	13.80	\$ 1.80	15%
	Unit Heater (suspended, wall, and floor)	\$	12.00	\$	13.80	\$ 1.80	15%
	Wood/Gas/Pellet fireplace insert or free standing stoves	\$	12.00	\$	13.80	\$ 1.80	15%
	Repair/alter/add to mechanical appliance	\$	12.00	\$	13.80	\$ 1.80	15%
	Evaporative cooler (permanent)	\$	12.00	\$	13.80	\$ 1.80	15%
	Air Conditioner	\$	12.00	\$	13.80	\$ 1.80	15%
	Ventilation system, not a portion of HVAC system	\$	12.00	\$	13.80	\$ 1.80	15%
	Ventilation fan connected to a single duct	\$	9.00	\$	10.35	\$ 1.35	15%
	Attic/Crawl space fans	\$	9.00	\$	10.35	\$ 1.35	15%
	Range hood/other kitchen equipment	\$	9.00	\$	10.35	\$ 1.35	15%
	Clothes dryer exhaust	\$	9.00	\$	10.35	\$ 1.35	15%
	Floor furnace including vent	\$	12.00	\$	13.80	\$ 1.80	15%
	Hydronic hot water system	\$	24.00	\$	27.60	\$ 3.60	15%
Gas Piping Outlets	1-4 outlets	\$	24.00	\$	27.60	\$ 3.60	15%
	Additional outlets	\$	3.00	\$	3.45	\$ 0.45	15%
	Exterior medium pressure ea. 100’	\$	24.00	\$	27.60	\$ 3.60	15%
Air-handling units including ducts/Heat pumps/Mini split system	Any size	\$	12.00	\$	13.80	\$ 1.80	15%
Incinerators	Domestic - installation or relocation	\$	12.00	\$	13.80	\$ 1.80	15%

Permit Fee types		Wasco County Current	Proposed w/ 15% Across the Board	Increase \$	Increase %
Miscellaneous Fees	Hourly rate (per hour)	\$ 78.00	\$ 89.70	\$ 11.70	15%
	Other heat/cool/appliance not indicated	\$ 12.00	\$ 13.80	\$ 1.80	15%
COMMERCIAL:					
Minimum Permit Fee	Commercial	\$ 60.00	\$ 69.00	\$ 9.00	15%
Valuation:					
Up to \$3,500	Base	\$ 60.00	\$ 69.00	\$ 9.00	15%
\$3,501 to \$10,000	1st \$3,500	\$ 60.00	\$ 69.00	\$ 9.00	15%
	Each additional \$100 or portion thereof above \$3,500				
	up to \$10,000	\$ 1.20	\$ 1.38	\$ 0.18	15%
\$10,001 and above	1st \$10,000	\$ 138.00	\$ 158.70	\$ 20.70	15%
	Each additional \$1,000 or portion thereof above \$10,000	\$ 3.00	\$ 3.45	\$ 0.45	15%
Investigative Fee		Actual Cost	Actual Cost	\$ -	0%
Re-Inspections Fee	Each re-inspection	Not Specified	\$ 20.00	New	NA
After hours inspection	work week per hour (minimum 2 hrs)	\$ 78.00	\$ 89.70	\$ 11.70	15%
	Weekends and holidays per hour (4 hour minimum) - Double Time	Not Specified	\$ 179.40	New	NA
Plan Review Fee, if required % of subtotal		50%	50%	0%	0%
Request by government agency under ORS 190					
		Not Specified	Cost of inspector plus travel & mileage to and from areas requested for inspections	New	NA
Expedited Plan Review Fee - per hour, 2 hour minimum		Not Specified	\$ 245.00	New	NA
Overtime Fee (if applicable x base rate)		Not Specified	1.50	New	NA
PLUMBING PERMIT FEES					
NEW SINGLE FAMILY DWELLINGS					
Minimum Permit Fee	Residential	\$ 60.00	\$ 69.00	\$ 9.00	15%

Permit Fee types		Wasco County Current	Proposed w/ 15% Across the Board	Increase \$	Increase %
New single family dwelling 1 bath/ 1 kitchen - includes 1st 100' of each site, utility, hose bibs, icemakers, underfloor low-point drains and rain drain packages					
	\$	252.00	\$ 289.80	\$ 37.80	15%
Each additional bath (1/2 bath counts as whole)	\$	90.00	\$ 103.50	\$ 13.50	15%
Each additional kitchen	\$	60.00	\$ 69.00	\$ 9.00	15%
Each additional 100' or site utilities or fraction thereof; storm, water and sanitary sewer	\$	36.00	\$ 41.40	\$ 5.40	15%
Each fixture residential (for new, additions, and alterations)	\$	24.00	\$ 27.60	\$ 3.60	15%
Re-pipe water supply	Not Specified		\$ 69.00	New	NA
Site Utilities - first 30 lineal ft refer to Manufactured Home Permit					
Manufactured Dwellings					
Each additional 100' of site utilities or fraction thereof	\$	36.00	\$ 41.40	\$ 5.40	15%
RV and Manufactured Dwelling Parks					
Base Fee (includes 1st 10 or fewer spaces)	\$	384.00	\$ 441.60	\$ 57.60	15%
Each additional space	\$	33.00	\$ 37.95	\$ 4.95	15%
COMMERCIAL:					
Minimum Permit Fee Commercial	\$	60.00	\$ 69.00	\$ 9.00	15%
Each fixture (for new, additions, and alterations)	\$	24.00	\$ 27.60	\$ 3.60	15%
Site utilities each 100' or fraction thereof	\$	36.00	\$ 41.40	\$ 5.40	15%
Residential fire sprinkler 13D (continuous loop/multipurpose) - fee includes plan review					
0 to 2,000 sq ft area covered	\$	98.00	\$ 112.70	\$ 14.70	15%
2,001 to 3,600 sq ft area covered	\$	103.50	\$ 119.03	\$ 15.53	15%
3,601 to 7,200 sq ft area covered	\$	139.75	\$ 160.71	\$ 20.96	15%
7,201 sq ft and greater	\$	186.25	\$ 214.19	\$ 27.94	15%
Miscellaneous Fees					
Backflow device/backwater valve	\$	24.00	\$ 27.60	\$ 3.60	15%
Re-Inspections Fee Each re-inspection	\$	78.00	\$ 89.70	\$ 11.70	15%
Inspections for which no fee is specifically indicated - per hour	\$	78.00	\$ 89.70	\$ 11.70	15%

Permit Fee types		Wasco County Current	Proposed w/ 15% Across the Board	Increase \$	Increase %
Request by government agency under ORS 190		Not Specified	Cost of inspector plus travel & mileage to and from areas requested for inspections	New	NA
Medical Gas Piping					
Valuation:					
\$1 to \$10,000	Base	\$ 270.00	\$ 310.50	\$ 40.50	15%
\$10,001 and greater	First \$10,000 in valuation	\$ 270.00	\$ 310.50	\$ 40.50	15%
	Each additional \$100 or fraction thereof	\$ 1.80	\$ 2.07	\$ 0.27	15%
Investigative Fee		Actual Cost	Actual Cost	Actual Cost	0%
Re-Inspections Fee	Each re-inspection	Not Specified	\$ 89.70	New	NA
After hours inspection	work week per hour (minimum 2 hrs)	\$ 78.00	\$ 89.70	\$ 11.70	15%
	Weekends and holidays per hour (4 hour minimum) - Double Time	Not Specified	\$ 179.40	New	NA
Plan Review Fee, if required		50% of subtotal	50% of subtotal	\$ -	0%
Expedited Plan Review Fee - per hour, 2 hour minimum		Not Specified	\$ 245.00	New	NA
	Overtime Fee (if applicable x base rate)	Not Specified	1.50	New	NA
ELECTRICAL PERMIT FEES					
NEW SINGLE FAMILY DWELLINGS-SERVICE AND ATTACHED GARAGE INCLUDED					
Minimum Permit Fee	Residential	\$ 78.00	\$ 89.70	\$ 11.70	15%
1,000 sq ft or less		\$ 127.00	\$ 146.05	\$ 19.05	15%
Each additional 500 sq ft or portion thereof		\$ 23.00	\$ 26.45	\$ 3.45	15%
Limited Energy		\$ 30.00	\$ 34.50	\$ 4.50	15%
Each manufactured home or modular dwelling service or feeder		\$ 78.00	\$ 89.70	\$ 11.70	15%
New Multi Family - total # of units					
Use 1 and 2 Family rates above for largest sq ft unit - cost of largest unit x 1/2 x number of units					
Multifamily limited energy, by floor		\$ 54.00	\$ 62.10	\$ 8.10	15%
Services or Feeders (installation, alteration, relocation)					
	200 amps or less	\$ 95.00	\$ 109.25	\$ 14.25	15%

Permit Fee types		Wasco County Current	Proposed w/ 15% Across the Board	Increase \$	Increase %
	201 to 400 amps	\$ 113.00	\$ 129.95	\$ 16.95	15%
	401 to 600 amps	\$ 187.00	\$ 215.05	\$ 28.05	15%
	601 to 1,000 amps	\$ 245.00	\$ 281.75	\$ 36.75	15%
	Over 1,000 amps or volts	\$ 563.00	\$ 647.45	\$ 84.45	15%
	Reconnect only	\$ 63.00	\$ 72.45	\$ 9.45	15%
Temporary Services or Feeders (installation, alteration, relocation)					
	200 amps or less	\$ 63.00	\$ 72.45	\$ 9.45	15%
	201 to 400 amps	\$ 86.00	\$ 98.90	\$ 12.90	15%
	401 to 600 amps	\$ 125.00	\$ 143.75	\$ 18.75	15%
	601 to 1,000 amps	\$ 204.00	\$ 234.60	\$ 30.60	15%
	Over 1,000 amps or volts	\$ 469.00	\$ 539.35	\$ 70.35	15%
Branch Circuits (new, alteration extension per pannel)					
Fee for branch circuits with pruchase of service or feeder fee:					
	Each branch circuit	\$ 4.80	\$ 5.52	\$ 0.72	15%
Fee for branch circuits without purchase of a service or feeder fee:					
	First branch circuit	\$ 65.00	\$ 74.75	\$ 9.75	15%
	Additional branch circuits (each)	\$ 4.80	\$ 5.52	\$ 0.72	15%
Miscellaneous (service or feeder not included)					
	Each pump or irrigation circle	\$ 78.00	\$ 89.70	\$ 11.70	15%
	Each sign or outline lighting	\$ 78.00	\$ 89.70	\$ 11.70	15%
Signal, circuit or a limited energy panel, alteration, or extension					
	Commercial	\$ 63.00	\$ 72.45	\$ 9.45	15%
	Residential	\$ 78.00	\$ 89.70	\$ 11.70	15%
Hourly rate	per hour	\$ 78.00	\$ 89.70	\$ 11.70	15%

Permit Fee types		Wasco County Current	Proposed w/ 15% Across the Board	Increase \$	Increase %
Request by government agency under ORS 190		Not Specified	Cost of inspector plus travel & mileage to and from areas requested for inspections	New	NA
Investigative Fee		Actual Cost	Actual Cost	\$ -	0%
Re-Inspections Fee	Each re-inspection	Not Specified	\$ 89.70	New	NA
After hours inspection	work week per hour (minimum 2 hrs)	\$ 78.00	\$ 89.70	\$ 11.70	15%
	Weekends and holidays per hour (4 hour minimum) -				
After hours inspection	Double Time	Not Specified	\$ 179.40	New	NA
Master Individual Inspection Fee - per hour, minimum 2 hrs		Not Specified	\$ 89.70	New	NA
Plan Review Fee, if required		50% of subtotal	50% of subtotal	\$ -	0%
Expedited Plan Review Fee - per hour, 2 hour minimum		Not Specified	\$ 245.00	New	NA
Overtime Fee (if applicable x base rate)		Not Specified	1.50	New	NA
MANUFACTURED DWELLING PERMIT FEES					
Installation fee (includes placement, concrete slabs/runners/ foundations when prescriptive, electrical feeder, and plumbing/ cross-over connections up to 30 lineal feet)					
		\$ 192.00	\$ 220.80	\$ 28.80	15%
Re-Inspections Fee		\$ 78.00	\$ 89.70	\$ 11.70	15%
State fee		\$ 30.00	\$ 34.50	\$ 4.50	15%
Investigative Fee		Actual Cost	Actual Cost	\$ -	0%
RENEWABLE ENERGY SYSTEMS PERMIT FEES					
5 kva or less		\$ 95.00	\$ 109.25	\$ 14.25	15%
5.01 to 15 kva		\$ 113.00	\$ 129.95	\$ 16.95	15%
15.01 to 25 kva		\$ 187.00	\$ 215.05	\$ 28.05	15%
Solar each additional kva 21.01 to 100 max		\$ 7.50	\$ 8.63	\$ 1.13	15%
Wind 25.01 to 50 kva		\$ 245.00	\$ 281.75	\$ 36.75	15%
Wind 50.01 to 100 kva		\$ 563.00	\$ 647.45	\$ 84.45	15%
Wind 100.01 or greater kva		Not Specified	\$ 875.00	New	NA
Service or feeders of 601 to 1,000 amps or volts-additional to previous range		\$ 245.00	\$ 281.75	\$ 36.75	15%

Permit Fee types		Wasco County Current	Proposed w/ 15% Across the Board	Increase \$	Increase %
Service or feeders over 1,000 amps or volts-additional to previous range		\$ 563.00	\$ 647.45	\$ 84.45	15%
Re-Inspections Fee		\$ 78.00	\$ 89.70	\$ 11.70	15%
Plan Review Fee, if required		50% of subtotal	50% of subtotal	\$ -	0%
RV PARK & ORGANIZATIONAL CAMP PERMIT FEES					
Valuation:					
\$1 to \$500	Base	\$ 15.00	\$ 17.25	\$ 2.25	15%
\$501 to \$2,000	First \$500	\$ 15.00	\$ 17.25	\$ 2.25	15%
	Each additional \$1,000 or fraction thereof, to and including \$2,000	\$ 2.00	\$ 2.30	\$ 0.30	15%
\$2,001 to \$25,000	First \$2,000	\$ 45.00	\$ 51.75	\$ 6.75	15%
	Each additional \$1,000 or fraction thereof, to and including \$25,000	\$ 9.00	\$ 10.35	\$ 1.35	15%
\$25,001 to \$50,000	First \$25,000	\$ 252.00	\$ 289.80	\$ 37.80	15%
	Each additional \$1,000 or fraction thereof, to and including \$50,000	\$ 6.50	\$ 7.48	\$ 0.98	15%
\$50,001 to \$100,000	First \$50,000	\$ 414.50	\$ 476.68	\$ 62.18	15%
	Each additional \$1,000 or fraction thereof, to and including \$100,000	\$ 4.50	\$ 5.18	\$ 0.68	15%
\$100,001 to \$500,000	First \$100,000	\$ 639.50	\$ 735.43	\$ 95.93	15%
	Each additional \$1,000 or fraction thereof, to and including \$500,000	\$ 3.50	\$ 4.03	\$ 0.53	15%
\$500,001 to \$1,000,000	First \$500,000	\$ 2,039.50	\$ 2,345.43	\$ 305.93	15%
	Each additional \$1,000 or fraction thereof, to and including \$1,000,000	\$ 2.00	\$ 2.30	\$ 0.30	15%
Over \$1,000,001	First \$1,000,000	\$ 3,539.50	\$ 4,070.43	\$ 530.93	15%
	Each additional \$1,000 or fraction thereof	\$ 2.00	\$ 2.30	\$ 0.30	15%
MISCELLANEOUS BUILDING FEES					

Permit Fee types		Wasco County Current	Proposed w/ 15% Across the Board	Increase \$	Increase %
Request by government agency under ORS 190		Not Specified	Cost of inspector plus travel & mileage to and from areas requested for inspections	New	NA
Permit Reinstatement fee - to renew already expired	<i>Only applicable to expired permits that fall within the current code cycle of permit</i>	Not Specified	\$100 + State Surcharge	New	NA
Permit Extension fee - to extend expiration on active permit	First extension	Not Specified	\$ 80.00	New	NA
	Extensions after the first extension	Not Specified	\$ 50.00	New	NA
Refund Processing Fee - for repayment of costs of administration		Not Specified	Lessor of \$100 or 25% of permit to refund	New	NA
Copy fees		Not Specified	\$ 1.00	New	NA

Projections for FY21

		Current Rates	Proposed 15% increase
Building Codes General	Manufactured Dwelling	6,400	7,360
	Structural	527,404	606,515
	Mechanical	65,508	75,334
	Plumbing	78,599	90,389
Total Operations Revenue BC General		677,911	779,598
Expense	Personnel	458,885	458,885
	Materials & Service	265,837	265,837
	Capital	-	-
	Other	-	-
Total Operations Expense BC General		724,722	724,722
Building Codes General Operations Gain/(Loss)		(46,811)	54,876
Building Codes Electrical	Renewable	1,800	2,070
	Electrical	82,644	95,041
Total Operations Revenue BC Electrical		84,444	97,111
Expense	Personnel	207,293	207,293
	Materials & Service	24,395	24,395
	Capital	-	-
	Other	-	-
Total Operations Expense BC Electrical		231,688	231,688
Building Codes Electrical Operations Gain/(Loss)		(147,244)	(134,577)



Pioneering pathways
to prosperity.

2020 Proposed Fee Schedule

Wasco County Building Codes Services

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



2020 Proposed Fee Schedule

Wasco County Building Codes Services

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After hours inspections outside of normal business hours (minimum charge 2 hours)	\$ 78.00 per hour	\$89.70 per hour during work week. Double time rate with 4 hour minimum on weekends and holidays
Re-Inspection fee	\$78.00 per each	\$89.70 per each
Inspections for which no fee is specifically indicated	\$78.00 per hour	\$89.70 per hour
Demolition Permit Fee	Not Specified	\$130.00 (Residential) \$215.00 (Commercial)
Pre-Application Consultation/Consultation Fee	Not Specified	\$89.70 1 hour minimum
Temporary Certificate of Occupancy	Not Specified	\$160.00 for 30 days only (Residential) \$320.00 for 30 days only (Commercial)
Ag Exempt Request Fee	Not Specified	\$50.00
Plan Review Fees	65% of structural permit fee	65% of structural permit fee
Fire and Life Safety Plan Review Fees	40% of structural permit fee	40% of structural permit fee
Additional plan review required by changes, additions, or revisions to approved plans	\$65.00 per hour (Residential) \$78.00 per hour (Commercial)	\$74.75 per hour (Residential) \$89.70 per hour (Commercial)
Expedited Plan Review Fee	Not Specified	\$320.00 per hour 2 hour minimum Overtime Fee (if applicable 1.5 times the Base Rate)

MECHANICAL PERMIT FEES

ONE & TWO FAMILY DWELLINGS:

Minimum permit fee	\$60.00 (Residential)	\$69.00 (Residential)
Furnace/Burner including ducts and vents		
Up to 100K BTU/hr.	\$12.00	\$13.80
Greater than 100K BTU/hr.	\$12.00	\$13.80
Heating/Cooling/Stove/Vents		
Ductwork only	\$12.00	\$13.80
Unit Heater (suspended, wall, and floor)	\$12.00	\$13.80
Wood/Gas/Pellet fireplace insert or free standing stoves	\$12.00	\$13.80
Repair/alter/add to mechanical appliance	\$12.00	\$13.80
Evaporative cooler (permanent)	\$12.00	\$13.80
Air Conditioner	\$12.00	\$13.80
Ventilation system, not a portion of HVAC system	\$12.00	\$13.80
Ventilation fan connected to a single duct	\$9.00	\$10.35
Attic/Crawl space fans	\$9.00	\$10.35



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2020 Proposed Fee Schedule

Wasco County Building Codes Services

Range hood/other kitchen equipment	\$9.00	\$13.35
Clothes dryer exhaust	\$9.00	\$10.35
Floor furnace including vent	\$12.00	\$13.80
Hydronic hot water system	\$24.00	\$27.60
Gas Piping Outlets		
1-4 outlets	\$24.00	\$27.60
Additional outlets	\$3.00	\$3.45
Exterior medium pressure ea. 100'	\$24.00	\$27.60
Air-handling units including ducts/Heat pumps/Mini split system		
Any size	\$12.00	\$13.80
Incinerators		
Domestic – installation or relocation	\$12.00	\$13.80
Miscellaneous Fees		
Hourly Rate (number of hours)	\$78.00	\$89.70
Other heat/cool/vent/appliance (not indicated)	\$12.00	\$13.80
COMMERCIAL:		
Minimum permit fee	\$60.00 (Commercial)	\$69.00 (Commercial)
Valuation:		
Up to \$3,500.00	\$60.00	\$69.00
\$3,501 to \$10,000.00 – for the 1 st \$3,500.00 plus \$1.20/\$100.00 or portion thereof above \$3,500.00	\$60.00	\$69.00 for the 1 st \$3,500.00 plus \$1.38/\$100.00 or portion thereof above \$3,500.00
Over \$10,001.00 – for the 1 st \$10,000.00 plus \$3.00/\$1,000.00 or portion thereof above \$10,000.00	\$138.00	\$158.70 for the 1 st \$10,000.00 plus \$3.45/\$1,000.00 or portion thereof above \$10,000.00
Investigative Fee	Actual Cost	Actual Cost
Re-inspection fee	Not Specified	\$89.70
After hours inspections outside of normal business hours (minimum charge 2 hours)	\$ 78.00 per hour	\$89.70 per hour during work week. Double time rate with 4 hour minimum on weekends and holidays
Plan Review Fee, if required	50% of subtotal	50% of subtotal
Request by government agency under ORS 190	Not Specified	Cost of Inspector plus, travel & mileage to and from areas requested for inspections
Expedited Plan Review Fee	Not Specified	\$245.00 per hour 2 hour minimum



2020 Proposed Fee Schedule

Wasco County Building Codes Services

		Overtime Fee (if applicable 1.5 times the Base Rate)
PLUMBING PERMIT FEES		
NEW SINGLE FAMILY DWELLINGS		
Minimum Permit Fee - Residential	\$60.00	\$69.00
New single family dwelling 1 bath/ 1 kitchen – includes the 1 st 100' of each site utility, hose bibbs, icemakers, underfloor low-point drains, and rain drain packages	\$252.00	\$289.80
Each add'l bath (1/2 bath counts as whole)	\$90.00	\$103.50
Each add'l kitchen	\$60.00	\$69.00
Each add'l 100' of site utilities or fraction thereof; storm, water, and sanitary sewer	\$36.00	\$41.40
Each fixture residential (for new, additions, and alterations)	\$24.00	\$27.60
Re-pipe water supply	Not Specified	\$100.00
Manufactured Dwellings		
Site utilities-first 30 lineal feet refer to Manufactured Home Permit		
Each additional 100' of site utilities of fraction thereof	\$36.00	\$41.40
RV and Manufactured Dwelling Parks		
Base Fee (include the 1 st 10 or fewer spaces)	\$384.00	\$441.60
Each additional space	\$33.00	\$37.95
COMMERCIAL		
Minimum Permit Fee – Commercial	\$60.00	\$69.00
Each fixture (for new, additions, and alterations)	\$24.00	\$27.60
Site utilities ea. 100' or fraction thereof	\$36.00	\$41.40
Residential fire sprinkler 13D (continuous loop/multipurpose) – fee includes plan review		
0 to 2000 sq. ft., area covered	\$98.00	\$112.70
2001 to 3600 sq. ft., area covered	\$103.50	\$119.03
3601 to 7200 sq. ft., area covered	\$139.75	\$160.71
7201 sq. ft. and greater	\$186.25	\$214.19



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2020 Proposed Fee Schedule

Wasco County Building Codes Services

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



2020 Proposed Fee Schedule

Wasco County Building Codes Services

401 to 600 amps	\$187.00	\$215.05
601 to 1,000 amps	\$245.00	\$281.75
Over 1,000 amps or volts	\$563.00	\$647.45
Reconnect Only	\$63.00	\$72.45
Temp. Services or Feeders (installation, alteration, relocation)		
200 amps or less	\$63.00	\$72.45
201 to 400 amps	\$86.00	\$98.90
401 to 600 amps	\$125.00	\$143.75
601 to 1,000 amps	\$204.00	\$234.60
Over 1,000 amps or volts	\$469.00	\$539.35
Branch Circuits (new, alteration, extension per panel)		
Fee for branch circuits with purchase of a service or feeder fee:		
Each branch circuit	\$4.80	\$5.52
Fee for branch circuits without purchase of a service or feeder fee:		
First branch circuit	\$65.00	\$74.75
Additional branch circuits	\$4.80	\$5.52
Miscellaneous (service or feeder not included)		
Each pump or irrigation circle	\$78.00	\$89.70
Each sign or outline lighting	\$78.00	\$89.70
Signal, circuit or a limited-energy panel, alteration or extension	\$63.00 Commercial \$78.00 Residential	\$72.45 Commercial \$89.70 Residential
Hourly rate (number of hours)	\$78.00	\$89.70
Request by government agency under ORS 190	Not Specified	Cost of Inspector plus, travel & mileage to and from areas requested for inspections
Investigative fee	Actual Cost	Actual Cost
Re-inspection fee	Not Specified	\$89.70
After hours inspections outside of normal business hours (minimum charge 2 hours)	\$ 78.00 per hour	\$89.70 per hour during work week. Double time rate with 4 hour minimum on weekends and holidays
Master Individual Inspection Fee	Not Specified	\$89.70 per hour (minimum 2hours)
Plan Review fee, if required	50% of subtotal	50% of subtotal
Expedited Plan Review Fee	Not Specified	\$245.00 per hour 2 hour minimum Overtime Fee (if applicable 1.5 times the Base Rate)
MANUFACTURED DWELLING PERMIT FEES		
Installation fee (includes placement, concrete slabs/runners/foundations when	\$192.00	\$220.80



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2020 Proposed Fee Schedule

Wasco County Building Codes Services

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



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2020 Proposed Fee Schedule

Wasco County Building Codes Services

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



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

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

ORDINANCE 20-002

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

Section 1. PURPOSE

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

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

Section 2. AUTHORITY

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

Section 3. FEE SCHEDULE

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

Section 4. ENACTMENT PROVISIONS (1)

(1) CONFORMANCE WITH LAW

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

(2) SEPARABILITY

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

(3) EFFECTIVE DATE

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

Regularly passed and adopted by the Board of Commissioners of the County of Wasco, State of Oregon, by a __ to __ vote on this 20th day of May, 2020.

ATTEST:

WASCO COUNTY BOARD
OF COMMISSIONERS

Kathy Clark
Executive Assistant

Scott C. Hege, Commission Chair

Kathleen B. Schwartz, Vice-Chair

APPROVED AS TO FORM:

Steven D. Kramer, County Commissioner

Kristen Campbell
Wasco County Counsel

APPENDIX A: County Fee Schedule

Fees Across All County Departments		
Service Description	Fee Amount	Applicable Statute
Miscellaneous Copies/Printing/Transmission		
Black and white copies 8.5" x 11" or 8.5" x 14"	\$0.25 per page	County Ordinance
Black and white copies 11" x 17"	\$1.00 per page	County Ordinance
Color copies (any size listed above)	\$1.00 per page	County Ordinance
Providing content on media (zip disk, jump drive, CD, etc.)	\$15.00 per media plus actual costs of services	County Ordinance
Printing computer labels	\$40.00 plus actual printing and label cost	County Ordinance
Electronic transmission of documents (Fax, email, FTP, or similar transmission. If printing of copies is required to redact information or to get records into the appropriate form, subset, etc., copy fees and research time will also apply.)	\$5.00 per transmission plus actual costs of services	County Ordinance
Research and Professional Services Fees		
Basic Research Fee (Only upon availability of staff)	\$40.00 per hour, one hour minimum, unless specified by Department fee schedule	County Ordinance
Professional Services / Complex Analysis	See specific Department fee schedule	County Ordinance
Public Record Request Fees		
Certification of a Public Record (Birth certificates, licenses, etc.)	\$3.75 per record	ORS 205.320
Public records request, general (Cost is request-dependent and is sum of research, copies, transmission, etc.)		
Administrative Services		
Service Description	Fee Amount	Applicable Statute
FINANCE DEPARTMENT		
Placing a stop payment on a Wasco County issued check	\$33.00 per check	County Ordinance
Returned item (non-sufficient funds, closed account, etc.) deposited to Wasco County bank account	\$25.00 per check	County Ordinance
INFORMATION SERVICES DEPARTMENT		
Professional Services	\$120.00 per hour	County Ordinance
GIS Mapping : See Appendix C		

LEGAL SERVICES

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

Service Description	Fee Amount	Applicable Statute
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ASSESSMENT AND TAXATION DEPARTMENT

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

CLERK'S OFFICE

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

Deed and Mortgage Records	\$105.00 for the 1st page,	ORS 205.320
Breakdown of fees:	<u>\$5.00 for each page after</u>	and County Ordinance
Clerk Recording Fee	\$5.00 per page	
Public Land Corner Preservation Fund	\$10.00 per document	
Geographic Information Systems (GIS) Fund	\$19.00 per document	
Assessment & Taxation Fund	\$10.00 per document	
Oregon Land Information System (OLIS) Fund	\$1.00 per document	
Affordable Housing Alliance Fund	\$60.00 per document	
Lien Records	\$76.00 for the 1st page,	ORS 205.320
Breakdown of fees:	<u>\$5.00 for each page after</u>	and County Ordinance
Clerk Recording Fee	\$5.00 per page	
Assessment & Taxation Fund	\$10.00 per document	
Oregon Land Information System (OLIS) Fund	\$1.00 per document	
Affordable Housing Alliance Tax	\$60.00 per document	

Partition Plat, Replat, and Property Line Adjustment Plat		ORS 205.320 and County Ordinance
Surveyor Fee, Property Line Adjustment Plat, Single-Parcel Partition Plat or Replat	See Surveyor's Office fees	
Assessor and Tax Collector Fees	See Assessment and Taxation	

Recording Base Fee (includes A&T Fund, OLIS Fund, GIS Fund, Public Land Corner Preservation Fund, General Clerk Fee)	\$90.00 per document	
Affordable Housing Alliance Fund	\$60 per document	
Clerk Recording Fee	\$5.00 per page	
County Court Approval (if required)	\$10.00	

Copy Fees	\$3.00 per page	
Subdivision and Subdivision Replat;		ORS 205.320
Surveyor Fee, Subdivision and Subdivision Replat, Condominium	<i>See Surveyor's Office fees</i>	and County Ordinance
Assessor and Tax Collector Fees	<i>See Assessment and Taxation</i>	
Recording Base Fee, 20 lots or less	\$90.00 per document	
Recording Base Fee, 21 lots or more (includes A&T Fund, OLIS Fund, GIS Fund, Public Land Corner Preservation Fund, General Clerk Fee)	\$110.00 per document	
Affordable Housing Alliance Fund	\$60.00 per document	
Clerk Recording Fee	\$5.00 per page	
County Court Approval (if required)	\$10.00	
Copy Fees	\$3.00 per page	
Non Standard Documents	\$20.00 per document	ORS 205.327
Documents Describing More Than One Transaction	\$5 per additional transaction or title	ORS 205.236(4)
Location of Record (land records are available online free of charge. See the Digital Research Room on the Wasco County website)	\$3.75 location fee plus \$0.25 per page	ORS 205.320
Recording Image Subscription (download of images recorded in the Clerk's office and provided on media)	\$0.25 per page/image plus cost of media if applicable	County Ordinance
Marriage Fees		
Marriage License	\$50.00	ORS 205.320 and ORS 106.045
Civil Marriage Ceremony (in office, by appointment only)	\$117.00	Senate Bill 27
Staff Witness for Ceremony	\$15.00 per staff member	County Ordinance
Certified Copy of Marriage License	\$7.75	ORS 205.320
Time Waiver of 3-day Waiting Period	\$15.00	County Ordinance
Certificate of Parental Consent for Marriage of a Minor	\$15.00 per minor	County Ordinance
Amending a Filed Marriage Record	\$25.00	
Domestic Partnership Declaration		
Registration	\$50.00	ORS 205.320
Certified Copy of a Domestic Partnership Declaration	\$7.75	ORS 205.320
Elections Reports		
Request for List of Electors	\$25.00 plus 2.5¢ per 100 names	OAR 165-002-0020 Section 1

PLANNING DEPARTMENT

See Appendix B

County and ORS

PUBLIC WORKS DEPARTMENT

Petition for Road Vacation	\$500.00	County Ordinance
Permit for Mass Gathering	\$500.00	County Ordinance
Permit for Motor Vehicle Road Rally	\$1000.00	County Ordinance

SURVEYOR'S OFFICE

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

Public Safety Services		
Service Description	Fee Amount	Applicable Statute
COMMUNITY CORRECTIONS DEPARTMENT		
Community Service Work Program	\$35.00	County Ordinance
DNA Sample Draw	\$10.00	County Ordinance
Drug Testing	\$20.00 per sample for in-lab tests \$10.00 for instant tests	County Ordinance
Inter-County Transfer Request	\$25.00	County Ordinance
Interstate Compact	\$50.00	County Ordinance
Probation/Post Prison/Parole Supervision	\$40.00 per month	County Ordinance
Travel Permit	\$5.00 each permit	County Ordinance
Treatment Program Intake	\$150.00	County Ordinance
Treatment Assessment	\$150.00	County Ordinance
Treatment Assessment Update	\$80.00	County Ordinance
Unexcused Assessment No-Show Fee	\$50.00	County Ordinance
Treatment: Individual Counseling Session	\$125.00	County Ordinance
Treatment: Group Session	\$45.00	County Ordinance
Sex Offender Assessment	\$1,000.00	County Ordinance
Sex Offender Treatment Planning Session	\$90.00	County Ordinance
Sex Offender Individual Counseling Session	\$125.00	County Ordinance
Sex Offender Group Counseling Session	\$45.00	County Ordinance
Sex Offender Chaperone Training Session	\$200.00	County Ordinance
Program Curriculum Book	\$25.00	
SHERIFF'S OFFICE		
Civil Fees	Per Statute	<u>ORS 21.300</u>
Concealed Handgun License	Per Statute	<u>ORS 166.291(5)(a)</u>
Fingerprinting	\$15.00 per card or \$15.00	County

OLCC Liquor License (<i>regular and special event</i>)	for electronic submission \$25.00 per permit	Ordinance ORS 471.166 (7)
Real Property Foreclosure Sheriff Sale	\$800.00 deposit (<i>Applicants will be billed for actual costs and employee time.</i>)	ORS 18.930(5)
Sheriff Incident Reports* (<i>No charge for victim for first copy</i>)	1–24 pages: \$15.00 per report 25–49 pages: \$20.00 per report 50+ pages: \$50.00 per report	County Ordinance
Videos	\$15.00 plus staff time*	County Ordinance
* Research/Staff Time – fee is based on salary and fringe benefits of the employee charged with the task (such as document research, retrieval, review or redaction), converted to an hourly rate. Time is charged in 15-minute increments with a 15-minute minimum. Call the Sheriff's Office for an estimate when research or staff time is needed.		County Ordinance
YOUTH SERVICES DEPARTMENT		
Supervision		
Formal Probation at time of Adjudication	\$30.00	County Ordinance
Formal Accountability Agreements	\$10.00	County Ordinance
Drug Testing	\$15.00 per sample for in-lab tests \$7.50 for instant tests	County Ordinance
Online Educational Classes	\$100.00	County Ordinance
Processing Request for Expunction	\$60.00	County Ordinance
Videos	\$15.00 plus staff time*	County Ordinance
BUILDING CODES DEPARTMENT		
See Appendix D		County Ordinance

Exhibit B

Wasco County Planning Department Fees

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

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

Type II - Administrative	Fee
Conditional Uses	
• Aggregate and Other Subsurface Resources	\$2,540
• Exclusive Farm Use, Non-Farm Dwelling	\$2040
• Farm Ranch Recreation	\$1,640
• F-F(10) Dwelling Without Farm or Forest Use	\$1,340
• Other	\$1,340
• Power Generating Facility (EFSC approval and required review)	\$76/hr
• Power Generating Facility (Commercial)	\$5,040 + \$1,000/tower
• Power Generating Facility (Non-Commercial)	\$1,640 + \$1,000/tower
Extension of Time for Land Use Approval	\$515
Legal Parcel Determination	\$540 + \$76/hour after 5 hours
LUDO Interpretation or Similar Use Determination	\$76/hr
Major Modification of Approval (notice is required)	\$116 + \$76/hr
National Scenic Area (NSA)	
• Expedited (Used listed in Section 3.110 of Wasco County NSALUDO)	\$640
• Expedited (Removal or Demolition)	\$340
• Full Review (Fences and Accessory Structures Less Than 500 SQ)	\$1,040
• Full Review	\$1,840
Non-Conforming Use Review (verification, restoration or alteration)	\$1040
Partition, Property Line Adjustment, or Replat (not involving public or private roads)	
• Property Line Adjustment	\$1569
• Partition or Replat	\$1569
Site Plan Review (parking, loading, and home occupations)	\$640
Subject to Standards	
• Aggregate Overlay Significant Determination	\$640
• Dwelling (Accessory, Large Tract Forest, Lot-of-Record, Primary, Relative)	\$1,340
• EPDs (Environmental Protection Districts)	\$690
• Guest House	\$540
• Rural Residential (R-R(10)) Dwelling	\$690
• Marijuana Processing and/or Wholesale	\$2,040 + hourly rate of \$76 after 20 hours
• Other	\$690
• Utility Facilities Necessary for Public Service	\$2,540
Temporary Use Permit	\$740

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

Type III Action – Planning Commission	Fee
Appeal to Planning Commission: ORS 215.416(11)(b); full refund if upheld	\$250
Mobile Home Park / RV Park	\$2,140
Other Reviews Directed to Planning Commission by Ordinance	\$1,540
Partition, Property Line Adjustment, or Replat (involving public or private roads approvals)	
• Property Line Adjustment	\$1969
• Single Parcel Partition or Replat	\$1969
• Multiple Parcel Partition or Replat	\$1969
Planned Unit Development – Preliminary/Final Plat Review	Prelim. \$3640
	Final \$790 + \$50 per lot
Subdivision – Preliminary/Final Plat Review	Prelim. \$4140
	Final \$790 + \$50. Per lot
Variance – 50% or Greater Deviation From Stated Standard	\$1,040

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

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

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

FEE SCHEDULE ATTACHMENT - POLICY & PROCESS

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

FEE SCHEDULE ATTACHMENT – ADDITIONAL FEE WAIVER SPECIFICS

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

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

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

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

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

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

2019 Federal Poverty Guidelines - 150% of the Federal Poverty Level (FPL)								
Household Size	1	2	3	4	5	6	7	8
150%	\$18,735	\$25,365	\$31,995	\$38,625	\$45,255	\$51,885	\$58,515	\$65,145

2019 Federal Poverty Guidelines								
Household Size	1	2	3	4	5	6	7	8
100%	\$12,490	\$16,910	\$21,330	\$25,750	\$30,170	\$34,590	\$39,010	\$43,430
150%	\$18,735	\$25,365	\$31,995	\$38,625	\$45,255	\$51,885	\$58,515	\$65,145

Appendix C: GIS Services

GIS Services - Standard Labor Rate \$60/Hour		
Map Prices - Custom Maps		
Size	Price	Additional Copies (ea)
8.5 x 11	\$7.00	\$1.00
11 x 17	\$8.00	\$1.50
18 x 24	\$12.00	\$12.00
24 x 36	\$15.00	\$15.00
24 x 40	\$25.00	\$25.00
36 x 48	\$35.00	\$35.00
Maps which take longer than 15 minutes to make (excluding printing time) are charged at our shop rate		
	Available Data Layers	(Fees allowed per ORS 190.050)
Layer	Price	Notes
Extract of Assessor's Database	\$300.00	Table Schema
Roads	\$50.00	
Taxlot Maps	N/A	See Also The Oregon Map
Taxlots	\$1/parcel or \$1,500 for entire County	See Also Our Online Map
Other Groups/Layers - \$45.00 each	Contains	Notes
Administrative Boundaries	Columbia Gorge Urban Renewal District, City of The Dalles Watershed, School Districts, NWCPUD Subdivisions, Transition Lands Study Area, Wasco County Boundary	
Populated Places	City Limits, Urban Growth Boundaries, Rural Service Centers	See Also State Data
Tax Codes	Tax Codes	
Zoning - Cities	Zoning - Cities	
Zoning - Environmental Protection Districts	Zoning - Environmental Protection Districts	
Zoning - Wasco County	Zoning - Wasco County	
<p>We require payment in advance from companies we have not done business with in the past. Credit card payments get charged an additional amount (depending on how much the base purchase is) to match what the companies charge the County. Checks should be made out to Wasco County GIS, and sent with a note stating which layers are being requested. Send it to:</p> <p>Wasco County IS Department Attn: GIS 2705 E 2nd St, The Dalles, OR 97058</p>		

APPENDIX B: Building Codes Services

STRUCTURAL PERMIT FEES	
In accordance with OAR 918-050-0100(1)(c) and (2)(c)(A), Building Valuation is determined per the ICC Building Valuation	
VALUATION	
\$1 - \$2,000	\$69
\$2,001 - \$25,000	\$69 for the \$2,000 plus \$10.81 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 - \$50,000	\$317.63 for the \$25,000 plus \$8.05 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001-\$100,000	\$518.88 for the first \$50,000 plus \$5.41 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 and up	\$789.13 for the first \$100,000 plus \$4.49 for each additional \$1,000 or fraction thereof.
OTHER INSPECTIONS AND FEES	
Residential Fire Sprinkler 13R (standalone/closed system} fee includes plan review (13D multipurpose/continuous loop requires Plumbing}	
0 to 2000 sq. ft. area covered	\$112.70
2001 to 3600 sq. ft. area covered	\$119.03
3601 to 7200 sq. ft. area covered	\$160.71
7201sq. ft. and greater	\$214.19
Prescriptive solar photovoltaic system-fee includes plan review	\$184
Non-Prescriptive solar photovoltaic system-requires plan review	Use Structural Permit Fee Table above
Phased Plan Review	\$69 application fee plus 20% of the total project building permit fee not to exceed \$1,500 for each phase (in addition to standard structural plan review.)
Deferred Plan Review	65% of the building permit fee calculated using the deferred portion valuation with a \$179.40 minimum (in addition to standard structural plan review)
After hours inspections outside of normal business hours (minimum charge: 2 hours)	\$89.70 per hour during work week. Double-time rate with 4-hour minimum on weekends and holidays
Re-inspection Fee	\$89.70 per each
Inspections for which no fee is specifically indicated	\$89.70 per hour
Demolition Permit Fee	\$130 (residential) \$215 (commercial)
Pre-Application Consultation Fee	\$89.70 per hour (1 hour minimum)
Temporary Certificate of Occupancy	\$160 for 30 days only (residential) \$320 for 30 days only (commercial)

APPENDIX B: Building Codes Services

Ag Exempt Request Fee	\$50
Plan Review Fee	65% of structural permit fee
Fire and Life Safety Plan Review Fee	40% of structural permit fee
Additional plan review required by changes, additions or revisions to approved plan	\$74.75 per hour (Residential) \$89.70 per hour (Commercial)
Expedited Plan Review Fee	\$320 per hour 2 hour minimum Overtime Fee (if applicable 1.5 times the Base Rate)
MECHANICAL PERMIT FEES	
ONE & TWO FAMILY DWELLINGS	
Minimum permit fee	\$69 (Residential)
FURNACE/BURNER INCLUDING DUCTS AND VENTS	
Up to 100K BTU/hr.	\$13.80
Greater than 100K BTU/hr.	\$13.80
HEATING/COOLING/STOVE/VENTS	
Ductwork only	\$13.80
Unit Heater (suspended, wall, and floor)	\$13.80
Wood/Gas/Pellet fireplace insert or free standing stoves	\$13.80
Repair/alter/add to mechanical appliance	\$13.80
Evaporative cooler (permanent)	\$13.80
Air Conditioner	\$13.80
Ventilation system, not a portion of HVAC system	\$13.80
Ventilation fan connected to a single duct	\$10.35
Attic/Crawl space fans	\$10.35
Range hood/other kitchen equipment	\$13.35
Clothes dryer exhaust	\$10.35
Floor furnace including vent	\$13.80
Hydronic hot water system	\$27.60
GAS PIPING OUTLETS	
1-4 outlets	\$27.60
Additional outlets	\$3.45
Exterior medium pressure ea. 100'	\$27.60
AIR-HANDLING UNITS INCLUDING DUCTS/HEAT PUMPS/MINI-SPLIT SYSTEM	
Any size	\$13.80
INCINERATORS	
Domestic- installation or relocation	\$13.80
MISCELLANEOUS FEES	
Hourly Rate (number of hours)	\$89.70
Other heat/cool/vent/appliance (not indicated)	\$13.80
COMMERCIAL	
Minimum permit fee	\$69 (Commercial)
VALUATION	
Up to \$3,500	\$69
\$3,501 to \$10,000- for the 1 st \$3,500 plus \$1.20/\$100 or portion thereof above \$3,500	\$69 for the 1 st \$3,500 plus \$1.38/\$100 or portion thereof above \$3,500

APPENDIX B: Building Codes Services

Over \$10,001- for the 1 st \$10,000 plus \$3/\$1,000 or portion thereof above \$10,000	\$158.70 for the 1 st \$10,000 plus \$3.45/\$1,000 or portion thereof above \$10,000
Investigative Fee	Actual Cost
Re-inspection fee	\$89.70
After hours inspections outside of normal business hours (minimum charge 2 hours)	\$89.70 per hour during work week. Double time rate with 4 hour minimum on weekends and holidays
Plan Review Fee, if required	50% of subtotal
Request by government agency under ORS 190	Cost of Inspector plus travel & mileage to and from areas requested for inspections
Expedited Plan Review Fee	\$245 per hour 2 hour minimum, Overtime fee (if applicable 1.5 times the base rate)
PLUMBING PERMIT FEES	
NEW SINGLE FAMILY DWELLINGS	
Minimum Permit Fee- Residential	\$69
New single family dwelling 1 st bath/ 1kitchen- includes the 1 st 100' of each site utility, hose bibs, icemakers, under-floor low-point drains, and rain drain packages	\$289.80
Each additional bath {1/2 bath counts as whole}	\$103.50
Each additional kitchen	\$69
Each additional 100' of site utilities or fraction thereof; storm, water, and sanitary sewer	\$41.40
Each fixture residential (for new, additions, and alterations)	\$27.60
Re-pipe water supply	\$100
MANUFACTURED DWELLINGS	
SITE UTILITIES-FIRST 30 LINEAL FEET REFER TO MANUFACTURED HOME PERMIT	
Each additional 100' of site utilities or fraction thereof	\$41.40
RV AND MANUFACTURED DWELLING PARKS	
Base Fee (include the 1 st 10 or fewer spaces	\$441.60
Each additional space	\$37.95
COMMERCIAL	
Minimum Permit Fee – Commercial	\$69
Each fixture (for new, additions and alterations)	\$27.60
Site utilities ea. 100' or fraction thereof	\$41.40
RESIDENTIAL FIRE SPRINKLER 13D (CONTINUOUS LOOP/MULTIPURPOSE)- FEE INCLUDES PLAN REVIEW	
0 to 2,000 sq. ft., area covered	\$112.70
2,001 to 3,600 sq. ft., area covered	\$119.03
3,601 to 7,200 sq. ft., area covered	\$160.71
7,201 sq. ft. and greater	\$214.19
MISCELLANEOUS FEES	
Backflow device/backwater valve	\$27.60
Re-inspection fee	\$89.70
Inspections for which no fee specified	\$89.70

APPENDIX B: Building Codes Services

Request by government agency under ORS 190	Cost of Inspector plus travel & mileage to and from areas requested for inspections
MEDICAL GAS PRICING	
\$1 to \$10,000 valuation	\$310.50
\$10,000 and greater valuation	\$310.50 for the 1st \$10,000 plus \$2.07 for each additional \$100 or fraction thereof
Investigative Fee	Actual Cost
Re-inspection fee	\$89.70
After hours inspections outside of normal business hours (minimum charge 2 hours)	\$89.70 per hour during work week. Double time rate with 4 hour minimum on weekends and holidays
Plan Review fee, if required	50% of subtotal
Expedited Plan Review Fee	\$245 per hour 2 hour minimum overtime Fee (if applicable 1.5 times the Base Rate)
ELECTRICAL PERMIT FEES	
NEW SINGLE FAMILY DWELLINGS – SERVICE AND ATTACHED GARAGE INCLUDED	
Minimum Permit Fee - Residential	\$89.70
1,000 sq. ft. or less	\$146.05
Each additional 500 sq. ft. or portion thereof	\$26.45
Limited Energy	\$34.50
Each manufactured home or modular dwelling service or feeder	\$89.70
NEW MULTI-FAMILY – TOTAL NUMBER OF UNITS	
Use 1 and 2 family rates above for largest sq ft. unit – cost of largest unit ___ / 2 x number of remaining number	
Multifamily limited energy, by floor	\$62.10
SERVICES OR FEEDERS (INSTALLATION, ALTERATION, RELOCATION)	
200 amps or less	\$109.25
201 to 400 amps	\$129.95
401 to 600 amps	\$215.05
601 to 1,000 amps	\$281.75
Over 1,000 amps	\$647.45
Reconnect Only	\$72.45
TEMPORARY SERVICES OR FEEDERS (INSTALLATION, ALTERATION, RELOCATION)	
200 amps or less	\$72.45
201 to 400 amps	\$98.90
401 to 600 amps	\$143.75
601 to 1,000 amps	\$234.60
Over 1,000 amps or volts	\$539.35
BRANCH CIRCUITS (NEW, ALTERATION, EXTENSION PER PANEL)	
<u>Fee For Branch Circuits With Purchase Of A Service Or Feeder Fee</u>	
Each branch circuit	\$74.75
<u>Fee For Branch Circuits Without Purchase Of A Service Or Feeder Fee</u>	
First branch circuit	\$74.75
Additional branch circuits	\$5.52
MISCELLANEOUS (SERVICE OR FEEDER NOT INCLUDED)	
Each pump or irrigation circle	\$89.70
Each sign or outline lighting	\$89.70

APPENDIX B: Building Codes Services

Signal, circuit or a limited- energy panel, alteration or extension	\$72.45 Commercial \$89.70 Residential
Hourly rate (number of hours)	\$89.70
Request by government agency under ORS 190	Cost of Inspector plus travel & mileage to and from areas requested for inspections
Investigative fee	Actual Cost
Re-inspection fee	\$89.70
After hours inspections outside of normal business hours (minimum charge 2 hours)	\$89.70 per hour during work week. Double time rate with 4 hour minimum on weekends and holidays
Master Individual Inspection Fee	\$89.70 per hour (minimum 2hours)
Plan Review fee, if required	50% of subtotal
Expedited Plan Review Fee	\$245 per hour 2 hour minimum Overtime Fee (if applicable 1.5 times the Bas Rate)
MANUFACTURED DWELLING PERMIT FEES	
Installation fee (includes placement, concrete slabs/runners/foundations when prescriptive, electrical feeder, and plumbing/cross-over connections up to 30 lineal feet)	\$220.80
Re-inspection fee	\$89.70
State fee	\$34.50
Investigative fee	Actual Cost
RENEWABLE ENERGY SYSTEMS PERMIT FEES	
5kva or less	\$109.25
5.01to 15kva	\$129.95
15.01 to 25kva	\$215.05
Solar ea. Additional kva 25.01to 100 max	\$8.63
Wind 25.01to 50kva	\$281.75
Wind 50.01to 100 kva	\$800
Wind 100.01 or greater	\$920
Service or feeders of 601to 1,000 amps-additional to previous range	\$281.75
Service or feeders over 1,000 amps or volts-additional to previous range	\$647.45
Re-inspection fee	\$89.70
Plan Review, if required	50% of subtotal
RV PARK & ORGANIZATIONAL CAMP PERMIT FEES	
<u>Valuation</u>	
\$1 to \$500	\$17.25
\$501 to \$2,000	\$17.25 for the first \$500,plus \$2.30 for each additional \$1,000 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$51.75 for the first \$2,000,plus \$10.35 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$289.80 for the first \$25,000,plus \$7.48 for each additional \$1,000 or fraction thereof, to and including \$50,000

APPENDIX B: Building Codes Services

\$50,001 to \$100,000	\$476.68 for the first \$50,00,plus \$5.18 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$735.43 for the first \$100,00,plus \$4.03 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$2,345.43 for the first \$5,000,plus \$2.30 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
Over \$1,000,001	\$4,070.43 for the first \$1,000,00, plus \$2.30 for each additional \$1,000 or fraction thereof
MISCELLANEOUS BUILDING FEES	
Request by government agency under ORS 190 (IGA)	Cost of Inspector plus travel & mileage to and from areas requested for inspections
Permit Reinstatement fee- to renew already expired permit, as eligible; subject to State Surcharge	\$100,plus State Surcharge (Only applicable to expired permits that fall within the current code cycle of permit)
Permit Extension fee- to extend expiration on active permit	\$80 (For first time only) After first extension \$50 each
Refund Processing Fee -for repayment of costs of administration	\$100 or 25% of any fee to be refunded, whichever is less for the processing of a permit application
Copy fees	\$1.00 for each



AGENDA ITEM

RURAL RENEWABLE ENERGY DEVELOPMENT (RRED) ZONES

[STAFF MEMO](#)

[LETTER TO DISTRICTS](#)

[RESPONSE FROM LIBRARY SERVICE DISTRICT](#)

[RESPONSE FROM MID-COLUMBIA FIRE AND RESCUE BOARD](#)

[CHAPTER 10 FIRE SAFETY STANDARDS](#)

[WASCO COUNTY PLANNING RESPONSE TO MCFR](#)

[RRED ZONE RESOLUTION](#)

[MOTION LANGUAGE](#)



MEMORANDUM

SUBJECT: RURAL RENEWABLE ENERGY DEVELOPMENT ZONE

TO: BOARD OF COUNTY COMMISSIONERS

FROM: MATTHEW KLEBES

DATE: 4/28/2020

BACKGROUND INFORMATION:

Interest has been expressed in the formation of a Rural Renewable Energy Development Zone (RREDZ) in Wasco County. A RREDZ functions like an enterprise zone throughout Wasco County with only renewable energy type developments eligible for the program. This includes wind power, solar, geothermal, micro hydro or other cases where a renewable energy resource is used to generate electricity or produce a biofuel.

The purpose of a RREDZ is, like an enterprise zone, to incentivize renewable energy type developments within Wasco County by temporarily eliminating taxes (3-5 years) on *new* eligible construction and/or equipment. This encourages business investment and job creation in this specific sector.

Letters and emails soliciting comments from all Taxing Districts within Wasco County were sent out on April 10th 2020. Written responses were requested to be submitted by April 24th and are attached to this memo. Taxing Districts were also invited to attend the May 6th BOCC meeting to submit comments if they so choose.

Staff has drafted a resolution for the formation of this Zone which would encompass all of Wasco County per statute, sets the exemption cap to the default amount of \$250 million, and names Matthew Klebes Administrative Services Director as the RREDZ manager.

Staff is requesting direction from the BOCC to either form a RREDZ by passing the drafted Resolution or decline.



ADMINISTRATIVE SERVICES

511 Washington St., Ste. 101 • The Dalles, OR 97058
p: [541] 506-2550 • f: [541] 506-2551 • www.co.wasco.or.us

Pioneering pathways to prosperity.

April 10, 2020

Subject: Rural Renewable Energy Development Zone for Wasco County

Dear Taxing District:

This letter is to inform you that Wasco County is considering designation of a Rural Renewable Energy Development Zone (RRED Zone), which functions like an enterprise zone throughout Wasco County with only renewable energy type developments eligible for the program. This includes wind power, solar, geothermal, micro hydro or other cases where a renewable energy resource is used to generate electricity or produce a biofuel.

The RRED Zone exempts only new property that an eligible, job creating business might build or install in the zone at some future time. Any exemption is temporary, usually lasting only three years, after which time the property would be assessed as normal. An extension to four or five years in total is possible in some cases with the agreement of the Wasco County Board of Commissioners who may require additional conditions for this extension.

The proposed area is countywide by statute, such that the Zone could affect future property tax collections in your district. Therefore, you are being notified of the Zone's consideration and are being asked to comment on it either at the hearing or by sending written comments to me by end of day Friday April 24, 2020.

At its hearing on May 6, 2020 at 9:30 a.m., which will likely be held virtually, the Wasco County Board of Commissioners is expected to consider a resolution requesting this designation. If approved, the designation request will be submitted to Business Oregon for approval. Additional information on RRED Zones can be found on the Business Oregon website at <https://www.oregon4biz.com/>.

Feel free to contact me by phone at 541-506-2553 or email at matthewk@co.wasco.or.us with any questions or to submit written comments.

Sincerely,

Matthew Klebes
Administrative Services Director
Wasco County

As it regards the Rural Renewable Energy Development Zone Tax Incentive Zone, I would be in favor of the zone. It would be good for Wasco County. Recent circumstances such as low oil prices together with the possibility of a deep recession suggest there will be keen competition in the future between governmental entities to attract new business. The tax incentive zone will help Wasco County remain competitive in a challenging business environment.

Thanks!

Jeff Wavrunek

Library Director

The Dalles-Wasco County Library

722 Court St.

The Dalles, OR 97058

541-506-2042

www.wascocountylibrary.com

MID-COLUMBIA



FIRE &
RESCUE

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

April 14, 2020

TO: Wasco County Commissioners

FROM: Mid-Columbia Fire and Rescue Board

CC: Matthew Klebes
Wasco County Administrative Services Director

RE: Rural Renewable Energy Development Zone

Dear Wasco County Commissioners,

Thank you for your notification of April 10, 2020 concerning the potential adoption of a Rural Renewable Energy Development Zone (RREDZ) in Wasco County. We appreciate your reaching out to the local taxing Districts that may be affected with the adoption of a RREDZ.

As a Board we are aware that growth within our County through new business development is critical to the interests of each taxing District and we support such expansion. This growth is not without sacrifice however in that tax abatement programs impact each District financially in our ability to provide vital services.

Our Board is interested in working together with Wasco County to adopt Land Use language that mirrors proposed City language allowing an Emergency Management Response Plan to be submitted prior to project approval. This language allows the local Fire District to work with the business to provide a mitigation plan if the Fire District does not have adequate capability to provide an appropriate response. Thank you for the opportunity to comment on this important issue.

Best Regards,

David Jacobs
Board President

CHAPTER 10 - FIRE SAFETY STANDARDS

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Section 10.010 - Purpose of Fire Safety Standards

- A. To inform and notify rural residents that fire protection services are limited or nonexistent through much of Wasco County.
- B. Encourage residents to become familiar with the structural fire protection district that will respond to their property (if there is one).
- C. To notify them that the volunteer fire protection districts can only serve if they have sufficient trained volunteers to meet demands. Please consider volunteering.
- D. To reduce threats to life, safety, property, and resources by improving access to and defensibility of development in rural areas.
- E. To educate current and future property owners about fire safety standards and regulate fire standards in a manner that decreases review process where possible while communicating requirements as clearly as possible.
- F. To provide flexibility where necessary by providing for a review process that will allow modifications to fire safety standards where necessary with comment and recommendations from emergency responders.
- G. To establish consistency between standards currently listed in various zones, Oregon Department of Forestry regulations, and best available science.

Section 10.020 - Applicability of Fire Safety Standards

- A. Applicability of Fire Safety Standards in Different Rural Zones: County Ordinances affect all rural zones (all zones outside an Urban Growth Boundary). All rural zones are subject to fire standards but the applicability of the specific standards varies by zone and by use

type. Zoning terms used to classify groups of land use designations in the Fire Safety Standard Checklist, Sections [10.110](#) to [10.150](#), are defined in the following table (any more specific distinctions based on parcel shape or specific zoning designation are also called out in the checklist):

Zoning Classifications Referred to in the Fire Safety Standards Checklist, Sections 10.110-10.150		Zones
All Zones - All rural zones anywhere outside an adopted Urban Growth Boundary	Exception Areas and Smaller Lot Residential - Exception areas with smaller lot residential, rural commercial, rural industrial, or rural community land use designations.	R-2, R-C, R-I, A-R, RC-TV, RC-Wamic
	Resource Zones and Large Lot Residential - Resource or recreation zones and rural residential areas with larger minimum lot sizes.	FF-10, RR-10, RR-5, A-1 (160), A-1 (40), F-1 & F-2

Please also work with the County Planning Department if you are permitting only an accessory structure or replacing or adding onto an existing home, commercial, or industrial structure and they will help you determine which standards apply to that specific type of land use in accordance with [\(B\)](#) below.

B. Applicability of Fire Standards to Different Types of Land Uses

1. Zones affected by Fire Standards

Fire standards are applicable in all rural zones, but different standards may apply in different types of zones. The applicability of fire standards by zone is discussed in [\(A\)](#) above and noted in the fire safety standards checklist below, Sections [10.110](#) to [10.150](#). The checklist also highlights any specific differences in the applicability of the standard due to size of lot or specific zoning.

2. Uses affected by Fire Standards

Some fire standards are applicable only to new dwellings while others are applicable to all kinds of structures and alterations to structures. The following table lists the fire safety standards applicable to different types of development.

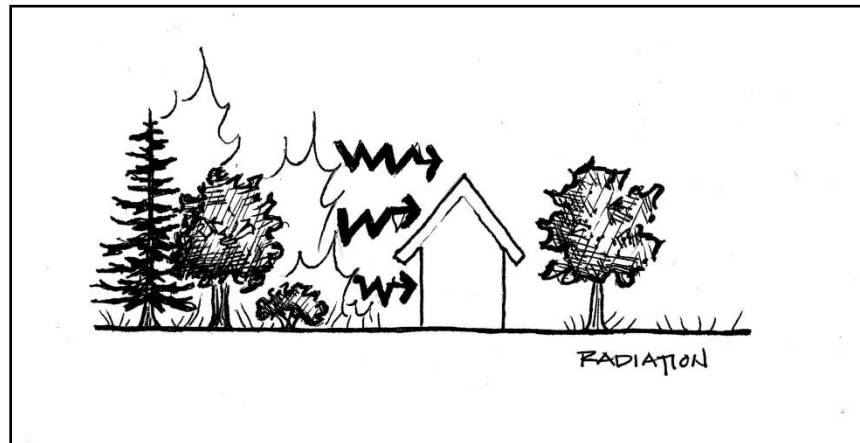
Applicability of Fire Safety Standards to Different Types of Land Uses					
Land Use Type	Siting	Defensible Space	Construction Standards	Access	Other
All New Dwellings and Rural Commercial or Rural Industrial Buildings, Conditional Use Permit, Subject to Standards, Site Plan Review, and Permitted Dwellings	(A) Avoid slopes > 40% (B) Set back from top of slopes > 30%	(A) Fire fuel break (B) Minimum of 50 feet to unmanaged lands around structures	(A.1) Roofing (A.2) Spark Arresters (B.1) Clear Clean & Protected Decks, (B.2) Screened Exterior Openings (B.3) Overhanging trees (B.4) Utilities (B.5) Stand Pipe	(A) Improved Surface & Minimum Driveway widths (B) Turn Radius, Maximum Slopes, & Pull Outs (C) Physical Clearance & Fire Fuel Breaks on Driveways (D) Turnarounds (E) Bridges & Culverts (F) Gates (G) Signs (H) Roads to the property	Structural Fire Protection Required

Relocated Dwellings (Replacement in a new location)	(A) Avoid slopes > 40% (B) Set back from top of slopes > 30%	(A) Fire fuel break (B) Minimum of 50 feet to unmanaged lands around structures	(A.1) Roofing (A.2) Spark Arresters (B.1) Clear Clean & Protected Decks, (B.2) Screened Exterior Openings (B.3) Overhanging trees (B.4) Utilities (B.5) Stand Pipe	(A) Improved Surface & Minimum Driveway widths (B) Turn Radius, Maximum Slopes, & Pull Outs (C) Physical Clearance & Fire Fuel Breaks on Driveways (D) Turnarounds (E) Bridges & Culverts (F) Gates (G) Signs	
Replacement Dwellings (In Kind-same size/same location)		(A) Fire fuel break (B) Minimum of 50 feet to unmanaged lands around structures	(A.1) Roofing (A.2) Spark Arresters (B.1) Clear Clean & Protected Decks, (B.2) Screened Exterior Openings (B.3) Overhanging trees (B.4) Utilities (B.5) Stand Pipe	(A) Improved Surface & Minimum Driveway widths (B) Turn Radius, Maximum Slopes, & Pull Outs (C) Physical Clearance & Fire Fuel Breaks on Driveways (D) Turnarounds (E) Bridges & Culverts (F) Gates (G) Signs	
Improved Expanded Dwellings		(A) Fire fuel break (B) Minimum of 50 feet to unmanaged lands around structures	(A.1) Roofing (A.2) Spark Arresters (B.1) Clear Clean & Protected Decks, (B.2) Screened Exterior Openings (B.3) Overhanging trees (B.4) Utilities (B.5) Stand Pipe	(C) Physical Clearance & Fire Fuel Breaks on Driveways (F) Gates (G) Signs	
Accessory Buildings	(A) Avoid slopes > 40% (B) Set back from top of slopes > 30%		(A.1) Roofing (A.2) Spark Arresters (B.1) Clear Clean & Protected Decks, (B.2) Screened Exterior Openings (B.3) Overhanging trees (B.4) Utilities (B.5) Stand Pipe	(C) Physical Clearance & Fire Fuel Breaks on Driveways (F) Gates (G) Signs	
Accessory or Agricultural Structures			(A) Roofing (B) Spark Arresters (C) Clear Clean & Protected Decks (D) Screened Exterior Openings (E) Overhanging trees (F) Utilities (G) Stand Pipe		
Land Divisions	Fire Mitigation Plan shall be submitted identifying all home sites, building envelopes, and access as necessary to demonstrate compliance with all applicable fire standards on proposed lots.				

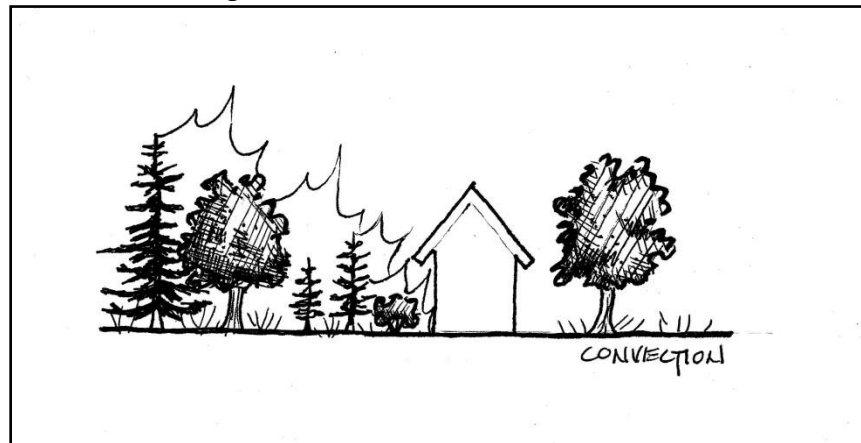
Section 10.030 - Introduction

A. Cause of Wild Land and Fire Spread and Residential Starts

1. Radiated Heat – Fires are started by heat that radiates or spreads out from flames, (e.g., run your finger above a candle flame). Flames of every size radiate heat. Smaller ground level flames radiate less heat than larger flames generated by crown fires. The larger the flames near a structure the greater the chance of the structure being ignited by radiant heat. Radiant heat is also hotter above the flames than it is beside the flame so where a structure is located on a slope can also affect the risk of a structure igniting from radiated heat from a wild fire.



2. Convection or Direct Contact with Flames – Fires are also ignited by direct contact between the structure and the flame. When flammable material (wood piles, shrubbery, dead leaves, or grass) accumulates under eaves or decks or near the house, the structure is exposed to a much greater risk of ignition as the flammable fuel will feed the flames right at the structure.



3. Firebrands or Contact with Flying Embers – Fires can start from burning embers carried aloft from as far away as a mile or more. Fire brands are most dangerous when they:
 - a. Land on flammable roofs or decks,

- b. Settle or are sucked into openings in eaves, soffits, roof vents, under decking, or in crawl spaces through foundation vents, or
- c. Fall on and ignite nearby vegetation or flammable materials, especially if stored or accumulated under eaves, decks, or other structural extensions that can trap the heat generated by the burning of flammable materials.



B. What's Necessary to Defend Against Wild Land Fire?

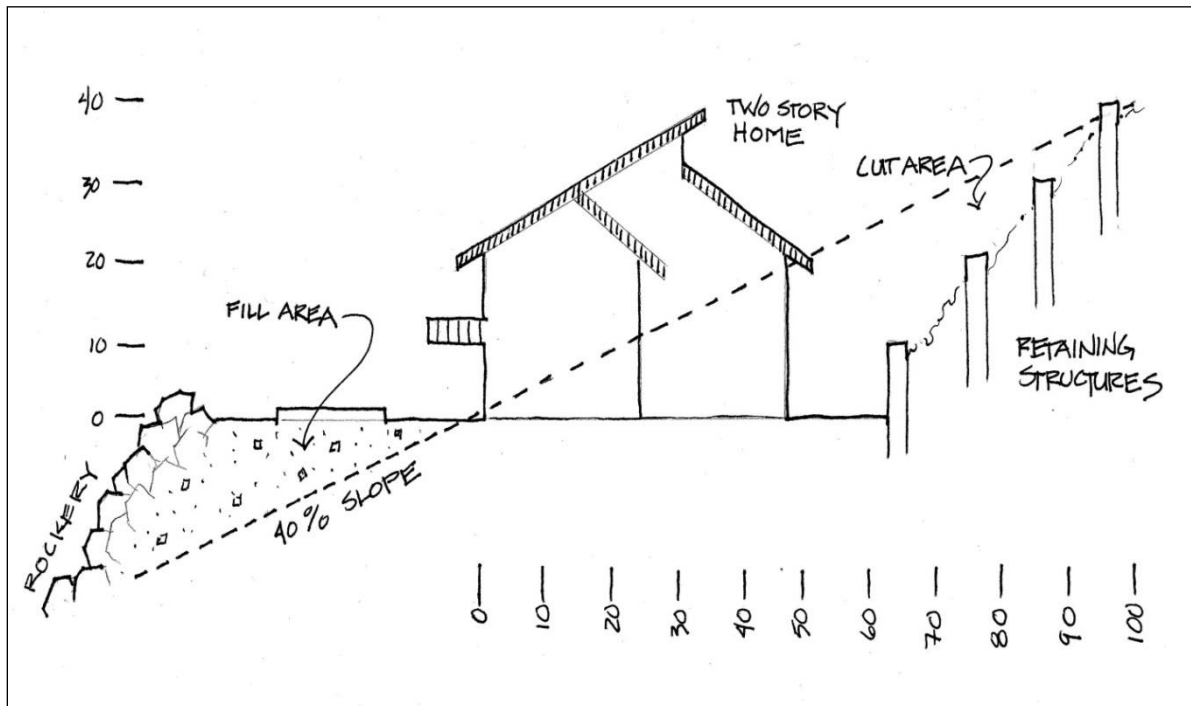
- 1. Access to structures and property.
- 2. Room to maneuver around structures.
- 3. Elimination and containment of fire fuels to limit ignition risks around the structure.
- 4. Use of fire resistant materials to decrease ignition risks at the dwelling or structure.
- 5. On-site water supplies to help extinguish a small fire before it requires a full response or becomes a wild land fire start.

C. Fire Safety Standards

Sections [10.110](#) to [10.150](#) state the Fire Safety Standards on one page. The zones in which the safety standards apply, the benefits of compliance with safety standards, and the necessary actions if an applicable standard cannot be met are stated on the facing pages. Sections [10.210](#) to [10.240](#) describe the review and self-certification process and necessary steps to permitting a modification of fire safety standards.

Section 10.110 - Siting Standards - Locating Structures for Good Defensibility

A. Does your building avoid slopes steeper than 40% (more than 40-foot elevation gain over 100 feet horizontal distance)?



A. This Standard is applicable to dwellings, accessory buildings, and agricultural buildings in: - All zones

A. If Yes Then

- Extensive and costly grading and ground disturbance will be avoided
- Emergency responders will have room to access and maneuver around all sides of the structure.
- Structure will avoid exposure to the hottest side of fast moving flames climbing the slope
- Structure will avoid potential of trapping heat rising off of flames on the slope below.

A. If No Then

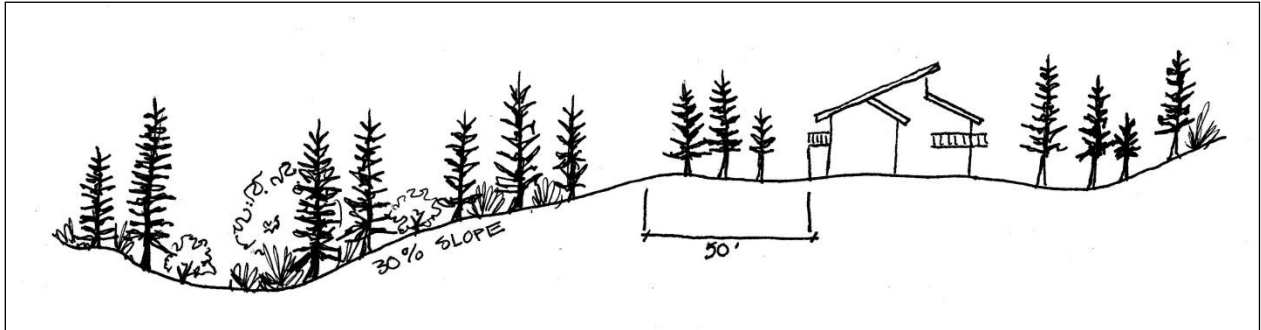
A modification of fire safety standards must be requested.

The fire mitigation plan submitted with the request for modification must propose mitigation measures such as:

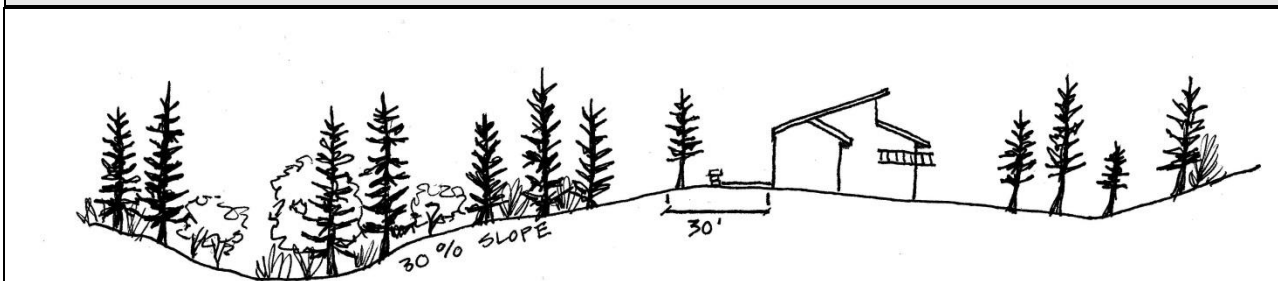
- Structural fire proofing (thermal windows, smaller windows, fire retardant building materials on all sides).
- National Fire Protection Association (NFPA) Sprinkler system if access standards cannot be met.
- Expanded fire fuel breaks.
- Additional irrigation on all sides of the home and an on-site water supply capable of running the irrigation system for extended periods.
- Evacuation plan.

B. Setbacks

1. Is your building set back from the top of slopes greater than 30% by at least 50 feet? - or-

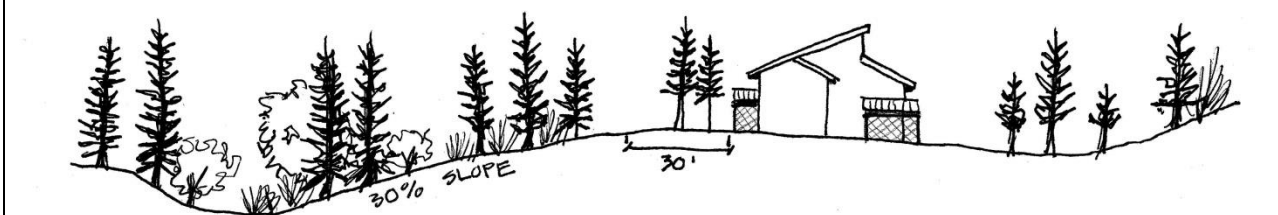


2. Is your building set back from the top of slopes greater than 30% at least 30 feet? - and-



No structures or other extensions closer than 30 feet from top of slope
Stone or Concrete patio rather than above ground decking
Enclosed soffits

-OR-



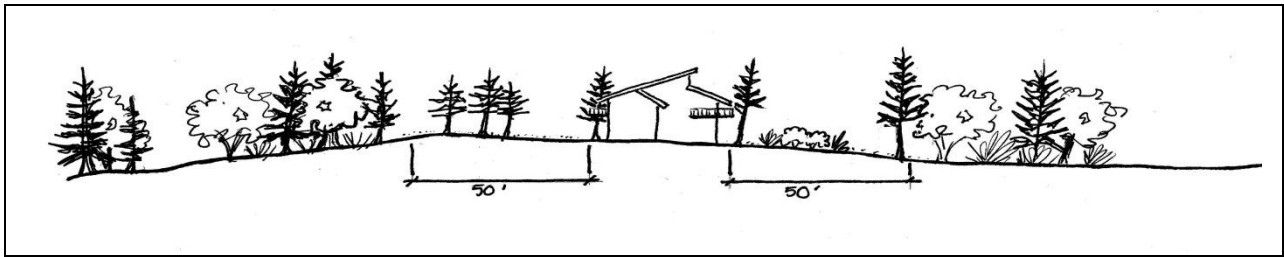
Fire resistant or non-combustible exterior materials (siding, decking, roofing)
Large timber or metal supports for decks or other extensions
Decking area screened or enclosed
Enclosed soffits

B. This Standard is applicable to dwellings, accessory buildings, and agricultural buildings in:
 -Resource and Large Lot Residential Zones

B(1). If <u>Yes</u> Then	B(1). If <u>No</u> Then
<ul style="list-style-type: none"> • Emergency responders will have room to access and maneuver around all sides of the building. • Building will avoid exposure to the hottest side of fast moving flames climbing the slope. • Building will avoid trapping heat rising off flames below. 	<p>Refer to B(2) below.</p>
B(2) - If <u>Yes</u> Then	B(2) - If <u>No</u> Then
<ul style="list-style-type: none"> • Emergency responders can still access and maneuver around all sides of the building. • Building will be closer to the hottest side of fast moving flames climbing the slope but additional fire proofing of the building will help mitigate risks of ignition. • Flattening the design of the façade on the downhill side of the building will help avoid potential of trapping heat rising off of flames on the slope below allowing the building to be constructed nearer the top of slope. 	<p>A modification of fire safety standards must be requested.</p> <p>The fire mitigation plan submitted with the request for modification must propose mitigation measures such as:</p> <ul style="list-style-type: none"> • Eliminate decks and eaves. • Structural fire proofing (thermal windows, smaller windows, fire retardant building materials on all sides). • NFPA Sprinkler system if access standards cannot be met. • Expanded fire fuel breaks. • Additional irrigation on all sides of the home and an on-site water supply capable of running the irrigation system for extended periods. • Evacuation plan.

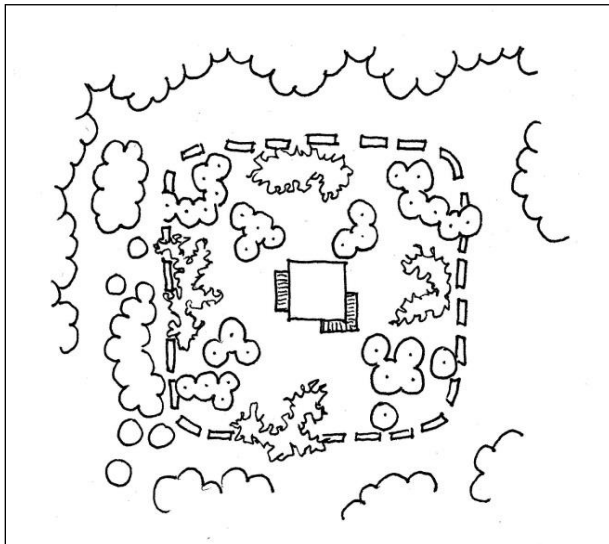
Section 10.120 - Defensible Space – Clearing and Maintaining a Fire Fuel Break

DEFENSIBLE SPACE

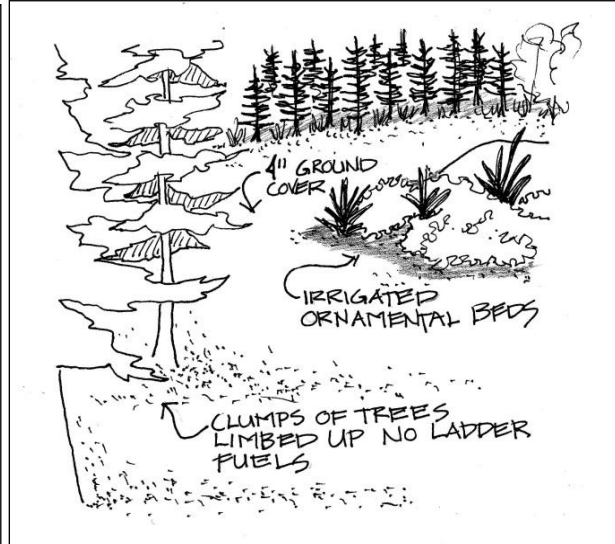


Fire Fuel Break Includes: Irrigated fire resistant domestic plantings, low volume slow burning plantings, and trees encouraged to provide shade and ground cooling. Trees should be grouped. Groups of trees shall be spaced to avoid creation of a continuous tree canopy. Trees shall be kept in healthy fire resistant condition. Trees shall be limbed up to create a vacant area between ground fuels and canopy fuels. Under story vegetation shall be minimized and ground cover shall be kept trimmed low to the ground.

Is your building surrounded by a 50-foot wide fire fuel break?



Fire Fuel Break Area Plan View
Illustration



Fire Fuel Break Area Sample

MAINTENANCE STANDARDS FOR FIRE FUEL BREAK AREA:

- Ground cover maximum 4 inches tall;
- Trees limbed up approximately 8 feet from the ground,
- Trees kept free from dead, dry, or flammable material;
- Ladder fuels must be removed;
- No shrubs or tall plants under trees;
- Shrubs only in isolated groupings that maximize edges of ornamental beds to avoid continuous blocks of ground fuel;

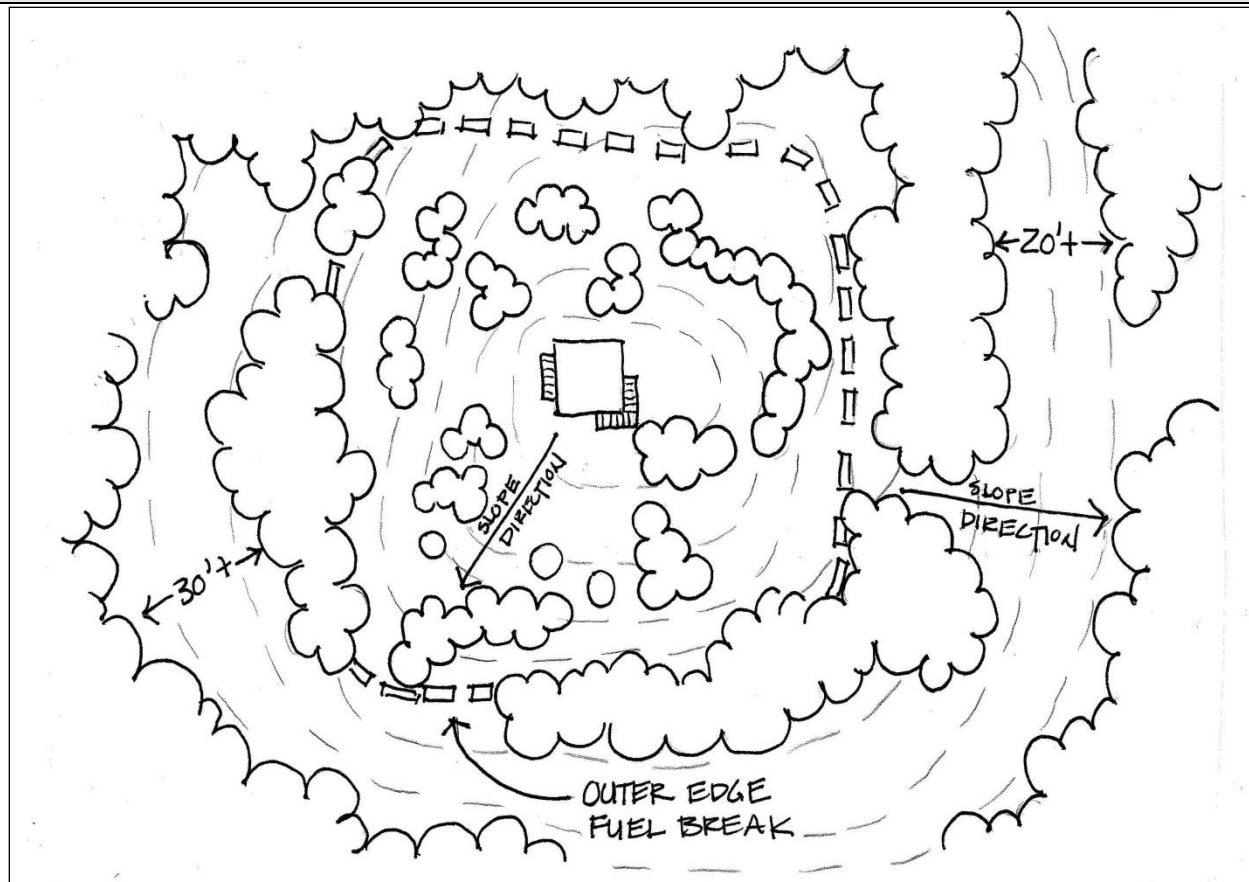
- Keep shrubs and ornamental beds 15 feet away from edge of buildings and drip line of tree canopy; and
- Use well irrigated or flame resistant vegetation (See OSU Extension Service publication called "[Fire Resistant Plants for Oregon Home Landscapes](#)")

A. This standard is applicable to all dwellings, accessory buildings, and agricultural buildings in: -All Zones

This standard may be decreased to 30 feet in width for parcels inside an exception area or smaller lot residential zone. The decrease to a 30-foot fire fuel break may be allowed without a request for modification of fire standards upon a demonstration that the 50 foot fire fuel break cannot be met.

A. If <u>Yes</u> Then	A. If <u>No</u> Then
<ul style="list-style-type: none"> • Eliminating ladder fuels and limbing trees up helps keep fire on the ground. • Including trees in the fire fuel break can catch and deflect flying embers before they land on the structure. • Spacing between bedding plants or shrub groupings allows ornamental plantings that do not create a fuel bed. • Irrigation provides moisture during the dry months and shading from healthy limbed trees retains moisture longer. Moisture is key to helping dissipate fire energy. • Fire resistant vegetation also helps slow spread of fire toward the structure. 	<p>A modification of fire safety standards must be requested.</p> <p>The fire mitigation plan submitted with the request for modification must document that the fire fuel break cannot be met:</p> <ul style="list-style-type: none"> • Demonstration why an alternate site on the property cannot be used to allow for the full fire fuel break. • Demonstration that an easement allowing for the full fire fuel break cannot be provided for by easement on adjoining land • The fire mitigation plan submitted with the request for modification must also propose mitigation measures such as: <ul style="list-style-type: none"> • Eliminate decks and eaves. • Structural fire proofing (thermal windows, smaller windows, fire retardant building materials on all sides). • Additional irrigation on the side of the home where fire fuel break width requirements cannot be met and an on site water supply capable of running the irrigation system for extended periods. • Evacuation plan.

B. Is dense unmanaged vegetation beyond 50 feet from the outer edges of your buildings, including any extensions such as decks or eaves, kept to a MINIMUM? If located on steeper ground, have you created and maintained some clearings beyond the 50 feet fire fuel break?



- Those developing steeper properties are advised to provide breaks in the tree canopy across the slope at the outer edges and extending beyond the fire fuel breaks.
- Land beyond the fire fuel break can always be managed for additional safety.
- This is the place for tight trees, dense under-story vegetation, tall waving grass, and unmanaged or less managed lands.
- The outer edge of the fuel break zone can be feathered back into the unmanaged area to provide for a more natural appearing edge condition.

B. This Standard is applicable to all dwellings accessory buildings, and agricultural buildings in: -Resource and Large Lot Residential Zones

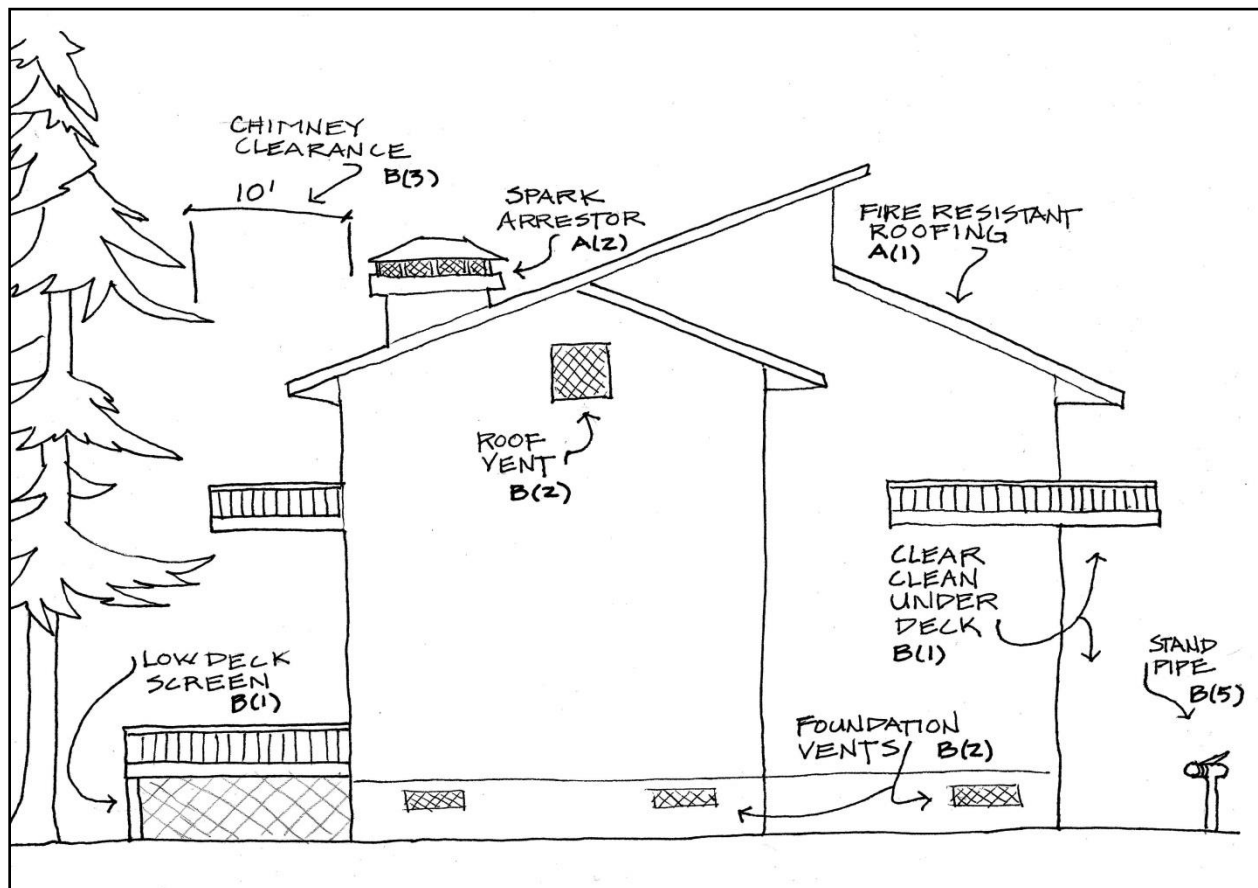
B. If Yes Then

- If slopes cannot be avoided, providing for broad breaks in the canopy across the slope 20-30 feet and more can help limit the spread of a canopy fire up slope.
- Keeping some wild unmanaged areas is OK if they are far enough from the structure that a wild fire's progress will be slowed by the decrease in fire fuels as fire approaches developed areas.
- **NOTE:** Slope hazards increase the threat of structural fire ignition by increasing the chance of a wild land fire getting into and traveling through the tree canopy. If you are developing in a wooded area with steep slopes, every attempt should be made to locate away from the steeper ground. (see 10.110(A) and (B) above)

B. If No Then

This standard is advisory. No request for modification of fire safety standards is required if it cannot be met.

Section 10.130- Construction Standards For Dwellings And Structures – Decreasing The Ignition Risks By Planning For A More Fire-Safe Structure.



A. Is your building designed, built, and maintained to include the following features and materials necessary to make the structure more fire resistant?

1. Roof Materials: Do you or will you have fire resistant roofing installed to the manufacturers specification and rated by Underwriter's Laboratory as Class A, B, or its equivalent (includes but not limited to: slate, ceramic tile, composition shingles, and metal)?
NOTE: To give your structure the best chance of surviving a wild fire, all structural projections such as balconies, decks and roof gables should be built with fire resistant materials equivalent to that specified in the uniform building code.
2. Spark Arrestors: Will all chimneys and stove pipes be capped with spark arresters meeting NFPA standards (e.g., constructed of 12 USA gauge wire mesh with half-inch openings)?

A(1) & (2) These Standards are applicable to all dwellings, accessory buildings, and agricultural buildings in:

-All Zones

A(1). If <u>Yes</u> Then	A(1). If <u>No</u> Then
Your roof will resist ignition from fire brands. Fire resistant roofing is one of the most important standards of defensibility.	Fire resistant roofing is required. There is no way to mitigate risks of a wild land fire ignition related to use of more flammable roofing. Fire brands can be carried over a quarter mile to land on a roof.
A(2). If <u>Yes</u> Then	A(2). If <u>No</u> Then
Sparks and embers in the fire box of a fireplace or stove will not be allowed to escape through the chimney and start a wild land fire.	There is no alternative to the requirement that spark arrestors be installed and maintained. They are common and widely available.

B. Is your structure designed, built, and maintained to include the following features and materials necessary to make the structure more fire resistant?

1. Decks: Will all decks be kept clear of fire wood, flammable building material, dry leaves and needles, and other flammable chemicals? Will decks less than three feet above ground also be screened with noncombustible corrosion resistant mesh screening material with quarter inch or smaller openings? Will decks, as required in accordance with standard [10.110\(B\)](#) above, be built of fire resistant material? Will all flammables be removed from the area immediately surrounding the structure to be stored 20 feet from the structure or enclosed in a separate structure during fire season?
2. Openings: Will all openings into and under the exterior of the building including vents and

louvers, be screened with noncombustible corrosion resistant mesh screening material with quarter inch or smaller openings.
<p>3. <u>Trees</u>: Will all trees overhanging the building be limbed up 8 feet in accordance with fire fuel break requirements in 10.120(A) above, kept trimmed back 10 feet from any chimney or stove pipe, and be maintained free of all dead material.</p> <p>4. <u>Utilities</u>: If your private utility service lines are not underground will the utilities be:</p> <p>a. Kept clear along their route?</p> <p>b. Have a single point of access to the building?</p> <p>Do all new buildings and structures served by electricity include a clearly marked power disconnect switch at the pole or off-grid power source?</p> <p>5. <u>Stand Pipe</u>: Will a stand pipe be provided 50 feet from the dwelling or any structure served by a plumbed water system?</p>

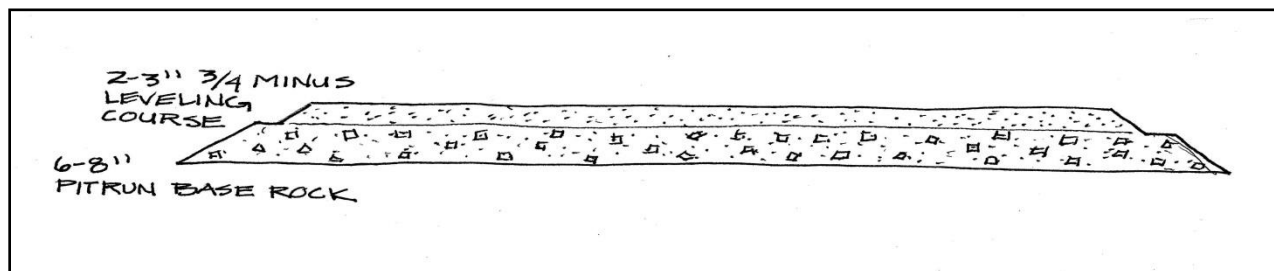
B. These Standards are applicable to dwellings, accessory buildings, and agricultural buildings or structures in: -All Zones	
B(1). If <u>Yes</u> Then	B(1). If <u>No</u> Then
Horizontal extensions, like decks, will be protected from the accumulation of fire fuel. Horizontal extensions create a heat trap for heat if flames are generated beneath them. Limiting fire fuels under horizontal extensions and screening to keep embers or fire bombs from getting in under lower decks will help eliminate the risk of heat being trapped under a deck or porch and igniting a structure.	There is no alternative to the screening and maintenance required under and around the exterior of a structure, its decks, and other horizontal extensions.
B(2). If <u>Yes</u> Then	B(2). If <u>No</u> Then
Vents are built to funnel air through enclosed areas of a structure. Screening on the vents or behind vent louvers ensures that embers are not sucked into the hard-to-reach recesses behind the vents.	There is no alternative to the screening of exterior vents and openings.
B(3). If <u>Yes</u> Then	B(3). If <u>No</u> Then
<p>Healthy green trees around the house can be retained and may actually help shelter the dwelling from fire brands.</p> <p>Trees and their debris must be maintained in a clean healthy condition.</p>	<p>If maintenance of trees near or overhanging the house is too onerous the trees can be removed.</p> <p>NOTE: The presence of trees has been shown to have the benefits discussed in 10.120(A), above, if properly maintained.</p>

B(4). If <u>Yes</u> Then	B(4). If <u>No</u> Then
<ul style="list-style-type: none"> Threat of a fire start due to downed service lines will be minimized. Access to and around the structure will be simplified by limiting aerial access to the structure to a single location. Responders will be able to shut down main power so they can respond safely to the structure at the main service switch. 	There is no alternative to the requirement that private utility service routes be kept clear and that development of new buildings or structures served by electricity have a clearly marked power disconnect switch at the pole or off grid power source.
B(5). If <u>Yes</u> Then	B(5). If <u>No</u> Then
This stand pipe will be available to the homeowner for use to help contain smaller fires prior to emergency responders getting to the site.	There is no alternative allowed to the provision of a standpipe 50 feet from all combustible structures served by a plumbed water system. Rural response times are always longer than in town. Land owners must do what they can to provide immediate response to small fire starts.

Section 10.140 - Access Standards - Providing safe access to and escape from your home.

A. Does your residential driveway meet standards for improved, all weather driveway surface and minimum driveway widths?

IMPROVED SURFACE REQUIREMENTS

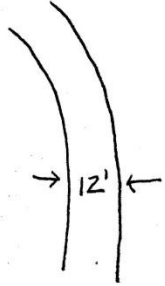
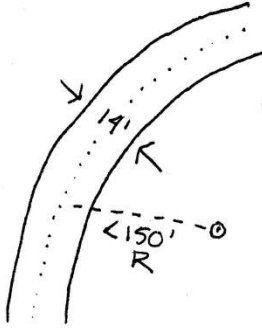
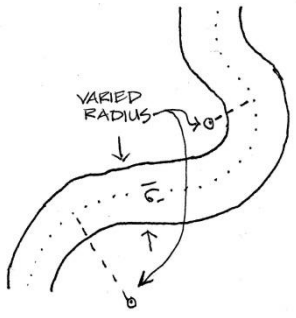


90-95%

Compaction

Driveway surface standards shall meet the specifications above or meet an alternate design standard established by a licensed engineer who will certify that the alternate design standard is capable of supporting 75,000 pound gross vehicle weight year round, wet or dry. Compliance shall be demonstrated prior to inspection by the County Road Department to confirm compliance with road approach permit.

MINIMUM DRIVEWAY WIDTHS

		
Minimum improved width is 12 ft on straight sections and through gentle curves	Minimum improved width is 14 ft on single curves with less than 150-foot radius	Minimum improved width is 16 ft when curves are linked or located on a slope in excess of 10%

A. This Standard is applicable to residential driveways in:

-All Zones

A. If Yes Then

Emergency responders will be able to bring all vehicles onto your property and to your building site.

A. If No Then

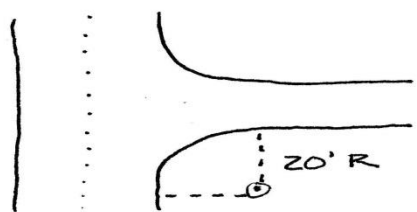
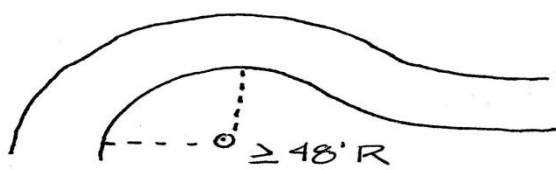
A modification of fire safety standards must be requested.

The fire mitigation plan submitted with the request for modification must propose mitigation measures such as:

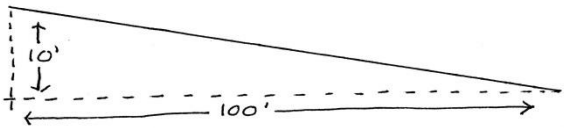
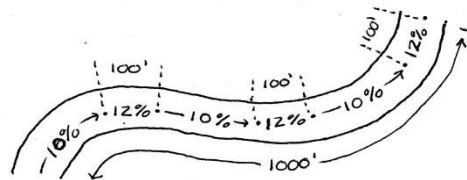
- A demonstration why standards cannot be met and that an alternate site will not allow standards to be met.
- Proposed alternate road lay out that can allow the best access possible to the building site.
- NFPA Sprinkler system if alternate access standards cannot provide for timely response.
- Expanded fire fuel breaks.
- Additional irrigation on all sides of the home and an on-site water supply capable of running the irrigation system for extended periods.
- Structural fire proofing (thermal windows, smaller windows, fire retardant building materials on all sides).
- Evacuation plan and acknowledgment that some or all fire equipment may not have sufficient access to your property to respond.

. Is your dwelling accessed by a driveway with curves and slopes that are passable by emergency equipment? And are turnouts provided as needed to allow vehicles to pass safely?

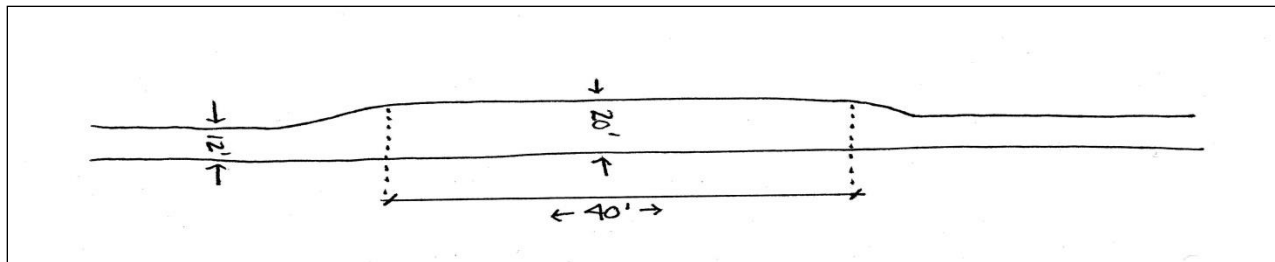
CAN LARGE EQUIPMENT MAKE IT AROUND THE TURNS IN YOUR DRIVEWAY?

	
<p>Minimum 20 ft turn radius onto driveway from road</p>	<p>Minimum 48 ft turn radius for curves or switchbacks in the driveway. Larger radius, more gentle turns are desirable where possible</p>

IS THE SLOPE OF YOUR DRIVEWAY GENTLE ENOUGH FOR EQUIPMENT TO GET UP AND DOWN SAFELY?

	
<p>Maximum steady grade of 10% or 10 ft of elevation gain over 100 ft of distance</p>	<p>Maximum steady grade of 10% may be exceeded for short pitches. Short (up to 100-ft lengths) intermittent sections may be up to 12%. No more than three 100-ft lengths in 1,000 ft.</p>

IF YOUR DRIVEWAY IS LONGER THAN 200 FEET, ARE TURNOUTS PROVIDED ALONG ITS LENGTH?



Turnouts need to be provided at least every 400 feet. Turn outs are intended to allow vehicles to pass safely, especially during an emergency. This should be kept in mind when siting the turnouts. Steeper slopes or tighter corners may require turnouts to be located closer than every 400 feet.

B. This Standard is applicable to all residential driveways in: -All Zones

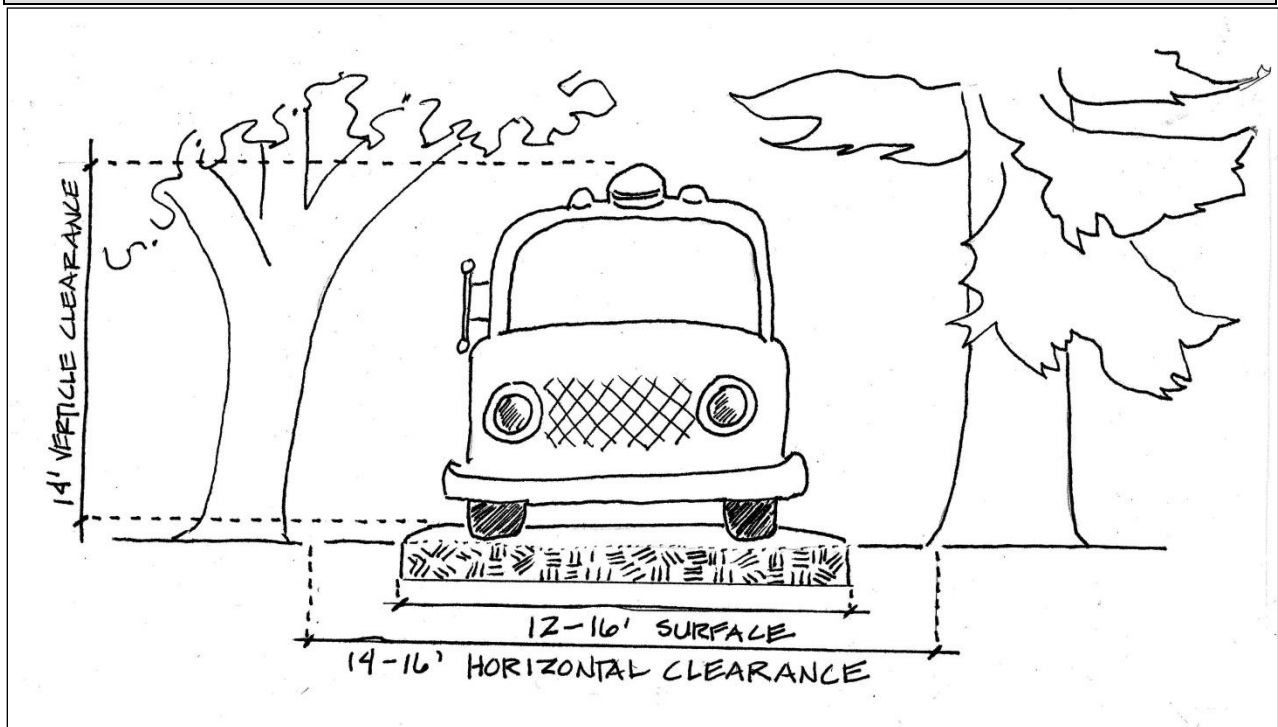
B. If Yes Then

- Emergency responders will be able to bring all vehicles onto your property and to your building site.
- You will be able to get off your property as the fire equipment accesses the site.

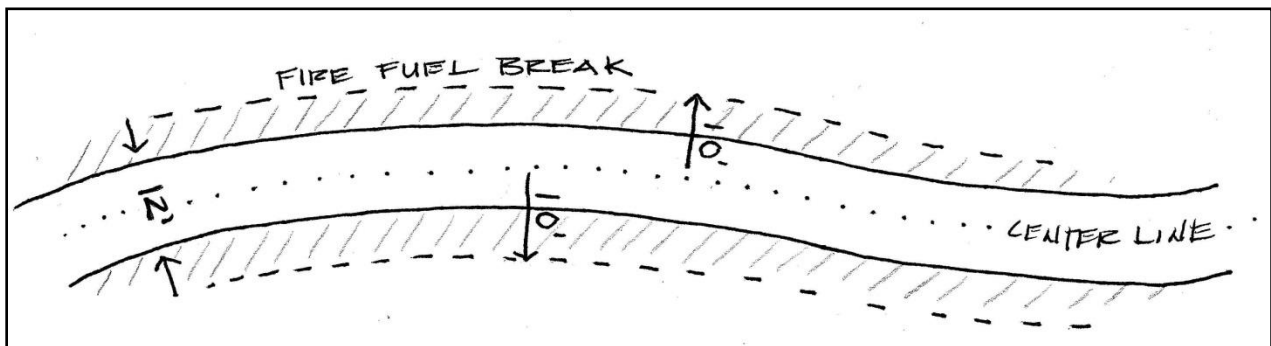
B. If No Then

See (A) above.

C. Does your residential driveway provide adequate clearance for emergency vehicles and is there sufficient clear area along the driveway to allow responders to maneuver safely around their vehicles?



Responding vehicles need over 13 vertical feet and a minimum of 14 horizontal feet of clearance to pass through vegetation along a driveway.



A fire fuel break extending 10 feet either side of the center line of the driveway is required.

C. This Standard is applicable to all residential driveways in:

-All Zones

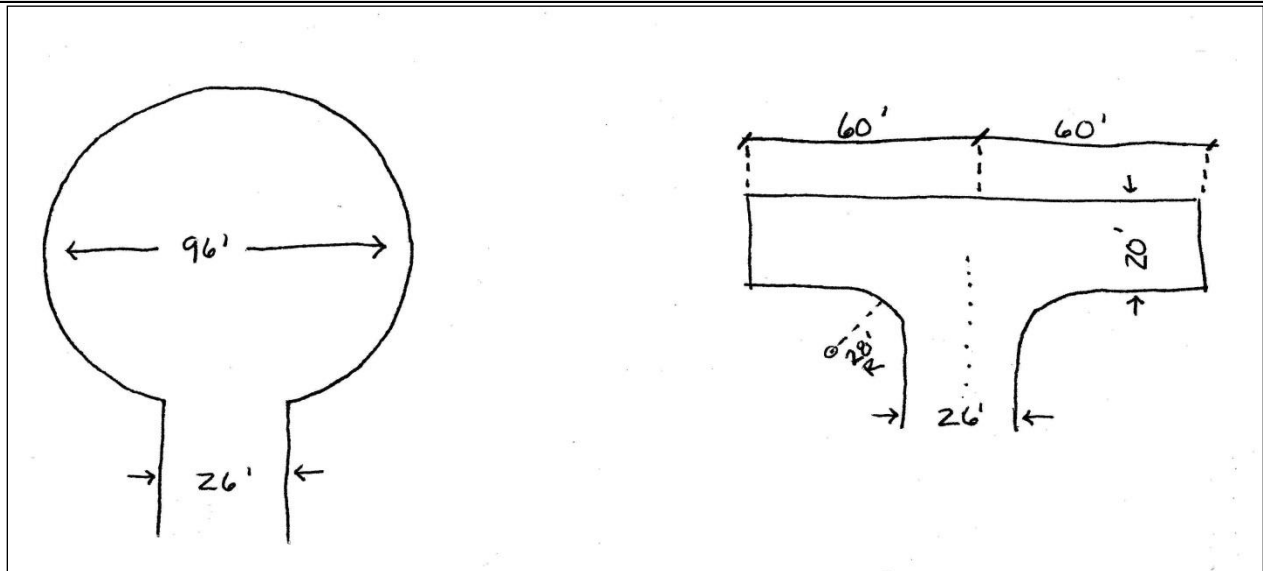
C. If Yes Then

- Emergency responders will be able to access your property without damaging your landscaping, native trees, or their vehicles.
- If there is a need to respond from the driveway, there will be room to maneuver more safely around the emergency vehicles.
- If there is a major wild land fire, the fire fuel break along the drive will help ensure that the driveway remains passable during the response.

C. If No Then

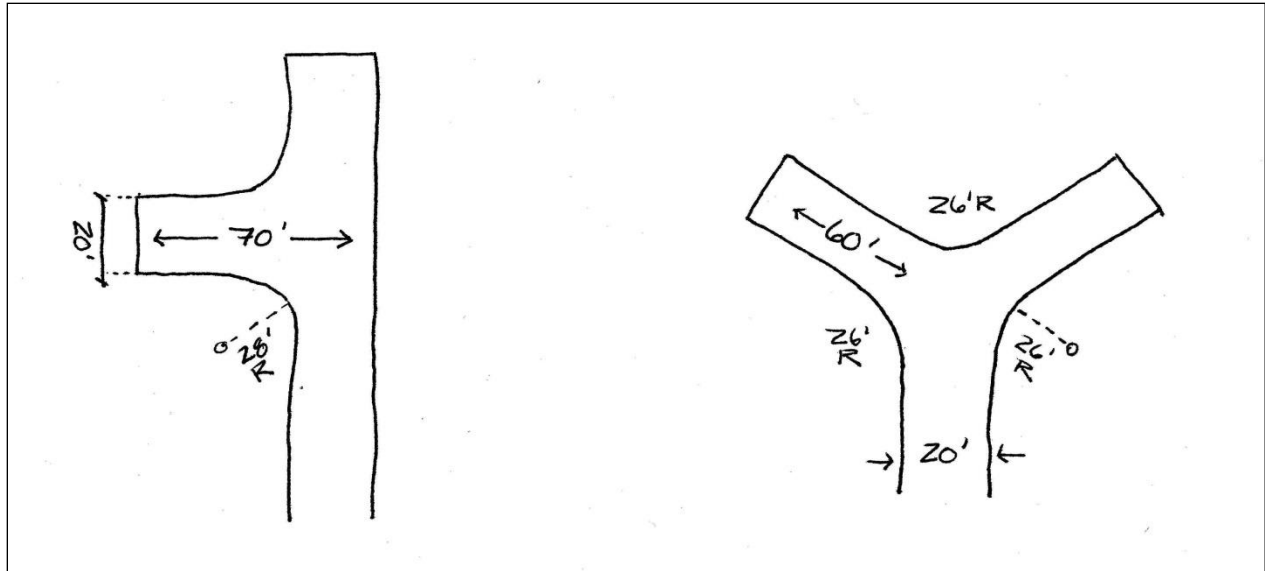
See **(A)** above

D. If your residential driveway is longer than 150 feet, does it end with a turnaround that is passable for emergency responders?



95-foot-diameter cul-de-sac

120-foot hammerhead



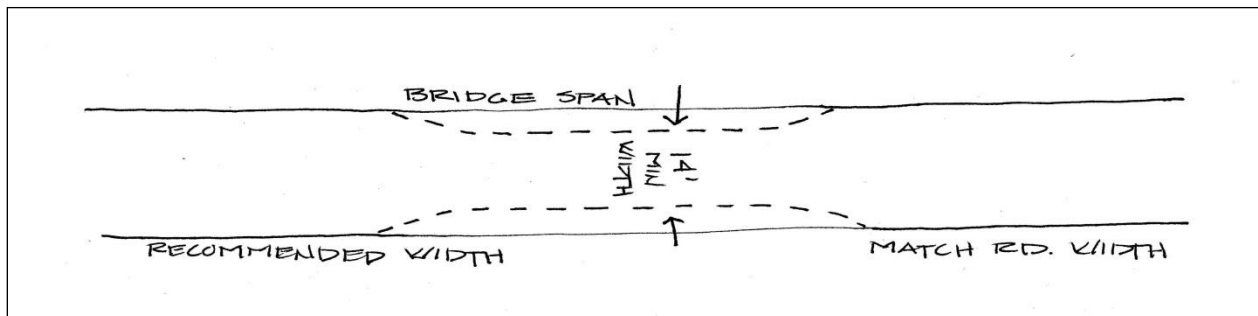
Acceptable alternative to 120-foot hammerhead
hammerhead

Acceptable alternative to 120'

D. This Standard is applicable to residential driveways in:-All Zones	
D. If <u>Yes</u> Then	D. If <u>No</u> Then
Responders accessing your property in an emergency will be able to get turned around to leave the property, make room for additional responders, or to refill tenders and return.	See (A) above

E. Can the bridges or culverts crossed to access your dwelling on your property accommodate emergency response vehicles?

Culverts larger than a 6-foot diameter and all bridges that are relied on to access development must be engineered constructed and maintained to support 75,000 pounds gross vehicle weight. Culverts less than 6-foot diameter must be installed to manufacturer specifications, including requirements that the culvert be embedded sufficiently to maximize water flow and minimize risk of scouring or undercutting below the pipe.



Bridges should match the finished width of the road or driveway. A minimum bridge width of 14 feet is required and may be built if 7-foot- wide and 50-foot-long pullouts are provided on either side of the bridge.

F. Can emergency responders get through your gate?	
<ul style="list-style-type: none"> • Gates need to swing or glide. • Gates need to be operable by a single person and maintained in operable condition. • The horizontal clearance through a gate must be a minimum of 14 feet. • Electric or locked gates must be operable or removable by emergency responders. 	
G. Are the signs you've posted for emergency responders legible and in good repair?	
<p>Signs required to:</p> <ul style="list-style-type: none"> • Limit parking. • Mark fire lanes. • Direct responders to an on-site water source. • Identify electrical service shut-off at the power pole or off grid power source. • Post weight limits on existing bridges or culverts. <p>Must be made and maintained so that:</p> <ul style="list-style-type: none"> • Lettering is light colored and reflective against a dark background – except that red and white 12 inch by 18 inch fire lane, no parking signs Per Figure D(103.6) of the 2004 Oregon Fire Code. • Letters are a minimum of 4 inches tall. • Letters are a minimum of ½-inch-wide-letter strokes. • Signs are posted and kept clear of vegetation so they are fully visible. 	
E. This Standard is applicable to residential driveways in: -All Zones	
E. If <u>Yes</u> Then	E. If <u>No</u> Then
Emergency responders will be able to get to or through your property without risk of damage to equipment or roadway structures.	<p>A modification of fire safety standards must be requested.</p> <p>The fire mitigation plan submitted with the request for modification must propose mitigation measures including:</p> <ul style="list-style-type: none"> • Any culvert greater than a 6-foot diameter or bridge not capable of supporting 75,000 gross vehicle weight shall be signed at both entrances. • Other applicable mitigation measures listed in (A) above.

F. This Standard is applicable to residential driveways in: -All Zones	
F. If <u>Yes</u> Then	F. If <u>No</u> Then
Emergency responders will be able to access your property.	No alternatives exist for the requirement for a passable gate.
G. This Standard is applicable to residential driveways in: -All Zones	
G. If <u>Yes</u> Then	G. If <u>No</u> Then

Emergency responders will be able to access and navigate your property and the development site.	No alternatives exist for the requirement for that clear and legible signage be installed and maintained.
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H. Are the roads to your residential property maintained in a condition that is passable for emergency vehicles? Do you know who is responsible for required improvements and maintenance?

DEFINITIONS – WHO IMPROVES AND MAINTAINS WHICH EXISTING ROADS?

County Roads are:

- Fully dedicated public roads over which the County has full jurisdiction.
- The County is responsible for improvements and maintenance of county roads including bridges, culverts, ditches, etc.
- Most, if not all, public roads in the county meet the minimum access requirements for emergency vehicles.

Local Access Roads are:

- Public roads over which the County has limited jurisdiction.
- The County is not liable for failure to improve the local access road or keep it in repair.
- The County has limited ability to spend money on local access roads and expenditure on local access roads is made only in emergencies and is subject to special review process prior to the expenditure.
- Landowners served by the road must improve or maintain the road if it is to stay in good repair.
- Some local access roads have organized maintenance organizations but most do not.
- Many local access roads meet minimum access requirements but some will require improvements in order to be accessible to emergency responders and all will require maintenance.

Private Roads are:

- Neither public roads nor county roads.
- The County cannot improve or maintain private roads.
- Private roads serve more than one dwelling but are not required to be open to the public.
- The land owners served by the private road are solely responsible for its improvement and maintenance.
- Many private roads will require improvements in order to be accessible to emergency responders and all will require maintenance.

Driveways are:

- Private access roads serving no more than two dwellings.
- The home owner bears sole responsibility for driveway improvement and maintenance.

Per ORS [368.001-368.031](#)

ACCESS ROAD STANDARDS – WHAT MAY HAVE TO BE DONE TO ROADS LEADING TO BUT NOT PART OF YOUR PROPERTY?

If a legally created parcel is accessed by a County or State improved and maintained road, the applicant must demonstrate that driveway standards are met on the property and is responsible for continued maintenance of the driveway in accordance with standards.

If a legally created parcel is accessed by a local access or private road the road way will need to be determined to meet county road standards or minimum standards for a fire apparatus access road (defined in Chapter 5 of the 2004 Oregon Fire Code) prior to new construction. A fire apparatus access road needs to have an improved all-weather surface of 20-feet wide or sections of the road with a finished road surface width of 20 feet for a length of 40 feet at no greater than 400-foot intervals. All access standards, other than width, turn radius, and slope or grade that are applicable to driveways, [\(A\)](#) – [\(H\)](#), are also applicable to local access and private roads. Improvements made within a local access road will require a permit to do work in a public right of way.

Land divisions creating new parcels need to improve roads up to the point of access to the proposed land division to meet public road standards prior to final land division approval.

H. This Standard is applicable to residential development in: -All Zones	
H. If <u>Yes</u> Then	H. If <u>No</u> Then
Emergency responders will be able to get to your property with any vehicle at a reasonable rate of speed with little risk of damage to equipment or roads.	<p>A modification of fire safety standards must be requested.</p> <p>The fire mitigation plan submitted with the request for modification must:</p> <ul style="list-style-type: none">• Employ applicable mitigation measures listed in (A) above, -AND-• Demonstrate that county road or fire apparatus access road standards cannot feasibly be met.• Demonstrate that improvements achieve basic access (driveway standard) along sections determined incapable of meeting a higher standard.• If basic driveway standard is not met at any point, that section shall be clearly signed from both directions calling out the weight limit, width of narrow road section, or grade and length of steep road way.• Ability of responders to get to a site is limited by the ability of an applicant to make and maintain off-site improvements.• The land owner will be notified of service limitations resulting from substandard access and required to document acknowledgement

	of limitations to emergency services prior to receiving a building permit.
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Section 10.150 - Fire Protection or On-Site Water Required

Ensuring dwellings have some fire protection available through manned or unmanned response.

A. Are you proposing to construct a dwelling inside a structural fire protection district? -OR-
<p>ON SITE WATER IS REQUIRED IN BOTH URBAN AND RURAL ENVIRONMENTS FOR FIRE SAFETY (Fire Flow Requirements).</p> <p>Dwellings less than or equal to 3,500 square feet can rely on emergency responders to meet the on-site water requirements if they are inside a fire protection district.</p> <p>Dwellings in excess of 3,500 square feet require on-site water in excess of the amount of water that could reasonably be delivered to the site by emergency responders. Dwellings in excess of 3,500 square feet need to provide an NFPA sprinkler system to meet on site water requirements. Provision of an NFPA sprinkler system meets fire code fire flow requirements.</p> <p>Structures must be located inside a structural fire protection district if possible. It is not possible to be in a fire protection district when it is demonstrated that the dwelling cannot locate within, annex into a district, or contract with a structural fire protection district for service</p>

A. This Standard is applicable in: -All Zones - as specifically noted in the standard	
A. If <u>Yes</u> Then	A. If <u>No</u> Then
<ul style="list-style-type: none"> A special taxing district exists and volunteer or professional fire fighters will respond to and defend a structure to the best of their ability. Installation of an NFPA-approved sprinkler system meets the fire flow requirements for rural structures when a responders' ability to bring water to the site cannot. (See other benefits of NFPA sprinkler systems in (B), below.) 	Refer to (B) , Below

B. Are you proposing to construct a dwelling outside a structural fire protection district?

ON-SITE WATER IS REQUIRED IN BOTH URBAN AND RURAL ENVIRONMENTS FOR FIRE SAFETY EVEN OUTSIDE A STRUCTURAL FIRE PROTECTION DISTRICT (Fire Flow Requirements).

Dwellings can be located outside a structural fire protection district upon demonstration that the parcel or home site cannot locate within, annex into, or contract with a structural fire protection district for service. If a dwelling is proposed outside a structural fire protection district, you cannot rely on emergency responders to meet the fire code fire flow requirements. Providing an NFPA sprinkler system is required to meet fire flow requirements unless a request for modification of the fire safety standards has been requested and approved.

Dwellings in the Forest Zones and outside a structural fire protection district must provide a year-round on-site 4,000 gallon water source, or access to a stream or spring having continuous year-round flow of at least 1 cubic foot per second.

- The applicant must provide a written statement from Oregon Water Resources Department verifying that permits or registrations required for any water diversion or storage have been obtained or are not required.
- Driveway access and a turnaround meeting the access standards in **Section [10.140](#)** must be extended to within 10 feet of the water source.
- Permanent signs shall be posted directing emergency vehicles to approved water sources.

B. This Standard is applicable in: -All Zones - and as specifically noted in the standard

B. If Yes Then

- Provision of an NFPA sprinkler system does not rely on a responder's presence to function and can often extinguish a small ignition before it grows to the point where a large-scale response is necessary.
- Meeting fire flow requirements for larger structures can require an on-site water source of 8,000 gallons or more (see alternatives to sprinkler system).
- Installation of a sprinkler system in site-built homes, particularly larger homes, is often the most affordable way to meet fire flow requirements. Installation of an NFPA approved sprinkler system can save home owners a significant amount on their fire insurance rates and will pay for itself over time.

NOTE: Manufactured homes and historic structures may substitute on site water provision for inclusion of a residential sprinkler system when otherwise required. The county recognizes the disproportionately high cost of installation of NFPA sprinkler systems in this type of structure and the limited ability to alter the design of structures when locating a historical structure or

B. If No Then

If a NFPA sprinkler system is required but cannot be provided, a modification of fire safety standards must be requested. This is necessary because either no structural fire protection will be provided by a recognized district or because the dwelling exceeds the size determined to be defensible by local responders.

The fire mitigation plan submitted with the request for modification must include an on-site water source capable of meeting fire code requirements for water supplies in rural settings. Requirements for rural water supplies to meet fire flow requirements are generalized here:

- Minimum on site water storage 2,000 gallons
- 1,500-3,500 square foot dwelling - 4,000 gallons
- >3,500-5,000 square foot dwelling -

<p>manufactured home. Applicants locating a manufactured home or historic structure on their property may elect to install an on-site water source meeting the on-site water requirements listed in this subsection. No request for modification needs to be made for these structures.</p>	<p>8,000 gallons</p> <ul style="list-style-type: none"> • >5,000 square foot dwelling - 13,000 gallons <p>When on-site water is provided to meet fire flow requirements within a fire protection district, the on-site source must be made accessible to responders.</p> <p>When on-site water is provided to meet fire flow requirements outside a fire protection district, then the fire mitigation plan shall include provisions by the home owner for applying the water to the structure in the event of a fire.</p>
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Section 10.210 - Fire Safety Standard Review Process

- A. Compliance with applicable fire safety standards is required by the ordinance for new, replacement, and modified structures in all rural zones.
 1. Fire standards shall be made a part of the conditions of approval when a conditional use permit, site plan or subject to standards review, partition, subdivision, or other land use action is required prior to construction.
 2. Structures or alterations to structures that are subject to ministerial review must also comply with all applicable fire standards prior to receiving zoning approval on a building permit application.
 3. In all cases compliance with applicable fire standards shall be self-certified prior to receiving zoning approval on a building permit.
 4. Certifications shall be verified within one year of approval and may be verified by staff site visits at any time.
- B. Continued compliance with fire safety standards is required.
 1. Compliance is the responsibility of the land owner.
 3. An illustrative checklist will be provided to land use permit applicants and building permit applicants that explains all necessary steps to comply with applicable fire safety standards.
 4. Required compliance with fire safety standards shall be disclosed to future land owners prior to sale of any parcel.

- a. Where fire safety standards are self-certified as part of a ministerial review, the self-certification shall be recorded prior to receiving zoning approval on the building permit application.
- b. If one or more applicable fire safety standards cannot be met the applicant may request a modification of standards. The requested modification must be approved and the terms of the approval recorded in the county records prior to receiving zoning approval on a building permit application. See [10.220](#) below.
- c. Where fire safety standards, or a modification of the standards, are applied through a land use review as conditions of approval, the conditions of approval shall be recorded along with the notice of decision.

Section 10.220 - Modification of Fire Safety Standards

If one or more fire safety standard cannot be met, the applicant must request a modification to fire safety standards. The request for modification shall include a site specific fire safety mitigation plan. The modification of standards review shall be processed in accordance with the procedures in LUDO Section 2.060(A)(6). Notice prior to the decision shall be provided to fire responders with jurisdiction by the Planning Director. The decision to approve or deny the request for modification shall meet all public notice requirements.

Section 10.230 - Fire Safety Mitigation Plan

A fire safety mitigation plan is required when an applicant needs to request a modification to one or more fire safety standards listed on the self-certification check list. A fire safety mitigation plan is also required for any land division creating lots that can accommodate dwellings. A fire mitigation plan shall include the following:

- A. One or more maps and accompanying narrative statement addressing the following:
 1. Site description.
 2. Documentation of fire protection service or proposed plan for on-site fire protection.
 3. Documentation of on-site water supply where required.
 4. Driveway construction plan including gate features, size and locations of bridges or culverts and proposed signage.
 5. Documentation of fuel break areas if land on adjoining properties is relied on to meet fuel break requirements.
 6. Public or private road plans for new roads to serve proposed land divisions (including location, size, and type of bridges and culverts).
 7. Other information deemed necessary to allow adequate review of the request for modification.
- B. Statement of need
A clear statement of why the fire safety standards cannot feasibly be met.

C. Risk Assessment

An assessment of increased risk of wildfire damage if standard is modified. Risk assessments shall consider the purpose of the standard that cannot be met, the specific proposal, and site conditions to determine what, if any, additional exposure to wild land fire risks could be created by approval of the modification to fire safety standards. The consideration shall include increased risk of the proposed structure becoming a source of ignition and risks to the proposed structure from a wild land fire ignited elsewhere and traveling through the site.

D. Statement of Additional Action Proposed to Eliminate or Minimize Increased Risks

A clear list of additional measures proposed by the applicant to address any increased risks identified in the risk assessment.

Section 10.240 - Review of Requested Modification(s)

A. Planning Director Shall Seek Review

1. The Planning Director shall request and consider the comments and recommendations of local emergency responders, including ODF and the State Fire Marshal's Office when making the final decision on a request for modification of fire safety standards. The complete fire safety mitigation plan shall be forwarded to all commenting responders including the Deputy State Fire Marshal.
2. Comments and recommendations by local responders shall be provided to the Planning Director within 15 days.

B. Responses to the Director's Request for Review

1. Responders' comments and recommendations shall do one of the following:
 - a. Support the modification with mitigation measures proposed by the applicant.
 - b. Support the modification with a recommendation for alternate mitigation measures detailed by the responders.
 - c. Accept the request for modification conditionally though minimum standards cannot be met. This will be done only when the responder commenting on the request cannot recommend feasible means to mitigate risks resulting from approval of the modification. Acceptance of a modification that cannot be fully mitigated or meet minimal standards will also include an assessment of any limitations of service that may accompany approval of the modification.

E.g., an existing off-site bridge is located along a private road accessing the applicant's any existing dwellings. The bridge is weight limited but cannot be feasibly upgraded for the one new home. One or more responders may require that the weight limit of the existing bridge be determined and clearly posted and they may also elect to notify the current land owner and all other residents that larger responding vehicles will not respond to calls accessed by that bridge.

- d. Recommend denial of the requested modification(s) on the grounds that:
 - (1) The proposed modification is not necessary because standards can and should be met, including consideration and selection of an alternative location for the development.
 - (2) Approval of the proposed modification will result in undue risk to life and safety.
- 2. Comments and recommendations from emergency responders shall be supported by reasons sufficient to allow the Planning Director to weigh the evidence and arguments prior to deciding to grant, conditionally grant, or deny a request for modification of fire safety standards.
- 3. Approval or denial of a modification to standards is not subject to variance criteria in the LUDO.
- 4. A modification of standards can be reviewed and decided in conjunction with another land use decision where other land use permits are required.
- 5. Approval of a modification of standards is subject to administrative review, public notice, and the opportunity for further review on appeal under LUDO Section 2.160.
- 6. Certifications shall be verified within one year of approval and may be verified by staff site visits at any time.



Memorandum

To: Wasco County Board of Commissioners
Tyler Stone, Wasco County Chief Administrative Officer
Matthew Klebes, Wasco County Administrative Services Director
Mid-Columbia Fire and Rescue Commission (MCFR)
David Jacobs, Chair MCFR Commission
Chief Robert Palmer, MCFR

From: Angie Brewer, Wasco County Planning Director

Date: April 17, 2020

Subject: Response to Mr. Jacobs April 14, 2020 Letter

At the request of Matthew Klebes, I've prepared the following memorandum describing current Wasco County Planning Department procedures and regulations that address comments shared by MCFR in their April 14, 2020 letter, responding to the possible formation of a Rural Renewable Energy Development Zone (RREDZ).

Mr. Jacobs' thoughtful approach is very much appreciated. We share his goals of ensuring our local fire protection districts are provided every opportunity to participate in the land use process, increase the applicant's awareness of impacts on the fire district's ability to respond, and obtain the equipment or personnel they need to be successful in their response - before the development is completed. I was involved in the City of The Dalles recent code changes to address this need, and am happy to provide this brief summary of the tools currently employed outside of our incorporated communities.

Compliance with the attached Fire Safety Standards chapter¹ is required for all new uses and development that require permits from the Wasco County Planning Department. This includes development as minor as a shed and as major as a commercial energy farm approved by the state of Oregon. It's important to highlight that these rules apply to all non-federal lands outside of our incorporated communities, not just forest lands.

In addition to this chapter, applicants pursuing anything identified as a Conditional Use will be required to demonstrate compliance with Section 5.020(C), which states:

¹ Chapter 10 in the Wasco County Land Use and Development Ordinance; Chapter 11 in the Wasco County National Scenic Area Land Use and Development Ordinance.

The proposed use will not exceed or significantly burden public facilities and services available to the area, including, but not limited to: roads, fire and police protection, sewer and water facilities, telephone and electrical service, or solid waste disposal facilities.

The review process for a Conditional Use includes notification of applicable fire jurisdictions with an opportunity to comment on the proposed development and request changes. The fire jurisdiction can also request to meet with the applicant to discuss concerns and/or needs. If a fire jurisdiction is uncomfortable with a proposal for any reason, Chapters 5 and 10 provide mechanisms to require a Fire Safety Plan and/or meet with the applicant and develop a Fire Safety Plan that both parties agree will be successful.

We encourage applicants to meet with fire jurisdictions proactively, and take any comment received seriously. If a fire jurisdiction determines there is no way to develop safely or that it would come at an unacceptable impact to community services, the proposal is denied.

In the last three years, our department has facilitated updates to the Wasco County Natural Hazards Mitigation Plan, pursued the Community Planning Assistance for Wildfire grant, and is currently preparing to facilitate a public conversation to update our Community Wildfire Protection Plan. Our Wasco County 2040 Plan Update process also included significant public meetings, where we heard from many residents that wildfire remains a significant concern. We also enjoy participation in Wasco County Fire Board meetings specifically to ensure effective communication networks are maintained and the appropriate levels of coordination are being achieved.

In sum, we have immense levels of respect for fire protection partners, and the risk placed on our communities with new development and uses. **The tools recently added to the City's ordinances are already included in the County's – it's just phrased a little differently.** Wasco County's Fire Standards are considered to be some of the best in the state and it's been used as a model for many others. There is always room for improvement however, and we welcome comments or suggestions from the MCFR, and other Fire Districts, if the process described above does not meet their needs.

/AB



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE WASCO COUNTY

IN THE MATTER OF REQUESTING STATE DESIGNATION OF THE WASCO COUNTY RURAL RENEWABLE ENERGY DEVELOPMENT ZONE

RESOLUTION 20-004

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: ORS 285C.350 to 285C.370 provide for the designation of "Rural Renewable Energy Development Zones" (hereinafter RRED Zones) by request of a single city, a single county or multiple counties, to encompass the entire rural area of the jurisdiction(s), for purposes of offering the standard property tax abatement of an enterprise zone to the qualified property of renewable energy projects locating therein.

WHEREAS, The Wasco County is seeking designation of an RRED Zone by the Director of the Oregon Business Development Department to encourage new business investment, job creation, and expansion of renewable energy type developments within the County; and

WHEREAS, the proposed RRED Zone will include all eligible territory (whether incorporated or not) encompassed by the county line of Wasco County; and

WHEREAS, The designation of an RRED Zone does not grant or imply permission to develop land within the County without complying with prevailing zoning, regulatory and permitting processes and restrictions for the applicable jurisdiction; nor does it indicate any intent to modify those processes or restrictions, except as otherwise in accordance with Comprehensive Plans; and

WHEREAS, Wasco County appreciates the impacts that a designated RRED Zone would have and the property tax exemptions that eligible business firms might receive therein, as governed by Oregon Revised Statutes (ORS) Chapter 285C and other provisions of Oregon Law, including but not limited to what is described in Oregon Administrative Rules (OAR Chapter 123); and

WHEREAS, All of the municipal corporations, special service districts and so forth, other than the county government, that receive operating revenue through the levying of ad valorem taxes on real and personal property in any area of Wasco County have been informed and asked to comment on this request for designation; and

WHEREAS, Wasco County does not and has not previously sponsored a RRED Zone.

NOW, THERE, BE IT RESOLVED BY THE COUNTY COMMISSION AS FOLLOWS:

Section 1. Wasco County applies for an RRED Zone and requests that the Director of the Oregon Business Development Department order the designation thereof.

Section 2. Matthew Klebes, Administrative Services Director is authorized to submit the request for the aforementioned RRED Zone designation and to make any substantive or technical change to the application materials, as necessary, after adoption of this resolution.

Section 3. Wasco County appoints Matthew Klebes, Administrative Services Director, to serve in the capacity of the local zone manager for the RRED Zone. Wasco County will comply with the equivalent requirements and provisions of ORS 285C.105 respective to zone sponsor duties under ORS 285C.050 to 285C.250, as they would apply to the implementation of an RRED Zone under ORS 285C.350 to 285C.370.

Section 4. Effective Date. This Resolution shall be effective as of the 6th of May, 2020

DATED this 6th of May, 2020

APPROVED AS TO FORM

Wasco County Board of Commissioners

Kristen Campbell, County Counsel

Scott C. Hege, Chair

Kathleen B. Schwartz, Vice-Chair

Steven D. Kramer, County Commissioner



MOTION

SUBJECT: RRED Zone Resolution

I move to approve Resolution 20-004 requesting designation of the Wasco County Rural Renewable Energy Development Zone.



AGENDA ITEM

WASCO COUNTY VACATION POLICY

[STAFF MEMO](#)

[CURRENT VACATION POLICY WITH SUGGESTED CHANGES](#)

[2020 WASCO COUNTY VACATION POLICY](#)

[MOTION LANGUAGE](#)



From: Vacation Committee
To: Board of County Commissioners
CC: Management Team
Re: Proposed Changes to Vacation Policy

The Vacation Committee was charged with reviewing the vacation policy to identify problem areas and propose a solution if warranted. The group first met in January and consisted of twelve (12) members covering most of the departments of Wasco County. Monthly meetings have followed.

The group identified the primary problems as being:

1. The award level is too low
2. The time between awards – specifically for newer employees – is difficult
3. The time between increases is too long

Discussion of the problems

The award level is too low. This causes difficulties in recruiting and retention. Wasco County is consistently less than the average of comparable entities (counties & cities) used for wage comparisons. Most entities start at twelve (12) days annually – one (1) day a month. Wasco County starts at ten (10) days annually. Wasco County's vacation rate ties the comparable entities average in the 6th year, then drops behind again until the 11th year where Wasco County exceeds the average for 3 years. After which, the county falls behind the average again. Within Wasco County itself, the vacation award is less than the WCLEA collective bargaining rate leading to difficulty in promoting to Sergeant. This is shown in attachment #1. This makes a work-life balance difficult.

The time between awards – specifically for newer employees – is difficult. The current policy's first award is at six (6) months, then twelve (12) months and annually following. This means a new hire has no time off for the first six (6) months. It is impossible to take a two week vacation in the first year. Even if an employee saves all their time, currently, a new employee would only have two weeks of vacation available for the first two years. It also leads to confusion as to when an increase is applicable. This also leads to an increase in unpaid leave at the end of the calendar year.

The time between increases is too long. The current policy is modeled on having an increase of five (5) additional vacation days every five (5) years, maxing out at twenty (20) days a year at the 11th anniversary award. This means large flat areas with no growth. A direct quote from the committee is, “No increases for a new employee for 5 years is hard.”

Second tier issues

Tied to the primary problems identified are other issues.

- Hard decisions in inclement weather
- Fifteen (15) month cut-off – specifically in March as this is a difficult time
- Staff have to take unpaid leave
- Does the current policy match to the culture we are building?

Discussed But Outside the Scope of Vacation Policy

Several items discussed were determined to be outside the scope of the vacation policy and the direction provided to the group.

- Cashing in time – this would have a direct fiscal impact and was discarded for that reason. Additionally, this would indicate an excess of vacation time being awarded as it would be just turned into cash.
- Inclement Weather Leave – this is not a part of a vacation policy where implemented. There are specific concerns especially concerning Oregon’s Pay Equity Law. Further, the additional vacation time proposed helps to mitigate this issue.
- Flexible Holiday – this is under the Holiday Policy. Nothing in the vacation policy changes this in any way.

Proposed Policy Changes

Focusing on the primary problems, the committee started with two fixed points. The first is 12 days per year. The next is at 20 years which was set at 28 days. A line was then drawn from 12 days in year one to 28 days in year 20. This line was then modified to round to whole numbers. It results in 3 (three) years with no increase in vacation but every other year has an increase. This was done to simplify and not have decimals and rounding issues each year. Increases would happen on the adjusted anniversary date. See attachment #2 for a comparison of the proposed, current, WCLEA and comparable average. Attachment #3 is a table of the proposed awards per year.

The second piece of the proposal is for the award to happen each pay period. This would allow a new employee to have leave after the first month. The consensus of the Vacation Committee was this would not be an issue as a) leave must be approved by the supervisor and b) even if the employee leaves, the awarded

vacation is not paid out. There would not be the annual vacation award anymore as the smaller awards on each pay period would replace it.

The third piece is a cap set at 240 hours – regardless of years of service or 40 vs 37.5 hour work week. This cap would not be effective until the policy has been in effect for one (1) fiscal year. When the cap is reached – no additional time is awarded until the balance is below the cap.

The committee is proposing the changed policy to be in effect on July 1st, 2020. As part of the change-over, the next vacation award an employee has scheduled under the current policy will be prorated back to June 30th and awarded to the employee. This will be in addition to any vacation leave the employee has not utilized yet.

Discussion of Proposed Changes

The proposed rates start at 12 days annually as that is the most common award. The high point at 28 days for 20 years of service can be summed up with the statement, “If Harney County can offer 28 days at 20 years, so can Wasco County.” This may seem a bit simplistic but does work. The only problem with the logic is Harney County is not one of the counties included in our “comparables”. The proposed rates are shown against the highest of our comparable entities in attachment #4.

The proposed rates are the same as the current rates in the 11th year. This shows how the proposed plan has eliminated the problem of the large periods with no increase while working to the same point. The annual increase allows staff to feel growth each year while progressing to a point that is already in the policy. It is just several smaller, consistent increases versus two large increases.

The proposed rates past the 11th year are higher than the average comparable entities but not greater than the highest comparable entities until the 16th year.

The award would happen with each paycheck – ½ of the monthly award on the 10th and the other ½ on the 25th. This would provide a steadily growing vacation balance and enable staff earlier access to the vacation balance.

The cap was intentionally set at 240 hours for several reasons. First, it matches the WCLEA contract so if an arbitrary number is being picked – it is as good as any. Second, it is slightly more than the 20 year award level and would avoid putting the individual in a use or lose situation.

The proposed award rate matches the current award rate for the 11th annual award. This means the only staff not receiving an immediate higher rate of award are those who would be receiving their 11th annual award on January 1st, 2021. This is two (2) individuals. However, the individuals would still benefit from earlier access to vacation time.

The committee believes this to be in line with and strengthen Wasco County's culture, it will help with the work/life balance, increases the recruiting and retention of staff, and is fiscally sustainable.

Potential Problems & Costs

The first concern is direct cost. Will this result in additional overtime costs? While this could be a risk in some areas, for the most part it is not. This has been confirmed with individual conversations in departments. Departments only open for specific hours would not be impacted with overtime. The issue would potentially exist with departments with rotating staff shifts. The biggest worry was the Sheriff's Office as this would change the hours for the Sergeants. While there is still the risk of overtime due to vacation if sickness strikes, this is still a risk with the current vacation award level. This was discussed with Directors for each department.

<u>Department</u>	<u>Response</u>
Finance	No impact on Overtime
HR	No impact on Overtime
Sheriff's Office	Minimal if illness hits at a bad time
Community Corrections	No impact on Overtime
911 Communications	No impact on Overtime
Assessing & Tax	No impact on Overtime
Clerk's Office	No impact on Overtime
Youth Services	No impact on Overtime
Facilities	No impact on Overtime
Information Systems	No impact on Overtime
Veterans Services	No impact on Overtime
Public Works	No impact on Overtime
Planning	No impact on Overtime
Surveyor	No impact on Overtime
Building Codes	No impact on Overtime

The direct fiscal impact is nearly non-existent unless additional staffing would be needed to cover vacation time. This is because the leave cannot be converted to cash except by being used as a vacation day. So there is no additional cost for the leave. However, Department Directors and supervisors will have to manage time off schedules tighter in some departments. It is important to note that all vacation still needs to be approved before use – the group is not proposing any change to that requirement.

Additionally, when the collective bargaining agreements come up for negotiations, this could provide pressure to increase their contract amounts. There are differences in the leave – primarily as awarded vs accrued or use/lose vs owned.

There is a loss of capacity as more time off means less working time. This is a soft number as it will change with staff and the productivity of the staff. However, for the point of comparison, using the target date of January 1st, 2021 for comparison, it will result in an overall cost to capacity of \$92,313 or 1.7 Full-Time Equivalent (FTE) positions spread across all departments and funds. This was calculated by looking at each employee and the vacation change for this employee under the proposed change. It does not cover members of the collective bargaining units, temporary employees or elected officials as none of these groups are under this plan.

Attachment #5 is a table summarizing the capacity cost of the proposed change by fund and department. Some positions are 40 hours/week and others are 37.5 hours/week. For that reason, the difference focused on work days lost. The total loss is 443 days spread across 9 funds and 15 departments. The total hours are the equivalent of adding 1.7 FTE. However, this is made up of small slices in all funds and departments and is not feasible to utilize this as an FTE. For instance, the General Fund will lose capacity equivalent to 1.07 FTE spread across 9 departments. This is only 0.1192 FTE average per department, ranging from a low of 0.0269 FTE to a high of 0.1999 FTE. The highest capacity loss is in the Public Works Fund – PW Department for 0.4537 FTE. This is due to the number of staff in the department and the longevity of several employees. (In the department, 8 out of 24 employees will have 19 or more years working for the County in FY21.)

With the current employee distribution, eighteen (18) employees are at twenty (20) years or greater. This small subset of 17% of the employees accounts for 32% of the FTE capacity lost and 34% of the dollar value of the capacity cost. (0.3 FTE for the General Fund and 0.2 FTE for the Public Works Fund valued at \$17,796 and \$13,833 respectfully for a total of \$31,629.)

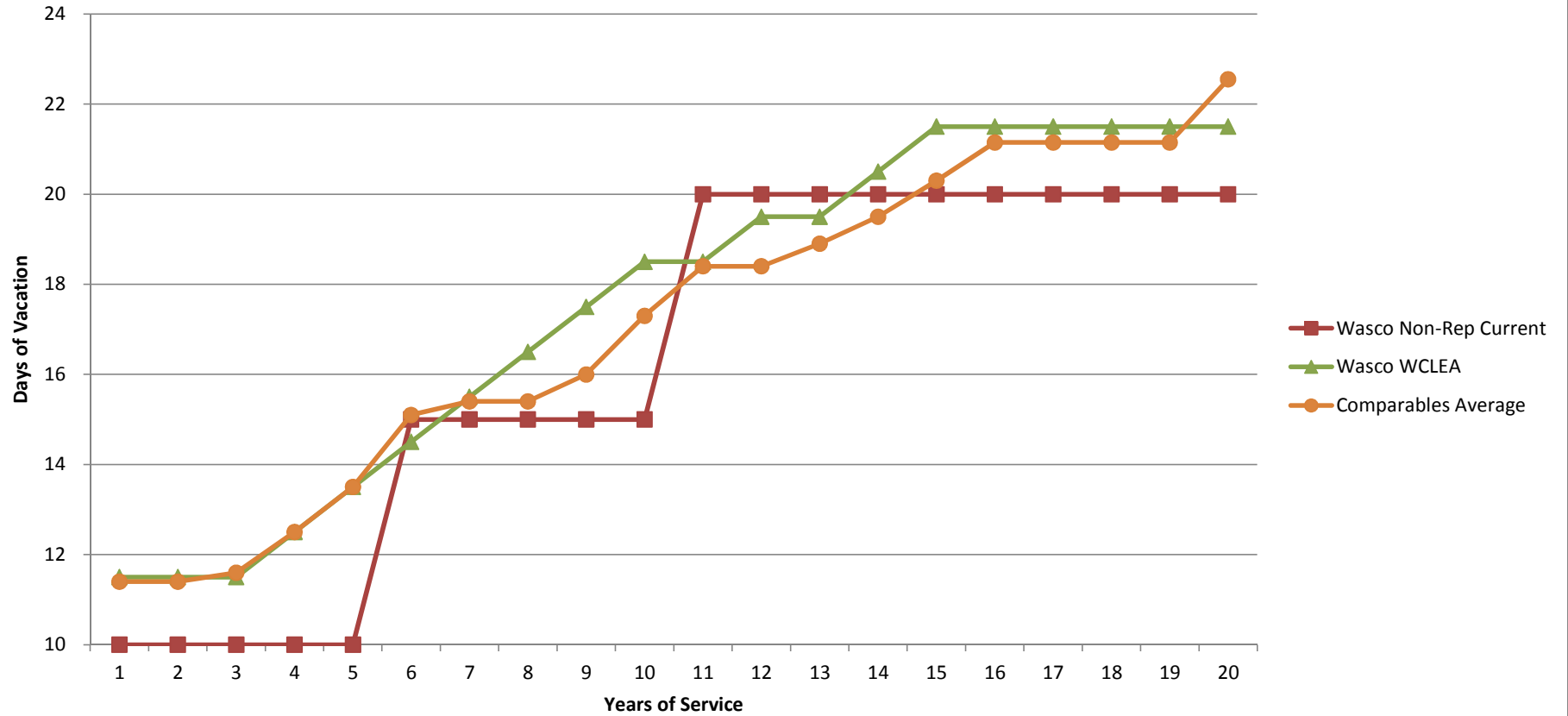
Committee Recommendation

The Committee recommends the following changes to the vacation policy:

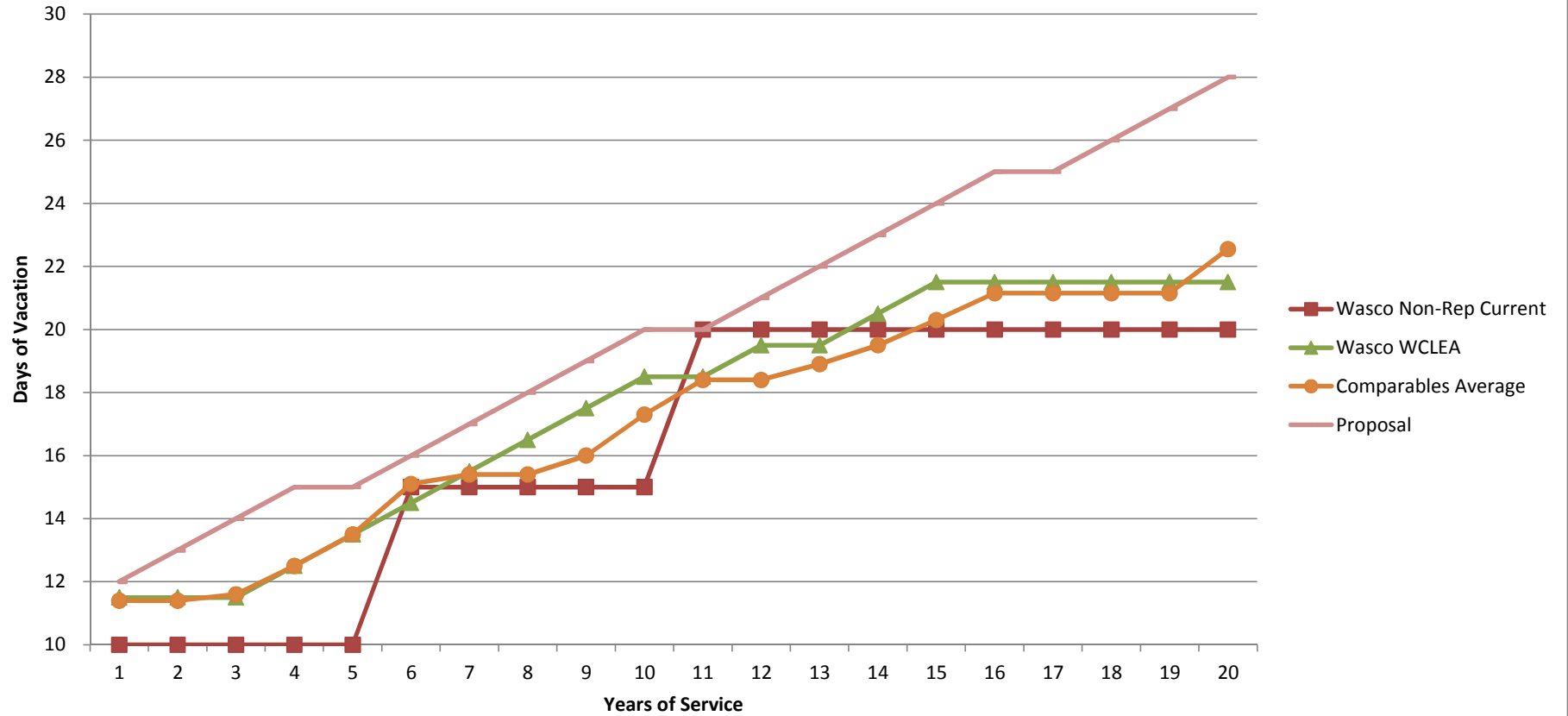
1. Vacation awarded starting at 12 days per year for the 1st year to 28 days per year for the 20th and beyond years. The rate of increase is 1 day per year except in service years 5, 11 and 17 where there is no increase from the prior year.
2. The awards are made on a semi-monthly basis with each paycheck – similar to how the sick time policy works.
3. A cap is set at 240 hours but not enforced for the first fiscal year.
4. A new hire is eligible to use vacation after it has been awarded.
5. The current policy award levels for each employee will be prorated back to June 30th, 2020 and awarded to the employee as of July 1st, 2020.

Vacation Days - Current to Comparables Average & WCLEA

Attachment #1



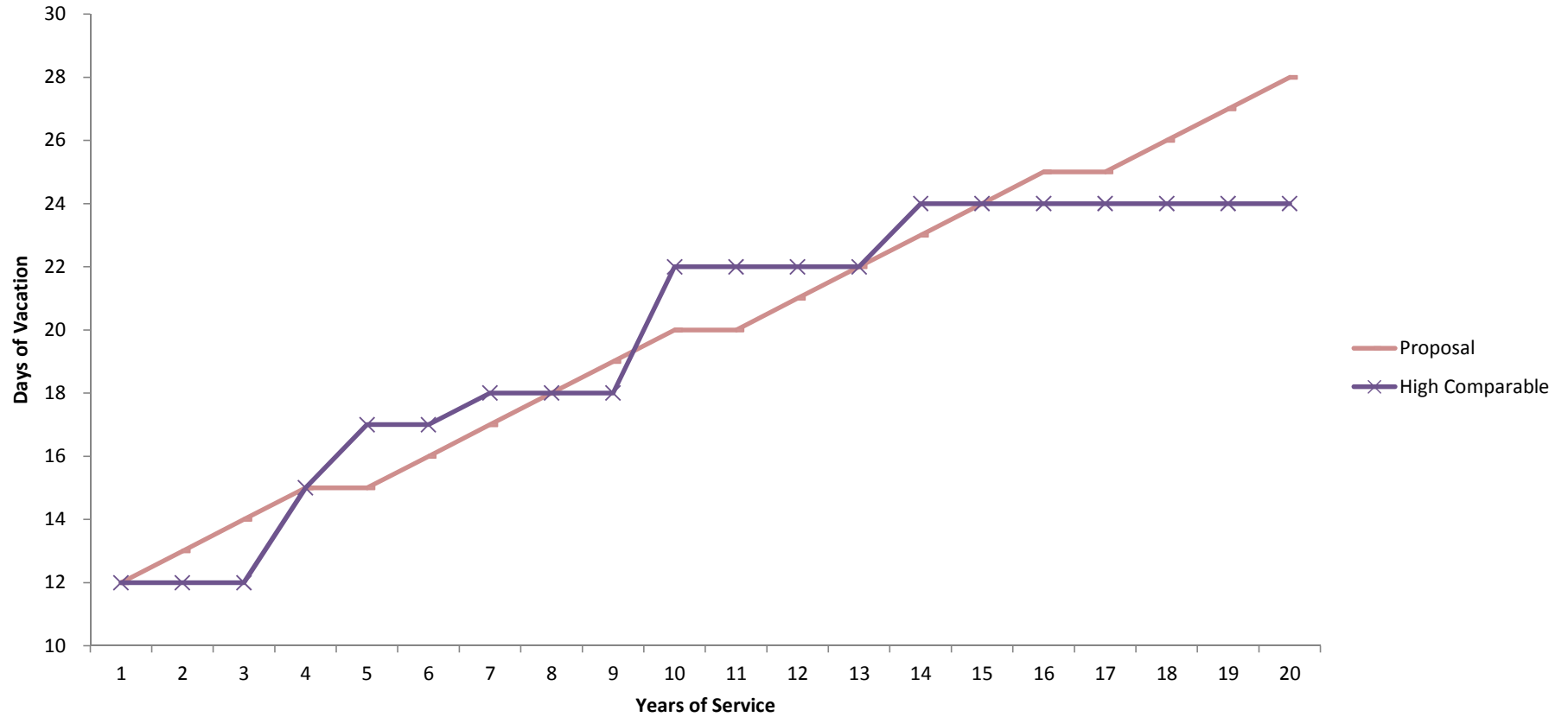
Vacation Days - Current to Proposed with Comparables Average & WCLEA



From Anniversary	To Anniversary	Annual Award (days)	Monthly Hours (37.5)	Monthly Hours (40)
Hire Date	1	12	7.50	8.00
1	2	13	8.13	8.67
2	3	14	8.75	9.33
3	4	15	9.38	10.00
4	5	15	9.38	10.00
5	6	16	10.00	10.67
6	7	17	10.63	11.33
7	8	18	11.25	12.00
8	9	19	11.88	12.67
9	10	20	12.50	13.33
10	11	20	12.50	13.33
11	12	21	13.13	14.00
12	13	22	13.75	14.67
13	14	23	14.38	15.33
14	15	24	15.00	16.00
15	16	25	15.63	16.67
16	17	25	15.63	16.67
17	18	26	16.25	17.33
18	19	27	16.88	18.00
19	20	28	17.50	18.67

Vacation Days - Proposed to Highest Comparable

Attachment #4



Capacity Cost of Proposed Vacation Policy Change

		Data			
Fund	Department	Day Difference Between Plans	Hours Difference Between Plans	FTE Capacity	Cost of Capacity
General	ADMINISTRATION	13	97.50	0.0500	\$ 3,250.13
	ASSESSOR	36	270.00	0.1385	\$ 6,097.95
	CLERK	7	52.50	0.0269	\$ 1,037.40
	DA	33	224.25	0.1269	\$ 6,026.62
	EAS	52	390.00	0.1999	\$ 12,116.78
	FINANCE	20	150.00	0.0768	\$ 4,855.80
	PLANNING	36	240.00	0.1384	\$ 6,414.08
	SHERIFF	34	240.00	0.1306	\$ 7,471.76
	YOUTH	48	360.00	0.1845	\$ 11,111.85
General Total		279	2,024.25	1.0725	\$ 58,382.35
Public Works		118	944.00	0.4537	\$ 24,553.36
Community Corrections		12	96.00	0.0461	\$ 1,958.48
911 Communications		10	64.00	0.0384	\$ 1,743.28
Building Codes		18	135.00	0.0690	\$ 4,940.78
Museum		1	7.50	0.0038	\$ 97.95
Fair/Park		5	37.50	0.0192	\$ 637.13
Grand Total		443	3,308.25	1.7027	\$ 92,313.32

WASCO COUNTY, OREGON
AMENDED VACATION POLICY

This policy supersedes all previous vacation policies and applies to non-represented Wasco County Employees.

DEFINITIONS

VACATION WEEK is defined as the normal number of hours of work scheduled in the employee's workweek.

FULL-TIME: Any position scheduled to work a minimum of 37.5 hours per week.

REGULAR PART-TIME: Any position scheduled to work a less than 37.5 hours per week but more than 21.75 hours per week.

~~ANNIVERSARY YEAR: The date of original hire adjusted to the 1st of the month if the hire date is from the 1st to 15th or adjusted to the 1st of the following month if hired on the 16th or later in the month. After August 16th, 2017; if hired on the 1st through the 15th, the 1st of the month of employment is considered the anniversary for calculation of vacation. If hired on the 16th through the 31st, the 1st of the month following the start date is considered the anniversary for the calculation of vacation. For instance, a person starting on August 10th, 2017 would have their 1st anniversary (for vacation) on August 1st 2018; while a person starting on August 18th, 2017 would have their 1st anniversary (for vacation) on September 1st, 2018. Employees with an anniversary date of January 1st from the prior policy will keep January 1st as their anniversary date unless they opt in.~~

~~OPT IN: Employees already on a January 1st anniversary year may choose to change the anniversary to be the same pattern followed by employees hired after September 1st, 2017. The decision to change the anniversary date must be made before November 1st, 2017 and is irrevocable after made.~~

AWARDED VACATION: Paid time off ~~that does not accumulate in a "vacation bank" for the employee to use~~ and is not owned by the employee and ~~must be used within fifteen (15) months of the award may not be cashed out.~~

ACCRUED VACATION: Paid time off that accumulates as time passes and is held in a "vacation bank" owned by the employee.

SECTION 1: PAID VACATION FOR FULL-TIME EMPLOYEES

Full-time employees start to earn vacation award based from the date of hire. Awards are made based on the adjusted hire date utilizing the award table in Section 6.~~Regular full-time employees who have been employed continuously for six months by the County and completed their probationary period will be entitled to one week of awarded vacation to be used within fifteen (15) months. On the first day of the month following the completion of one year of employment, the employee will be awarded a second week of vacation to be used within 15 months. An employee who terminates employment before completing one full year of employment will not receive any vacation pay upon termination. After the first year of employment, all vacation awards will be granted on the employee's anniversary date of each year.~~

SECTION 2: PAID VACATION FOR REGULAR PART-TIME EMPLOYEES

Regular part-time employees scheduled to work over 21.75 hours per week will be awarded vacation based on the date of hire and prorated to the portion of full time for the position.

~~Regular part-time employees who have been employed continuously for six months by the County and completed their probationary period will be entitled to one week of awarded vacation based on their part-time schedule to be used within fifteen (15) months. On the first day of the month following the completion of one year of employment, the employee will be awarded a second week of vacation to be used within fifteen (15) months. An employee who terminates employment before completing one full year of employment will not receive any vacation pay upon termination. After the first year of employment, all vacation awards will be granted on the employee's anniversary date of each year.~~

Employees who are scheduled for less than 21.75 hours per week shall not be entitled to paid vacation time.

SECTION 3: VACATION FORFEITURE

All awarded vacation accumulates until used. Any vacation awarded over the cap of 240 hours~~must be used within fifteen (15) months. After fifteen (15) months, any balance remaining~~ shall be forfeited.

For the first fiscal year of this policy, this forfeiture will not be enforced. A grace period is granted until July 1st, 2021. At which time any vacation over the cap will be forfeited.

SECTION 4: VACATION SCHEDULING

Vacation time use is subject to approval of the Department Director or designee. Employees request to use vacation time and the Department Director or designee authorizes or does not authorize the vacation request after determining if there is enough coverage to cover the time off. Adequate coverage includes – but is not limited to – not causing the organization overtime charges.

Employees are limited to two (2) weeks off work in any four (4) week time period unless otherwise approved by the Department Director. Requests for one (1) to two (2) weeks must be made to the supervisor at least one (1) month in advance. Periods of time off less than one (1) week may be made at any time. These requests are still subject to coverage restrictions and are first come – first served basis.

The Director must consider staffing necessary to meet Department task without requiring overtime or delaying planned projects/tasks. If the Director determines this to be the case, the leave request may be granted.

~~Employees must schedule their vacation consistent with the judgment of the Department Director/Manager as to the needs and requirements of the department. Subject to such requirements, vacation time shall be scheduled between employees on the basis of seniority; however, each employee will be permitted to exercise seniority only once each calendar year.~~

SECTION 5: VACATION AWARD

Vacation is awarded and not earned or accrued. Vacation is not owned by the employee and cannot be sold, exchanged or bartered by the employee, except as may otherwise be specifically provided for in this or another policy of the Board of County Commissioners.

SECTION 6: VACATION AWARD LEVELS

Vacation awards will be made on each pay period based on the table below. Part time positions will be prorated to the FTE level of the position.

Anniversary Years			37.5 hr work week		40 hour work week	
From	To	Annual Rate (Days per Year)	Monthly hours	Per Payperiod hours	Monthly hours	Per Payperiod hours
Hire	1st	12	7.5000	3.7500	8.0000	4.0000
1st	2nd	13	8.1250	4.0625	8.6667	4.3334
2nd	3rd	14	8.7500	4.3750	9.3333	4.6667
3rd	4th	15	9.3750	4.6875	10.0000	5.0000
4th	5th	15	9.3750	4.6875	10.0000	5.0000
5th	6th	16	10.0000	5.0000	10.6667	5.3334
6th	7th	17	10.6250	5.3125	11.3333	5.6667
7th	8th	18	11.2500	5.6250	12.0000	6.0000
8th	9th	19	11.8750	5.9375	12.6667	6.3334
9th	10th	20	12.5000	6.2500	13.3333	6.6667
10th	11th	20	12.5000	6.2500	13.3333	6.6667
11th	12th	21	13.1250	6.5625	14.0000	7.0000
12th	13th	22	13.7500	6.8750	14.6667	7.3334
13th	14th	23	14.3750	7.1875	15.3333	7.6667
14th	15th	24	15.0000	7.5000	16.0000	8.0000
15th	16th	25	15.6250	7.8125	16.6667	8.3334
16th	17th	25	15.6250	7.8125	16.6667	8.3334
17th	18th	26	16.2500	8.1250	17.3333	8.6667
18th	19th	27	16.8750	8.4375	18.0000	9.0000
19th	20th	28	17.5000	8.7500	18.6667	9.3334

~~Vacation will be awarded as follows:~~

~~——— At the end of the employee's first six months of employment and successful completion of probationary period, an employee will be awarded one week of paid vacation.~~

~~——— Upon the completion of one full year of employment, an employee will be awarded a second week of paid vacation.~~

~~——— After receiving two weeks of vacation during the first 12 months of employment, an employee will thereafter be awarded vacation on an anniversary year basis. Two weeks of paid vacation will be awarded to the employee on the employee's anniversary for years two through five in which the employee is continuously employed with the County.~~

~~——— Beginning with the employee's 6th anniversary year (6th anniversary employed) and continuing through the employee's 10th anniversary year, the employee will be awarded three weeks of vacation each calendar year.~~

~~——— Beginning with the employee's 11th anniversary year (11th anniversary employed) and every year thereafter (each anniversary), the employee will be awarded four weeks of vacation.~~

For an Employee Hired November 1, 2017			
	Amount of Award	Date of Award	Use by Date
6 months from Hire Date	1 week	5/1/2018	8/31/2019
1 year from Hire Date — 1 st Anniversary	1 week	11/1/2018	2/28/2020
2 nd Anniversary Award	2 weeks	11/1/2019	2/28/2021
3 rd Anniversary Award	2 weeks	11/1/2020	2/28/2022
4 th Anniversary Award	2 weeks	11/1/2021	2/28/2023
5 th Anniversary Award	2 weeks	11/1/2022	2/28/2024
6 th Anniversary Award	3 weeks	11/1/2023	2/28/2025
7 th Anniversary Award	3 weeks	11/1/2024	2/28/2026
8 th Anniversary Award	3 weeks	11/1/2025	2/28/2027
9 th Anniversary Award	3 weeks	11/1/2026	2/28/2028
10 th Anniversary Award	3 weeks	11/1/2027	2/28/2029
11 th Anniversary Award	4 weeks	11/1/2028	2/28/2030

SECTION 7: VACATION EARNED PRIOR TO JANUARY 1, 1998

All unused vacation time accrued before January 1, 1998, will remain available for use by the employee who accrued it. The employee may choose to: 1) Save the accrued vacation. 2) Use for additional paid time off. 3) Cash out up to two weeks per year.

SECTION 8: ACCURED VACATION EARNED BETWEEN JANUARY 1, 1998 AND APRIL 1, 2015

All unused vacation time accrued between January 1, 1998 and April 1, 2015, will remain available for use by the employee who accrued it. The employee may choose to: 1) Save the accrued vacation. 2) Use for additional paid time off. 3) Cash out upon termination of

employment with the County at the rate the employee was being paid at the time of the transition to awarded vacation (April 1, 2015).

SECTION 9: VACATION – RETIREMENT

Any employee who retires from County employment in compliance with the provisions of the Oregon Public Employees Retirement System will be paid in full for any unused vacation that was awarded to the employee for the calendar year in which the employee retires plus any remaining vacation earned under the accrual vacation system (see sections 7 and 8).

SECTION 10: VACATION – LAYOFF

An employee, placed on involuntary layoff will be paid for any unused vacation that was awarded to the employee for the calendar year in which the employee is laid off plus any remaining that was earned under the accrual vacation system (see sections 7 and 8). Employees returning within one year of the layoff will be entitled to credit for service immediately prior to the layoff.

SECTION 11: VACATION – SEPARATION

Any employee who is fired or quits will not receive compensation for unused awarded vacation. Any employee who is separating from the County for any reason, will receive compensation for unused accrued vacation (see Sections 7 and 8).

SECTION 12: VACATION ANNIVERSARY—~~OPT IN~~

Effective July 1, 2020 all vacation award amounts will be determined by the employees Anniversary date and the amount of time passed since said anniversary date.

~~Any employee hired before July 1st, 2017 may elect to change their anniversary date from January 1st to the pattern followed for employees hired after July 1st, 2017. This election must be made before November 1st, 2017 and is irrevocable. If made, the employee will be awarded a prorated vacation amount on their new anniversary date. If that date for the current calendar year has passed, the award will be on the first payroll processed in November.~~

~~——— For example, an employee elects to opt in and has a new anniversary date of March 1st instead of January 1st. The employee would receive an award of 2/12 (two months out of a full 12 month award) on the first payroll processed in November. Then on the following January 1st, the~~

~~employee would not receive any award. On March 1st, the employee would receive a full award based on the award levels.~~

EFFECTIVE DATE:

The Amended Vacation Policy shall be effective upon passage.

ADOPTED this 6th Day of May, 2020.

WASCO COUNTY
BOARD OF COMMISSIONERS

Scott C. Hege, Commission Chair

Steven D. Kramer, County Commissioner

Kathy Schwartz, County Commissioner

APPROVED AS TO FORM:

Kristen Campbell
Wasco County Counsel

WASCO COUNTY, OREGON
AMENDED VACATION POLICY

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8th	9th	19	11.8750	5.9375	12.6667	6.3334
9th	10th	20	12.5000	6.2500	13.3333	6.6667
10th	11th	20	12.5000	6.2500	13.3333	6.6667
11th	12th	21	13.1250	6.5625	14.0000	7.0000
12th	13th	22	13.7500	6.8750	14.6667	7.3334
13th	14th	23	14.3750	7.1875	15.3333	7.6667
14th	15th	24	15.0000	7.5000	16.0000	8.0000
15th	16th	25	15.6250	7.8125	16.6667	8.3334
16th	17th	25	15.6250	7.8125	16.6667	8.3334
17th	18th	26	16.2500	8.1250	17.3333	8.6667
18th	19th	27	16.8750	8.4375	18.0000	9.0000
19th	20th	28	17.5000	8.7500	18.6667	9.3334

SECTION 7: VACATION EARNED PRIOR TO JANUARY 1, 1998

All unused vacation time accrued before January 1, 1998, will remain available for use by the employee who accrued it. The employee may choose to: 1) Save the accrued vacation. 2) Use for additional paid time off. 3) Cash out up to two weeks per year.

SECTION 8: ACCURED VACATION EARNED BETWEEN JANUARY 1, 1998 AND APRIL 1, 2015

All unused vacation time accrued between January 1, 1998 and April 1, 2015, will remain available for use by the employee who accrued it. The employee may choose to: 1) Save the accrued vacation. 2) Use for additional paid time off. 3) Cash out upon termination of employment with the County at the rate the employee was being paid at the time of the transition to awarded vacation (April 1, 2015).

SECTION 9: VACATION – RETIREMENT

Any employee who retires from County employment in compliance with the provisions of the Oregon Public Employees Retirement System will be paid in full for any unused vacation that

was awarded to the employee for the calendar year in which the employee retires plus any remaining vacation earned under the accrual vacation system (see sections 7 and 8).

SECTION 10: VACATION – LAYOFF

An employee, placed on involuntary layoff will be paid for any unused vacation that was awarded to the employee for the calendar year in which the employee is laid off plus any remaining that was earned under the accrual vacation system (see sections 7 and 8). Employees returning within one year of the layoff will be entitled to credit for service immediately prior to the layoff.

SECTION 11: VACATION – SEPARATION

Any employee who is fired or quits will not receive compensation for unused awarded vacation. Any employee who is separating from the County for any reason, will receive compensation for unused accrued vacation (see Sections 7 and 8).

SECTION 12: VACATION ANNIVERSARY

Effective July 1, 2020 all vacation award amounts will be determined by the employees Anniversary date and the amount of time passed since said anniversary date.

EFFECTIVE DATE:

The Amended Vacation Policy shall be effective upon passage.

ADOPTED this 6th Day of May, 2020.

WASCO COUNTY
BOARD OF COMMISSIONERS

Scott C. Hege, Commission Chair

Kathleen B. Schwartz, Vice-Chair

APPROVED AS TO FORM:

Kristen Campbell
Wasco County Counsel

Steven D. Kramer, County Commissioner



MOTION

SUBJECT: Vacation Policy

I move to approve the 2020 Wasco County Amended Vacation Policy to supersede all previous vacation policies applying to non-represented Wasco County employees.



AGENDA ITEM

TMDL REPORTS

[JOHN DAY SUBMITTAL LETTER](#)

[JOHN DAY IMPLEMENTATION PLAN](#)

[MILES CREEK SUBMITTAL LETTER](#)

[MILES CREEK IMPLEMENTATION PLAN](#)



PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058
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Pioneering pathways to prosperity.

April 29, 2020

Don Butcher
Department of Environmental Quality
475 NE Bellevue Dr St 110
Bend, OR 97701

Dear Mr. Butcher;

Please accept the attached Wasco County Total Maximum Daily Load Implementation Plan for the John Day Subbasin. This plan represents Wasco County's compliance with requirements from the Clean Water Act and Oregon Department of Environmental Quality John Day River Basin TMDL.

Thank you,

Angie Brewer, Planning Director
Wasco County Planning Department

Scott C. Hege, Chair
Wasco County Board of Commissioners

**JOHN DAY RIVER BASIN
TMDL IMPLEMENTATION PLAN**

November 19, 2019

PREPARED BY:

**WASCO COUNTY PLANNING DEPARTMENT
2705 EAST 2ND STREET
THE DALLES, OREGON 97058**



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1. Introduction

1.1 Background

The quality of Oregon's streams, lakes, estuaries and groundwater is monitored by the Oregon Department of Environmental Quality (DEQ) as well as other state, federal, and local organizations and groups. This information is used to determine whether water quality standards are being attained and, consequently, whether the beneficial uses of the waters are protected.

Section 303(d) of the federal Clean Water Act requires states to develop total maximum daily loads (TMDLs) for impaired water bodies. A TMDL identifies pollutant level limitations with the goal of improving water quality in order for water bodies to support beneficial uses such as fisheries, aquatic life, drinking water, recreation and irrigation.

In November 2010, the Oregon Department of Environmental Quality published the John Day River Basin TMDL. This document designated the John Day area as "Water Quality Limited" for temperature and sedimentation. This term is applied to water bodies where violations of State water quality standards continue to occur.

The TMDL report found that at some locations and times, water is not healthy for people to drink or swim in, and is problematic for fish survival. Issues of concerns included in the report are high temperatures, high bacteria levels, low oxygen concentrations, impaired aquatic life and excessive amounts of fine-grained streambed sediment.

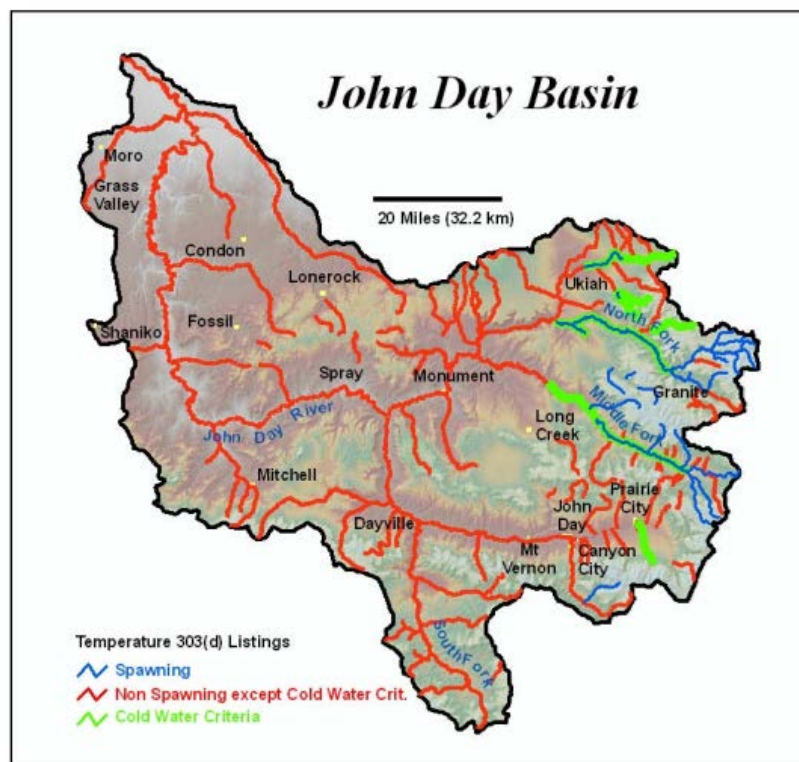


Figure 1.1 –John Day Basin

1.2 John Day Basin TMDL Area

The John Day River basin drains nearly 8,100 square miles of central and northeast Oregon. Absent of dams for 281 miles, the John Day is the second longest free-flowing river in the continental United States and the longest undammed tributary of the Columbia.

The John Day River borders Wasco County in the south east corner of the county boundaries. This portion of the county is sparsely populated, consisting mostly of large ranch holdings. All of the adjacent property is zoned A-1 (160), or Exclusive Farm Use.

Figure 1.2-1. John Day Basin location

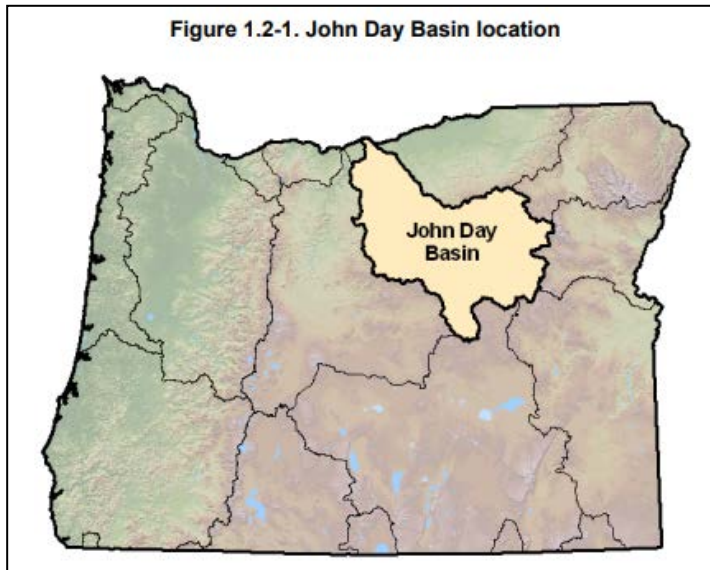
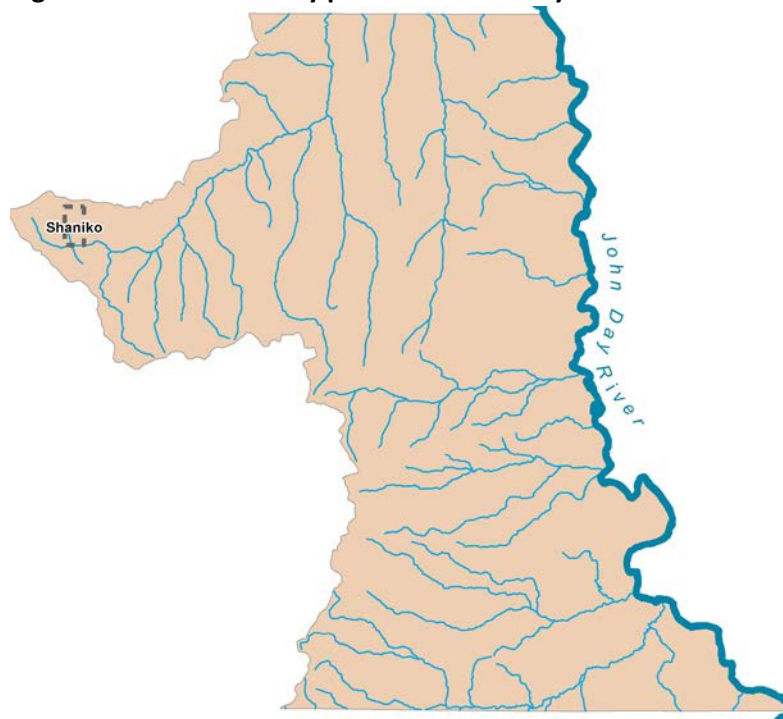


Figure 1.3 shows the basin within Wasco County limits. This includes the streams and tributaries that feed into the John Day.

Figure 1.3- Wasco County portion of John Day Basin



1.3 Administrative Rule

Oregon Administrative Rule (OAR) 340-042-0080(3) requires that:

Persons, including DMAs other than the Oregon Department of Forestry or the Oregon Department of Agriculture, identified in a WQMP as responsible for developing and revising sector-specific or source-specific implementation plans must:

- A. Prepare an implementation plan and submit the plan to the Department for review and approval according to the schedule specified in the WQMP. The implementation plan must:*
 - 1. Identify the management strategies the DMA or other responsible person will use to achieve load allocations and reduce pollutant loading;*
 - 2. Provide a timeline for implementing management strategies and a schedule for completing measurable milestones;*
 - 3. Provide for performance monitoring with a plan for periodic review and revision of the implementation plan;*
 - 4. To the extent required by ORS 197.180 and OAR chapter 340, division 18, provide evidence of compliance with applicable statewide land use requirements; and*
 - 5. Provide any other analyses or information specified in the WQMP.*
 - B. Implement and revise the plan as needed.*
-

1.4 Implementation Plan Goal

The goal of Wasco County's TMDL Implementation Plan is to help maintain temperatures of county streams at or below state water quality standard requirements by conserving existing riparian vegetation and encouraging riparian vegetation restoration.

Management measures to achieve this goal include:

- 1.4.1** Identifying existing Land Use and Planning regulations that currently protect streams from thermal pollution;
 - 1.4.2** Considering updates to the County comprehensive plan water quality policies and strategies to provide policy-level support for the TMDL Implementation Plan.
 - 1.4.3** Considering new regulations within riparian areas pertaining to setbacks, protection of existing vegetation, installation of shade trees, and /or limiting the construction of non-agricultural ponds and reservoirs that would further protect streams from thermal pollution.
 - 1.4.4** Conducting outreach activities to inform the public about the functions and values of riparian areas, applicable county regulations and technical and financial resources available for restoration projects.
-

1.5 Definitions

The following applicable definitions are from DEQ's administrative rules for TMDLs (OAR Chapter 340, Division 042):

"Designated Management Agency (DMA)" means a federal, state or local governmental agency that has legal authority over a sector or source contributing pollutants, and is identified as such by the Department of Environmental Quality in a TMDL.

"Hydrologic Unit Code (HUC)" means a multi-scale numeric code used by the U.S. Geological Survey to classify major areas of surface drainage in the United States. The code includes fields for geographic regions, geographic subregions, major river basins and subbasins. The third field of the code generally corresponds to the major river basins named in OAR chapter 340, division 41. The fourth field generally corresponds to the subbasins typically addressed in TMDLs.

"Management Strategies" means measures to control the addition of pollutants to waters of the state and includes application of pollutant control practices, technologies, processes, siting criteria, operating methods, best management practices or other alternatives.

"Performance Monitoring" means monitoring implementation of management strategies, including sector-specific and source-specific implementation plans, and resulting water quality changes.

"Total Maximum Daily Load (TMDL)" means a written quantitative plan and analysis for attaining and maintaining water quality standards and includes the elements described in OAR 340-042-0040. These elements include a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet state water quality standards, allocations of portions of that amount to the pollutant sources or sectors, and a Water Quality Management Plan to achieve water quality standards.

"Water Quality Management Plan (WQMP)" means the element of a TMDL describing strategies to achieve allocations identified in the TMDL to attain water quality standards. The elements of a WQMP are described in OAR 340-042-0040(4)(I).

2 TMDL

To understand the John Day Basin TMDL Implementation Plan, it is necessary to briefly discuss some of the components of a TMDL including Waterbodies, Pollutant Identification, Beneficial Uses, Target Identification, and Existing Sources.

2.1 Waterbodies: This temperature TMDL applies to all perennial and intermittent streams within the John Day Basin, including many creeks within neighboring Sherman, Jefferson, Wheeler, Grant and Gilliam Counties. Details on specific stream segments can be found in the John Day Basin TMDL.

2.2 Pollutant Identification: The TMDL published by DEQ indicates that “Heat” is the identified pollutant. Specifically, water temperature change is an expression of heat energy exchange per unit volume. The define nonpoint sources as heat originating from solar radiation received by streams, and point source via mass transfer of effluent discharge to streams.

Stream temperature is influenced by natural factors such as climate, geomorphology, hydrology, and vegetation. Human or anthropogenic heat sources may include discharges of heated water to surface waters, increases in sunlight reaching the water’s surface due to the removal of streamside vegetation and reductions in stream shading, changes to stream channel form, and reductions in natural stream flows and the reduction of cold water inputs from groundwater. The pollutant targeted in this Implementation Plan is heat from the following sources: (1) human-caused solar radiation loading increases to the stream network, as a result of alterations in near stream vegetation, channel morphology, and flow modifications; and (2) warm water of human origin, such as industrial outfalls and waste water treatment plants.

An important step in the TMDL is to perform a source assessment which quantifies the natural and anthropogenic contributions to stream heating. One anthropogenic contribution to solar radiation heat loading results from decreased stream surface shade. Decreased stream shade may be caused by near stream vegetation disturbance/removal and channel morphology changes. Other anthropogenic sources of stream warming may include stream flow reductions and warm water point source effluent discharges.

2.3 Beneficial Uses:

Human activities and aquatic species that are to be protected by water quality standards are deemed beneficial uses. Water quality standards are developed to protect the most sensitive beneficial use within a waterbody. Beneficial uses and the associated water quality criteria are generally determined by Basin and are applicable throughout the Basin. In practice, water quality standards have been set at a level to protect the most sensitive beneficial uses. The stream temperature standard applied to this Subbasin is designed to protect cold water fish (salmonids) rearing and spawning as the most sensitive beneficial use. For this TMDL, numeric criteria were developed that are specific to salmonid life stages such as spawning and rearing. Criteria were also developed for critical habitat areas that serve as the core for salmonid protection and restoration efforts.

2.4 Existing Sources of Heat:

Riparian vegetation, stream morphology, hydrology, climate, and geographic location influence stream temperature. While geographic location is outside of human control, riparian condition, channel morphology, hydrology and climate change are affected by land use activities. Human-induced heat sources can generally be classified as either Point Sources or Nonpoint Sources.

2.4.1 Point Sources: Section 502(14) of the Clean Water Act defines Point Sources of Pollution as any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include agricultural storm water discharges and return flows from irrigated agriculture.

The John Day River Basin TMDL named three permitted NPDES discharges within the Basin. These are located in other counties. The TMDL also names 17 additional permitted discharge facilities including storm water, log ponds, and individual permits. The report states that the small sizes of discharge and controls required through the permits mean that these sources are “not likely to cause water quality impairment.”

2.4.2 Nonpoint Sources: Conversely, Nonpoint Sources of pollution are defined as any source of water pollution that does not meet the legal definition of "point source" in the Clean Water Act. Nonpoint Source pollution can be defined as pollution which cannot be traced back to a single origin or source such as stormwater runoff, water runoff from urban areas and failed septic systems.

According to the John Day Basin TMDL, crop irrigation has contributed to changes in ground water which, in turn, have resulted in the loss of channel complexity. This increases the impact of solar heating. The report also sites bank weakening caused by grazing livestock, development and travel has exacerbated conditions, including lack of shade, which intensify solar heating.

E.coli introduction from livestock, pets, septic and sewer systems and wildlife is an additional source of nonpoint pollution cited in the report.

These human-induced changes can cause streams to heat in the following manner:

- a. **Near stream vegetation disturbance or removal** reduces stream surface shading via decreased riparian vegetation height, width and/or density, thus increasing the amount of solar radiation reaching the stream surface (shade is commonly measured as percent effective shade or open sky percentage). Riparian vegetation also plays an important role in shaping the channel morphology, resisting erosive high flows and maintaining floodplain roughness. The loss of streamside vegetation was found to be the largest source of heating where temperature modeling was completed.
 - b. **Reduction of summertime flows** decrease the thermal assimilative capacity of streams, causing larger temperature increases in stream segments where flows are reduced.
 - c. **Channel modifications and widening** (increased width to depth ratios) increases the stream surface area exposed to energy processes, namely solar radiation. Channel widening decreases potential shading effectiveness of shade-producing near-stream vegetation. Loss of streamside vegetation and lack of large woody debris contribute to conditions that lead to channel widening.
-

3 Management Strategies

The establishment of appropriate management strategies to reduce pollutant loading and achieve proper load allocations is the most valuable part of a local TMDL Implementation Plan and is required by OAR. Chapter 3 (Water Quality Management Plan) of the John Day River Basin TMDL provides the framework of management strategies to attain and maintain water quality standards. The framework is designed to work in conjunction with detailed plans and analyses provided in sector-specific or source-specific Implementation Plans.

Wasco County has identified two categories of Management Strategies that will be employed to help reduce temperatures in the John Day River Basin. **Existing** management strategies include current land use regulations and various projects that are currently utilized to reduce impacts and encourage rehabilitation of riparian areas and protect the Wild and Scenic River. **Indirect** management strategies are those that the County or other DMAs can implement through planning, regulations, outreach, and / or education.

3.1 Existing Management Strategies:

3.1.1 Setbacks: The Wasco County Planning Department currently requires any new structures to meet specified setbacks from all streams. Setbacks are assigned by zone as follows:

- a. Exclusive Farm Use zone: the minimum required setback is 100 feet for fish bearing streams, 50 feet for non-fish bearing streams, and 25 feet for waterways that are not designated by the Oregon Department of Fish and Wildlife.

3.1.2 Development Permits: All development (including structures, land clearing, excavation, etc) within the Area of Special Flood Hazard as identified by the FEMA Flood Insurance Rate Map must obtain a development permit prior to commencement of any physical development activity. These developments must still be outside of the natural resource setback unless the development is an in-kind replacement of a non-conforming use, or a variance is issued. These reviews give the Planning Department an opportunity to evaluate proposed changes to the land that may impact water quality.

3.1.3 Natural Areas Overlay: The John Day River is part of Wasco County Environmental Protection District (EPD) 7, which includes additional criteria for development proposed within the overlay. This does not include Basin creeks, but does include property adjacent to the John Day River within Wasco County. Development is required to go through a conditional use process and demonstrate it does not adversely impact the River in order to be approved. Property owners must also contact the Oregon Parks and Recreation Department to notice proposed development along a Wild and Scenic River.

3.1.4 Septic Permits: All development requiring sanitary waste systems are required to receive approval from North Central Public Health. This reduces potential illegal discharge and ensures adequate sewage treatment.

3.1.5 LUCS: The Planning Department reviews activities in riparian areas for conformance with local and state regulations. For outright permitted activities not subject to setbacks, applicants are required to receive Planning Department approval in the form of a Land Use Compatibility Statement to ensure compliance with the Comprehensive Plan.

3.1.6 Code Compliance: Wasco County Code Compliance receives complaints regarding nuisance and land use violations and addresses them according to local ordinance rules. In the case of illegal discharge, Wasco County coordinates with partner agencies including DEQ and NRCS to help monitor and eliminate illegal discharge.

3.1.7 Hazardous Waste and Recycling Program: Wasco County is part of Tri-County program for reducing hazardous waste, including agricultural contaminants, from households and operations and appropriately disposing of them. These ongoing efforts reduce potential discharge into the riparian areas.

3.2 Indirect Management Strategies:

3.2.1.1 Comprehensive Plan Identification: Identifying existing Comprehensive Plan Goals and Policies that may affect thermal pollution;

3.2.1.2 LUDO Identification: Identifying existing land use regulations, conservation practices, and programs that currently protect streams from thermal pollution;

3.2.1.3 Comprehensive Plan Updates: Propose updates to the County Comprehensive plan water quality policies and strategies to provide policy-level support for the TMDL Implementation Plan.

3.2.1.4 LUDO Updates: Based on any Comprehensive Plan updates, modify the Land Use and Development Ordinance to implement water quality policy.

3.2.1.5 Outreach: Conduct outreach activities to inform the public about the functions and values of riparian areas, encourage land owners to plant easily managed shade trees near streams, and educate owners about the technical and financial resources available for restoration projects.

3.2.1.6 Appropriate Shade Trees and Plants: Develop a list of low maintenance shade trees and other plants, along with low cost planting and maintenance methods that work well within riparian areas. This strategy would help bring the County into compliance with Safe Harbor guidelines.

4 Timeline for Implementation

4.2 Indirect Management Strategies

4.2.1 Updated Comprehensive Plan Goals and Policies:

Wasco County Planning Department is in the process of updating the Comprehensive Plan (Wasco County 2040) and analyzing Goal 5 and 6 issues to develop new policies and implementation strategies that impact natural resources.

4.2.2 Identifying LUDO regulations, conservation practices, and programs: As a result of the Wasco County 2040, Comprehensive Plan Update, process, the LUDO will be updated to implement strategies. This may include new setbacks, review criteria, or other habitat considerations that impact development.

4.2.3 Outreach: Wasco County Planning Staff will develop a citizen outreach media program to inform the public about the functions and values of riparian areas. This will include educational materials produced by the Wasco County Soil and Water Conservation District.

4.2.4 Low Maintenance Shade Trees: Wasco County Planning Staff will develop a list of low maintenance shade trees, along with low cost planting and maintenance methods that work well within riparian areas.

5 Monitoring

5.1 Performance Monitoring: Wasco County will conduct performance monitoring criteria to use in evaluating the TMDL Implementation Plan. Performance monitoring includes the identification of benchmarks for each management strategy, performance measures to provide data on whether the benchmarks are being met, identification of methods and responsible parties for performance measure data collection, and reporting procedures to provide the results to County staff, the Board of Commissioners, DEQ and the public. Four performance measures have been identified.

5.1.1 Reporting and Plan Revision Procedures: Wasco County will develop an annual report on the County's progress in implementing the TMDL Implementation Plan including data for each performance measure as discussed below. This report will include data will be forwarded to DEQ by March 31st of each calendar year, for the first four years.

5.1.2 Reasonable Assurance of Implementation: Wasco County will compile an annual report to be provided to DEQ. The monitoring plan will describe the actions of appropriate performance measures as discussed below:

5.1.3 Performance Measures: The following performance measures will be tracked and included in the annual monitoring reports.

- a. Completed tasks, tasks in progress with description of status, and tasks not started.
- b. Stream miles rehabilitated through the Wasco County SWCD Riparian Buffer Program.
- c. Number of buildings authorized within 100 feet of streams in the EFU zones, as well as those within the Area of Special Flood Hazard.
- d. Number of people receiving outreach products.

5.1.4 Data Collection Procedures: Performance measurement data will be collected by County Planning staff and reviewed annually. Data for the outreach program (PM6) will be collected by county Planning staff through tallies of people receiving outreach information at the Planning Department counter, through direct mail, at group presentations, etc.

Wasco County will evaluate the TMDL Implementation Plan five years following its acceptance by DEQ. The evaluation will describe the perceived effectiveness of the Plan in meeting its goals and objectives and the basis for this reasoning. If the evaluation indicates that the Plan is not

adequate to meet its goals, the County will propose modifications to the Plan or undertake other efforts to achieve the goals.

5.2 Public Involvement: The County conducted a public hearing before adopting this Implementation Plan. The public outreach program is intended to provide the public information on county and other programs to protect and restore riparian areas. Public involvement for other management measures will be conducted following standard county public involvement procedures.

TMDL guidance – planning matrix

POLLUTANT: heat				Wasco County			
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS
<i>What sources of this pollutant are under your jurisdiction?</i>	<i>What is being done, or what will you do, to reduce and/or control pollution from this source?</i>	<i>Specifically, how will this be done?</i>	<i>What is the expected resource need? Are there existing resources budgeted? If not, where will the resources come from?</i>	<i>How will you quantitatively or qualitatively demonstrate successful implementation or completion of this strategy?</i>	<i>When do you expect it to be completed?</i>	<i>What intermediate goals do you expect to achieve, and by when, to know progress is being made?</i>	<i>Include summary and date</i>
Near stream vegetation disturbance and removal	Encourage planting of shade trees/plants in riparian areas	Develop literature on local shade trees and plants for landowners	Partnership between Wasco County, Soil and Water Conservation District and Oregon State University	Completion of educational materials	1/1/2021	Adopt policy in Comprehensive Plan	Comprehensive Plan policy complete by 11/1/2020
Effluent discharge from development	Setbacks from riparian areas, streams and waterways	Keeping structures setback at distance from	Current practice, no additional costs	Lower temperatures, rates of discharge	Ongoing		

		streams and waterways					
Effluent discharge	Agricultural hazardous waste collection	Collect hazardous waste from agricultural producers		Numbers of agricultural products collected annually	Ongoing	Continue to capture agricultural waste and divert from storage on land	Ongoing
Effluent discharge	Cite or abate illegal discharge	Coordination between Wasco County and DEQ	Continuation of Abatement Program	Amount of waste removed from sites	Ongoing		
Channel modifications and widening	Require development permits for stream bank modification, fill, or dirt removal	Continued coordination with Department of State Lands, Oregon Parks and Recreation Department		Adoption of implementation into Land Use and Development Ordinance and/or Comprehensive Plan	1/1/2023	Adoption into Comprehensive Plan	1/11/2020



PLANNING DEPARTMENT

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Pioneering pathways to prosperity.

April 29, 2020

Smita Mehta
Department of Environmental Quality
475 NE Bellevue Dr St 110
Bend, OR 97701

Dear Ms. Mehta;

Please accept the attached Wasco County Total Maximum Daily Load Implementation Plan for the Miles Creek Subbasin. This plan represents Wasco County's compliance with requirements from the Clean Water Act and Oregon Department of Environmental Quality Miles Creek Basin TMDL.

Thank you,

Angie Brewer, Planning Director
Wasco County Planning Department

Scott C. Hege, Chair
Wasco County Board of Commissioners

**MIDDLE COLUMBIA-HOOD
(MILES CREEKS AREA)
SUBBASIN TMDL IMPLEMENTATION PLAN**

November 19, 2019

PREPARED BY:

**WASCO COUNTY PLANNING DEPARTMENT
2705 EAST 2ND STREET
THE DALLES, OREGON 97058**



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1. Introduction

1.1 Background

The quality of Oregon's streams, lakes, estuaries and groundwater is monitored by the Oregon Department of Environmental Quality (DEQ) as well as other state, federal, and local organizations and groups. This information is used to determine whether water quality standards are being attained and, consequently, whether the beneficial uses of the waters are protected.

Section 303(d) of the federal Clean Water Act requires states to develop total maximum daily loads (TMDLs) for impaired water bodies. A TMDL identifies pollutant level limitations with the goal of improving water quality in order for water bodies to support beneficial uses such as fisheries, aquatic life, drinking water, recreation and irrigation.

In December 2006, the Oregon Department of Environmental Quality published the Middle Columbia-Hood (Miles Creeks) Subbasin TMDL. This document designated several water bodies within the Miles Creeks area as "Water Quality Limited" for temperature and sedimentation. Specifically, water quality monitoring data indicates that summertime stream temperatures exceed the thermal requirements for certain cold water aquatic organisms. The Miles Creeks TMDL also included a Water Quality Management Plan (WQMP) that establishes a multi-sector framework for improving water quality. This plan is designed to work in conjunction with local Implementation Plans developed by a Designated Management Agency (DMA). To that end, Wasco County has been identified as a DMA with specific responsibilities for water quality management in the Miles Creeks area portion of the Middle Columbia-Hood Subbasin.

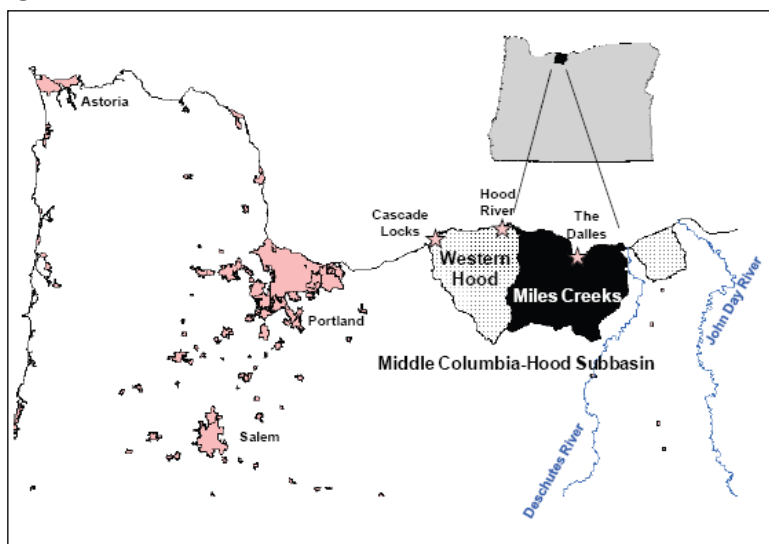
1.2 Miles Creeks TMDL Area

The Miles Creeks Area encompasses approximately 587 square miles and is one of three areas that make up the Middle Columbia-Hood Subbasin in north-central Oregon. The Miles Creeks area portion of the subbasin is predominantly located in the northern portion of Wasco County and covers streams discharging to the Columbia River between Rock Creek in the west and Fifteenmile Creek in the east.

The Miles Creeks area consists of several distinct watersheds draining to the Columbia River, all of which originate on the east slopes of the

Hood River Range. These watersheds are the Fifteenmile Creek, Threemile Creek, Mill Creek, Chenoweth Creek, Mosier Creek and Rock Creek Watersheds. Fifteenmile Creek originates within the Mount Hood National Forest near Lookout Mountain (6,525 feet) and flows to the northeast and then west before entering the Columbia River at an elevation of 78 feet above sea level. Mill Creek originates north of Fivemile Creek at an elevation of 4,900 feet. Mosier Creek originates north of Mill Creek at an elevation

Figure 1.1 Location of Miles Creek Subbasin

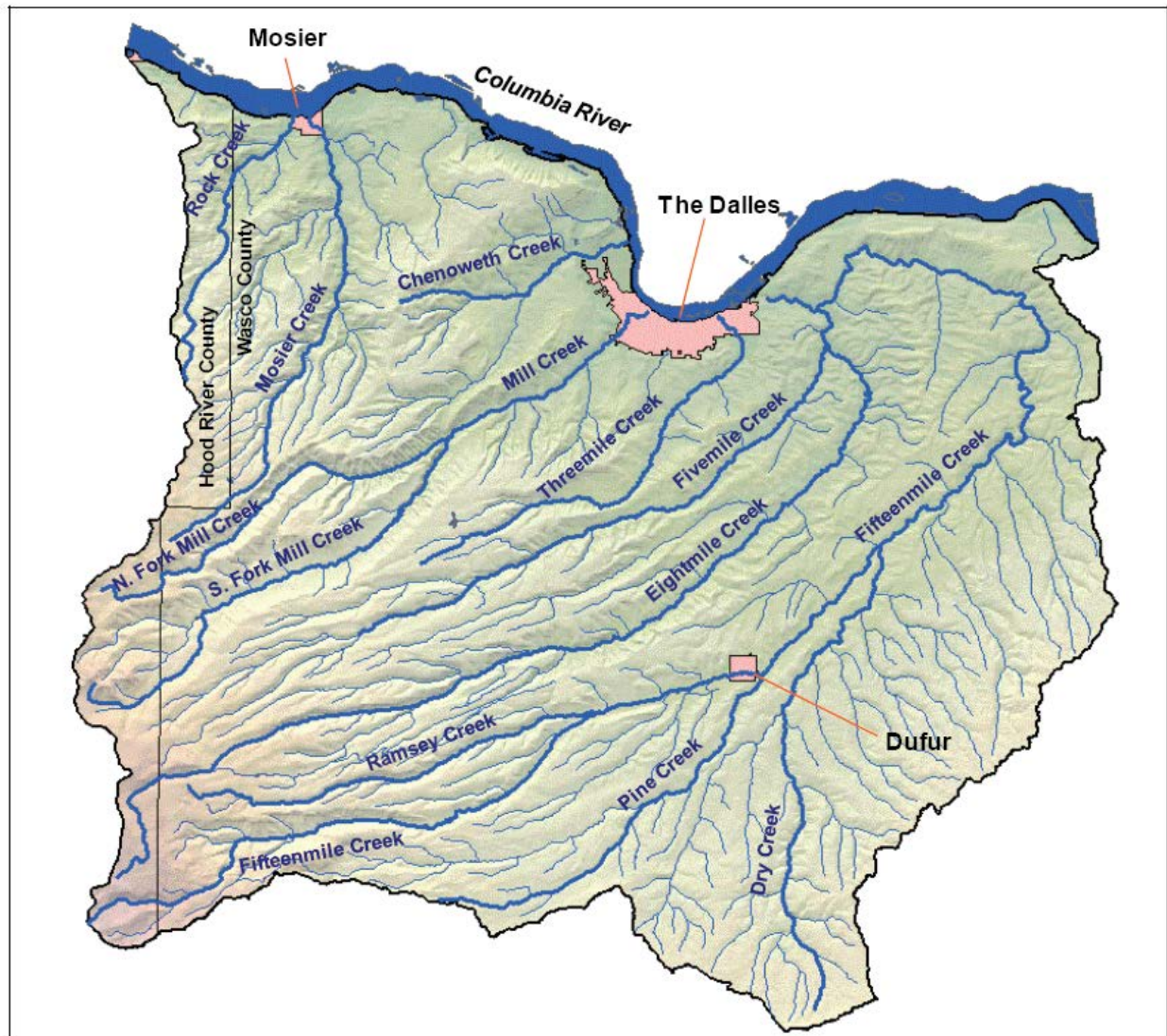


of 3,400 feet and Rock Creek originates at an elevation of 3,000 feet. Threemile Creek and Chenoweth Creek both originate at approximately 2,600 feet in elevation.

There are three major population centers located in the Miles Creek area subbasin including the cities of The Dalles, Mosier, and Dufur.

Figure 1.2 below depicts the stream location and cities within the Miles Creeks Area.

Figure 1.2 –Miles Creeks Area of TMDL



1.3 Administrative Rule

Oregon Administrative Rule (OAR) 340-042-0080(3) requires that:

Persons, including DMAs other than the Oregon Department of Forestry or the Oregon Department of Agriculture, identified in a WQMP as responsible for developing and revising sector-specific or source-specific implementation plans must:

- A. Prepare an implementation plan and submit the plan to the Department for review and approval according to the schedule specified in the WQMP. The implementation plan must:*
 - 1. Identify the management strategies the DMA or other responsible person will use to achieve load allocations and reduce pollutant loading;*
 - 2. Provide a timeline for implementing management strategies and a schedule for completing measurable milestones;*
 - 3. Provide for performance monitoring with a plan for periodic review and revision of the implementation plan;*
 - 4. To the extent required by ORS 197.180 and OAR chapter 340, division 18, provide evidence of compliance with applicable statewide land use requirements; and*
 - 5. Provide any other analyses or information specified in the WQMP.*
 - B. Implement and revise the plan as needed.*
-

1.4 Implementation Plan Goal

The goal of Wasco County's TMDL Implementation Plan is to help maintain temperatures of streams at or below state water quality standard requirements by conserving existing riparian vegetation and encouraging riparian vegetation restoration.

Management measures to achieve this goal include:

- 1.4.1** Identifying existing Land Use and Planning regulations that currently protect streams from thermal pollution;
 - 1.4.2** Considering updates to the County comprehensive plan water quality policies and strategies to provide policy-level support for the TMDL Implementation Plan.
 - 1.4.3** Considering new regulations within riparian areas pertaining to setbacks, protection of existing vegetation, installation of shade trees, and /or limiting the construction of non-agricultural ponds and reservoirs that would further protect streams from thermal pollution.
 - 1.4.4** Conducting outreach activities to inform the public about the functions and values of riparian areas, applicable county regulations and technical and financial resources available for restoration projects.
-

1.5 Definitions

The following applicable definitions are from DEQ's administrative rules for TMDLs (OAR Chapter 340, Division 042):

"Designated Management Agency (DMA)" means a federal, state or local governmental agency that has legal authority over a sector or source contributing pollutants, and is identified as such by the Department of Environmental Quality in a TMDL.

"Hydrologic Unit Code (HUC)" means a multi-scale numeric code used by the U.S. Geological Survey to classify major areas of surface drainage in the United States. The code includes fields for geographic regions, geographic subregions, major river basins and subbasins. The third field of the code generally corresponds to the major river basins named in OAR chapter 340, division 41. The fourth field generally corresponds to the subbasins typically addressed in TMDLs.

"Management Strategies" means measures to control the addition of pollutants to waters of the state and includes application of pollutant control practices, technologies, processes, siting criteria, operating methods, best management practices or other alternatives.

"Performance Monitoring" means monitoring implementation of management strategies, including sector-specific and source-specific implementation plans, and resulting water quality changes.

"Total Maximum Daily Load (TMDL)" means a written quantitative plan and analysis for attaining and maintaining water quality standards and includes the elements described in OAR 340-042-0040. These elements include a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet state water quality standards, allocations of portions of that amount to the pollutant sources or sectors, and a Water Quality Management Plan to achieve water quality standards.

"Water Quality Management Plan (WQMP)" means the element of a TMDL describing strategies to achieve allocations identified in the TMDL to attain water quality standards. The elements of a WQMP are described in OAR 340-042-0040(4)(l).

2 TMDL

To understand the Miles Creeks Area TMDL Implementation Plan, it is necessary to briefly discuss some of the components of a TMDL including Waterbodies, Pollutant Identification, Beneficial Uses, Target Identification, and Existing Sources.

2.1 Waterbodies: This temperature TMDL applies to all perennial and intermittent streams within the Miles Creeks portion of the Middle Columbia-Hood Subbasin, including Threemile Creek, Fivemile Creek, Eightmile Creek, Fifteenmile Creek, Ramsey Creek, Chenoweth Creek, Dry Creek, Mill Creek, North Fork Mill Creek, South Fork Mill Creek, Mosier Creek, West Fork Mosier Creek, and Rock Creek. Details on specific stream segments can be found in the Miles Creeks TMDL.

2.2 Pollutant Identification: Although four stream segments within the Miles Creeks Area were designated as “Water Quality Limited” for sedimentation, the TMDL provided by DEQ did not address sedimentation. The TMDL published by DEQ indicates that “Heat” is the identified pollutant. Therefore, this Implementation Plan will only address temperature.

Specifically, water temperature change is an expression of heat energy exchange per unit volume. Stream temperature is influenced by natural factors such as climate, geomorphology, hydrology, and vegetation. Human or anthropogenic heat sources may include discharges of heated water to surface waters, increases in sunlight reaching the water’s surface due to the removal of streamside vegetation and reductions in stream shading, changes to stream channel form, and reductions in natural stream flows and the reduction of cold water inputs from groundwater. The pollutant targeted in this Implementation Plan is heat from the following sources: (1) human-caused solar radiation loading increases to the stream network, as a result of alterations in near stream vegetation, channel morphology, and flow modifications; and (2) warm water of human origin, such as industrial outfalls and waste water treatment plants.

An important step in the TMDL is to perform a source assessment which quantifies the natural and anthropogenic contributions to stream heating. One anthropogenic contribution to solar radiation heat loading results from decreased stream surface shade. Decreased stream shade may be caused by near stream vegetation disturbance/removal and channel morphology changes. Other anthropogenic sources of stream warming may include stream flow reductions and warm water point source effluent discharges.

2.3 Beneficial Uses:

Human activities and aquatic species that are to be protected by water quality standards are deemed beneficial uses. Water quality standards are developed to protect the most sensitive beneficial use within a waterbody. Beneficial uses and the associated water quality criteria are generally determined by Basin and are applicable throughout the Basin. In practice, water quality standards have been set at a level to protect the most sensitive beneficial uses. The stream temperature standard applied to this Subbasin is designed to protect cold water fish (salmonids) rearing and spawning as the most sensitive beneficial use. For this TMDL, numeric criteria were developed that are specific to salmonid life stages such as spawning and rearing. Criteria were also developed for critical habitat areas that serve as the core for salmonid protection and restoration efforts.

Table 2.1: Beneficial Uses

Beneficial Use	Temperature Criteria ^a	Season
Salmon and Steelhead Spawning	13.0°C (55.4°F)	Varies by geography (refer to Figure 3-2)
Core Cold Water Habitat	16.0°C (60.8°F)	Year around ^b
Salmon and Trout Rearing and Migration	18.0°C (64.4 °F)	Year around ^b

a = Stream temperature is calculated using the average of seven consecutive daily maximum temperatures on a rolling basis (7-day average of the daily maximum).

b = Except during periods when superseded by spawning criteria.

2.4 Target Identification:

Oregon’s numeric temperature criteria applicable in the Miles Creeks portion of the Middle Columbia-Hood Subbasin are illustrated in Table 2.1 above. Figures 2.1 and 2.2 below define the uses found in specific water bodies.

Figure 2.1: Fish Use Designations

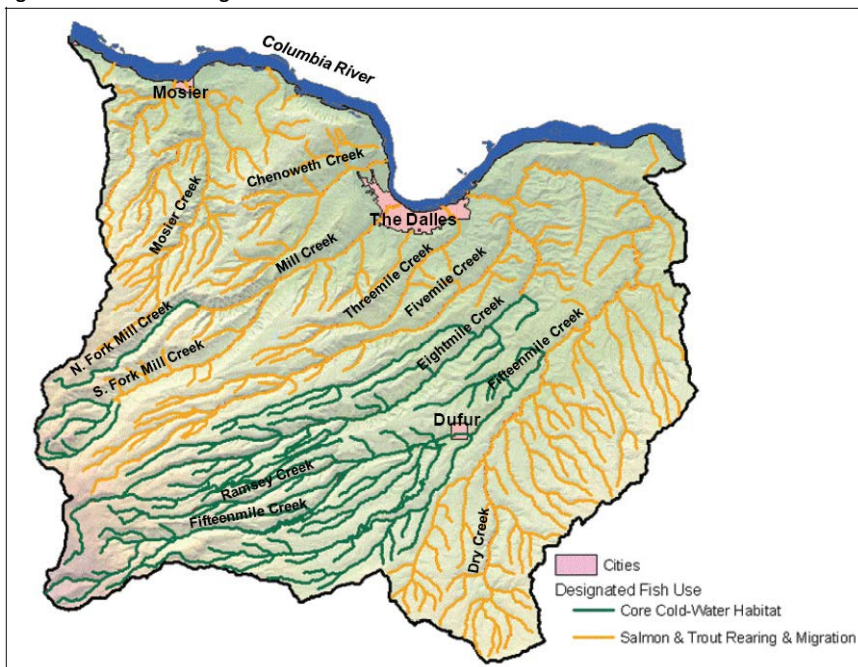
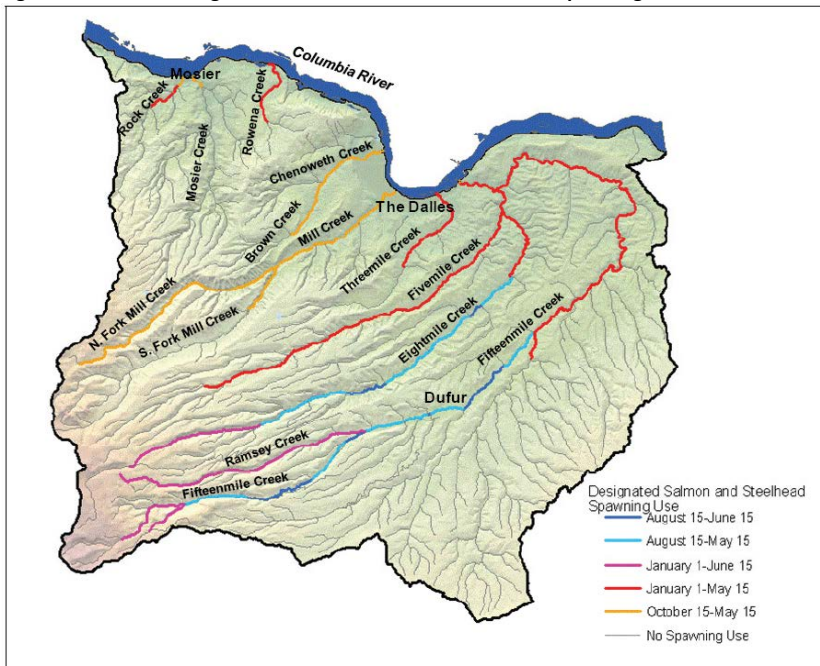


Figure 2.2: Waters Designated as Salmon and Steelhead Trout Spawning Habitat



2.5 Existing Sources of Heat:

Riparian vegetation, stream morphology, hydrology, climate, and geographic location influence stream temperature. While geographic location is outside of human control, riparian condition,

channel morphology, hydrology and climate change are affected by land use activities. Human-induced heat sources can generally be classified as either Point Sources or Nonpoint Sources.

2.5.1 Point Sources: Section 502(14) of the Clean Water Act defines Point Sources of Pollution as any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include agricultural storm water discharges and return flows from irrigated agriculture.

The Miles Creeks Area TMDL named two domestic or individual point source discharges to waters within the Miles Creeks Subbasin and five general stormwater permits. Since stormwater discharge is typically associated with rain events, and the frequency of rainfall during the summer months is quite low, ODEQ supposed that stormwater discharges do not likely contribute to exceedances of the temperature standard.

The two individual point sources of discharge are the Dufur Wastewater Treatment Plant and The Dalles Wicks Water Treatment Plant. Since the Dufur Wastewater Treatment Plant does not discharge during the summer, it does not affect stream temperatures during the critical summer conditions.

The Dalles Wicks Water Treatment Plant is located on South Fork Mill Creek. Analysis indicates that the treatment plant does have a significant effect on South Fork Mill Creek temperatures during the summer months.

2.5.2 Nonpoint Sources: Conversely, Nonpoint Sources of pollution are defined as any source of water pollution that does not meet the legal definition of "point source" in the Clean Water Act. Nonpoint Source pollution can be defined as pollution which cannot be traced back to a single origin or source such as stormwater runoff, water runoff from urban areas and failed septic systems.

Historically riparian areas have been heavily used for wood, fuel, irrigation, cropland, roads, livestock forage and water (Mt. Hood National Forest, 1994). Riparian corridors were often cleared of vegetation. Additionally, tree removal, stream channelization, and stream divergence has occurred in many areas. More recently, increases in population have resulted in urbanization of parts of the Subbasin. Conversion of forest or agricultural lands to residential development is occurring, which can result in reduced riparian vegetation and altered hydrology. The floodplains of some streams, such as Fifteenmile Creek, have also been affected by the development of transportation corridors. These human-induced changes can cause streams to heat in the following manner:

- a. Near stream vegetation disturbance or removal** reduces stream surface shading via decreased riparian vegetation height, width and/or density, thus increasing the amount of solar radiation reaching the stream surface (shade is commonly measured as percent effective shade or open sky percentage). Riparian vegetation also plays an important role in shaping the channel morphology, resisting erosive high flows and maintaining floodplain roughness. The loss of streamside vegetation was found to be the largest source of heating where temperature modeling was completed.

- b. **Reduction of summertime flows** decrease the thermal assimilative capacity of streams, causing larger temperature increases in stream segments where flows are reduced.
 - c. **Channel modifications and widening** (increased width to depth ratios) increases the stream surface area exposed to energy processes, namely solar radiation. Channel widening decreases potential shading effectiveness of shade-producing near-stream vegetation. Loss of streamside vegetation and lack of large woody debris contribute to conditions that lead to channel widening.
-

3 Management Strategies

The establishment of appropriate management strategies to reduce pollutant loading and achieve proper load allocations is required by OAR but is also the primary mechanism in which the TMDL Implementation Plan is applied. Chapter 4 (Water Quality Management Plan) of the Middle Columbia-Hood (Miles Creeks) Subbasin TMDL provides the framework of management strategies to attain and maintain water quality standards. The framework is designed to work in conjunction with detailed plans and analyses provided in sector-specific or source-specific Implementation Plans.

Wasco County has identified three categories of Management Strategies that will be employed to help reduce temperatures in the Miles Creeks Area Subbasin. **Existing** management strategies include current land use regulations and various projects that are currently utilized to reduce impacts and encourage rehabilitation of riparian areas. **Direct** management strategies are those that can occur on property owned by the County or other DMAs, while **indirect** management strategies are those that the County or other DMAs can implement through planning, regulations, outreach, and / or education.

3.1 Existing Management Strategies:

3.1.1 Setbacks: The Wasco County Planning Department administers two land use planning programs, one for the National Scenic Area¹ in the north party of the county, and the non-scenic area program based on Oregon State law in the rest of the County. The Miles Creek Subbasin includes lands in both these areas.

The Wasco County Planning Department currently requires any new structures to meet specified setbacks from all streams. Setbacks are assigned by zone as follows:

Outside the National Scenic Area

- a. **Exclusive Farm Use zone:** the minimum required setback is 100 feet for fish bearing streams, 50 feet for non-fish bearing streams, and 25 feet for waterways that are not designated by the Oregon Department of Fish and Wildlife.
- b. **Forest Zones:** The minimum required setback to all streams (fish bearing and non-fish bearing) is 100 feet.
- c. **Forest-Farm and Rural Residential 10:** The minimum required setback to all streams is 100 feet.

¹ <http://www.gorgecommission.org/scenic-area/about-the-nsa>

- d. Rural Residential Zones: The minimum required setback to all streams is 50 feet.
- e. Rural Industrial Zones: The minimum required setback to all streams is 50 feet.
- f. Rural Commercial Zones: The minimum required setback to all streams is 50 feet.

Within the National Scenic Area

- a. In the General Management Area: 100 feet for fish bearing streams, 50 feet for non-fish bearing streams.
- b. In the Special Management Area: 200 feet buffer from fish bearing streams, 50 feet for non-fish bearing streams.

The Oregon Forest Practices Act also lists additional riparian area setbacks for forestry activity in private forest lands related to drinking water, and the Department of Environmental Quality lists setbacks for septic systems from streams.

3.1.2 Development Permits: All development (including structures, land clearing, excavation, etc.) within the Area of Special Flood Hazard as identified by the FEMA Flood Insurance Rate Map must obtain a development permit prior to commencement of any physical development activity. These developments must still be outside of the natural resource setback unless the development is an in-kind replacement of a non-conforming use, or a variance is issued. These reviews give the Planning Department an opportunity to evaluate proposed changes to the land that may impact water quality.

3.1.3 Development within Riparian Areas: In the National Scenic Area, any development occurring within the riparian area, including water dependent or water related structures, has to meet several criteria, including a Practicable Alternative Test. Construction disturbance must also be mitigated through a variety of strategies including timing work for least sensitive periods, retaining all natural vegetation to the greatest extent practicable, and putting in place temporary and permanent control measures to reduce erosion and sedimentation.

3.1.4 Rehabilitation and Enhancement Plans: When a project occurs in the National Scenic Area within the buffer zone, rehabilitation and enhancement plans are required as part of a complete application. Several standards for rehabilitation and enhancement exist, including replication of natural hydrological conditions, natural stream channel and shoreline dimension replication, rehabilitation of aquatic features, and replanting of native plant species that replicate the original environment.

3.1.5 Septic Permits: All development requiring sanitary waste systems are required to receive approval from North Central Public Health. This reduces potential illegal discharge and ensures adequate sewage treatment.

3.1.6 LUCS: The Planning Department reviews activities in riparian areas for conformance with local and state regulations. For outright permitted activities not subject to setbacks, applicants are required to receive Planning Department approval in the form of a Land Use Compatibility Statement to ensure compliance with the Comprehensive Plan.

3.1.7 Code Compliance: Wasco County Code Compliance receives complaints regarding nuisance and land use violations and addresses them according to local ordinance rules. In the

case of illegal discharge, Wasco County coordinates with partner agencies including DEQ and NRCS to help monitor and eliminate illegal discharge.

3.1.8 Hazardous Waste and Recycling Program: Wasco County is part of Tri-County program for reducing hazardous waste, including agricultural contaminants, from households and operations and appropriately disposing of them. These ongoing efforts reduce potential discharge into the riparian areas.

3.1.9 Projects: The Wasco County Soil and Water Conservation District has been working with area land owners to develop riparian buffers along creeks in this area. Typically the riparian buffers consists of the installation of herbaceous vegetation between existing cropland, grazing land, or disturbed land and sensitive stream banks. This reduces the potential for erosion and sedimentation and increases shading over the stream. To date, the Soil and Water Conservation District has helped install approximately 121 miles of riparian buffers along perennial streams in the Fifteenmile Watershed through the Conservation Reserve Enhancement Program (CREP). Oregon Department of Wildlife also implements a riparian buffer program. Between the two entities, approximately 137 miles (91%) of perennial streams have riparian buffers in the Fifteenmile Watershed.

3.1.10 Wheat Farms: The Wasco County Soil and Water Conservation District has been working with local wheat ranchers for several years to increase direct seed / no till planting operations. This has significantly reduced erosion of soil associated with more traditional planting methods. The Conservation District reports that 96% of the county's wheat cropland has been converted to no-till, virtually eliminating erosion from those lands.

3.2 Direct Management Strategies:

3.2.1 DMA-Owned Properties: Identifying all DMA-Owned Properties within the Miles Creeks Area Subbasin that have frontage on creeks designated as water quality limited;

Wasco County GIS data shows that several properties owned by either Wasco County, the cities of The Dalles, Dufur, and Mosier, and the North Wasco Parks and Recreation District have frontage on rivers or streams designated as Water Quality Limited within the Miles Creeks Area Subbasin. Appendix 1 lists the properties under DMA ownership within the Miles Creeks Area Subbasin at the time this Implementation Plan was written. These properties provide each DMA with opportunities to directly implement rehabilitation plans aimed to lower in-stream temperatures during the summer. It should be noted that DMA ownership of land adjacent to streams as shown in Appendix 1 will likely change over time. Therefore, Appendix 1 should only be used for informational purposes.

3.2.2 Wasco County SWCD Buffer Program: Continuing the Wasco County Soil and Water Conservation District's riparian buffer program (CREP) and encouraging land owners associated with the program to install easily managed, native shade trees near streams.

3.3 Indirect Management Strategies:

3.3.1 Comp Plan Identification: Identifying existing Comprehensive Plan Goals and Policies that may affect thermal pollution;

3.3.2 LUDO Identification: Identifying existing land use regulations, conservation practices, and programs that currently protect streams from thermal pollution;

3.3.3 Comp Plan Updates: Propose updates to the County comprehensive plan water quality policies and strategies to provide policy-level support for the TMDL Implementation Plan.

3.3.4 LUDO Updates: Based on any Comprehensive Plan updates, modify the Land Use and Development Ordinance to implement water quality policy.

LiDAR: In 2014, Wasco County received grant funding to have LiDAR data developed for 1,234 square miles of Wasco County. This data is currently being utilized by FEMA to develop better Floodplain Insurance Rate Maps for portions of Wasco County. When the maps are finalized, Wasco County Planning will adopt them into the Comprehensive Plan Map as an update to Environmental Protection District 1, the Floodplain Overlay Zone. Maps are expected to be completed by 2023.

3.3.5 Outreach: Conduct outreach activities to inform the public about the functions and values of riparian areas, encourage land owners to plant easily managed shade trees near streams, and educate owners about the technical and financial resources available for restoration projects.

3.3.6 Appropriate Shade Trees and Plantings: Distribute a list of low maintenance shade trees, along with low cost planting and maintenance methods that work well within riparian areas.

4 Timeline for Implementation

4.1 Direct Management Strategies

4.1.1 SWCD Riparian Buffer Program (CREP): Wasco County SWCD will continue to assist property owners in designing, planning, and implementing riparian buffers that include easily managed native shade trees. The SWCD has set the goal that by June 30, 2026, 95% of perennial streams in agricultural areas will have streamside vegetation. Wasco County Planning Department will obtain CREP statistics to include in a report. This report will be compiled into an annual report provided by the Wasco County Planning Department to DEQ.

4.2 Indirect Management Strategies

4.2.1 Updated Comprehensive Plan Goals and Policies:

Wasco County Planning Department is in the process of updating the Comprehensive Plan (Wasco County 2040) and analyzing Goal 5 and 6 issues to develop new policies and implementation strategies that impact natural resources. Wasco County 2040 is anticipated to be completed and a new Comprehensive Plan adopted by the end of 2020.

4.2.2 Identifying LUDO regulations, conservation practices, and programs: As a result of the Wasco County 2040 Comprehensive Plan Update process, the LUDO will be updated to implement strategies. This may include new setbacks, review criteria, or other habitat considerations that impact development. The new LUDO is scheduled to be updated by 2022.

4.2.3 LiDAR: In 2014, Wasco County received grant funding to have LiDAR data developed for 1,234 square miles of Wasco County. This data is currently being utilized by FEMA to develop better Floodplain Insurance Rate Maps for portions of Wasco County. When the maps are finalized, Wasco County Planning will adopt them into the Comprehensive Plan Map as an update to Environmental Protection District 1, the Floodplain Overlay Zone. FEMA has projected completion by 2023.

4.2.4 Outreach: Wasco County Planning Staff will develop a citizen outreach media program to inform the public about the functions and values of riparian areas. This will include educational materials produced by the Wasco County Soil and Water Conservation District. The outreach program, including handouts, will be completed by June 2020.

4.2.5 Low Maintenance Shade Trees: Wasco County Planning Staff will develop a list of low maintenance shade trees, along with low cost planting and maintenance methods that work well within riparian areas. The list will be developed by October 2019.

5 Monitoring

5.1 Identification of Responsible Participants: The Wasco County Planning Director is responsible for coordinating the management measures in this plan. Coordination efforts may include the Wasco County Public Works Department, Wasco County Board of County Commissioners, Wasco County Soil and Water Conservation District, and DEQ.

5.2 Performance Monitoring: Wasco County will apply performance monitoring criteria to use in evaluating the TMDL Implementation Plan. Performance monitoring includes the identification of benchmarks for each management strategy, performance measures to provide data on whether the benchmarks are being met, identification of methods and responsible parties for performance measure data collection, and reporting procedures to provide the results to County staff, the Board of Commissioners, DEQ and the public. Four performance measures have been identified.

5.2.1 Reporting and Plan Revision Procedures: Wasco County will develop an annual report on the County's progress in implementing the TMDL Implementation Plan including data for each performance measure as discussed below. This report will include data from applicable DMAs and other partners and will be forwarded to DEQ by March 31st of each calendar year, for the first four years.

5.2.2 Reasonable Assurance of Implementation: Wasco County will compile an annual report to be provided to DEQ. The monitoring plan will describe the actions of appropriate performance measures as discussed below:

5.2.3 Performance Measures: The following performance measures will be tracked and included in the annual monitoring reports.

- a. Completed tasks, tasks in progress with description of status, and tasks not started.

- b. Stream miles rehabilitated through the Wasco County SWCD Riparian Buffer Program
- c. Number of buildings authorized within 100 feet of streams in the Forest and EFU zones, as well as those within the Area of Special Flood Hazard.
- d. Number of people receiving outreach products.

5.2.4 Data Collection Procedures: Performance measurement data will be collected by County Planning staff and reviewed annually. Data for the outreach program (PM6) will be collected by county Planning staff through tallies of people receiving outreach information at the Planning Department counter, through direct mail, at group presentations, etc.

Wasco County will evaluate the TMDL Implementation Plan five years following its acceptance by DEQ. The evaluation will describe the perceived effectiveness of the Plan in meeting its goals and objectives and the basis for this reasoning. If the evaluation indicates that the Plan is not adequate to meet its goals, the County will propose modifications to the Plan or undertake other efforts to achieve the goals.

5.3 Public Involvement: The County conducted a public hearing before adopting this Implementation Plan. The public outreach program is intended to provide the public information on county and other programs to protect and restore riparian areas. Public involvement for other management measures will be conducted following standard county public involvement procedures.

Miles Creeks TMDL
Implementation Plan for Wasco County
TMDL guidance – planning matrix

POLLUTANT: heat				Wasco County			
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS
<i>What sources of this pollutant are under your jurisdiction?</i>	<i>What is being done, or what will you do, to reduce and/or control pollution from this source?</i>	<i>Specifically, how will this be done?</i>	<i>What is the expected resource need? Are there existing resources budgeted? If not, where will the resources come from?</i>	<i>How will you quantitatively or qualitatively demonstrate successful implementation or completion of this strategy?</i>	<i>When do you expect it to be completed?</i>	<i>What intermediate goals do you expect to achieve, and by when, to know progress is being made?</i>	<i>Include summary and date</i>
Near stream vegetation disturbance and removal	Encourage planting of shade trees/plants in riparian areas	Develop literature on local shade trees and plants for landowners	Partnership between Wasco County, Soil and Water Conservation District and Oregon State University	Completion of educational materials	1/1/2021	Adopt policy in Comprehensive Plan	Comprehensive Plan policy complete by 1/11/2020
Near stream vegetation disturbance and removal	CREP buffer rehabilitation program	Wasco County Soil and Water Conservation District rehabilitation projects	Wasco County Soil and Water Conservation/NRCS	100% riparian buffer rehabilitated	1/1/2030	95% buffer rehabilitated	1/1/2023
Effluent discharge from development	Setbacks from riparian areas, streams and waterways	Keeping structures setback at distance from streams and	Current practice, no additional costs	Maintain current setbacks during LUDO update	1/1/2023	Maintain current setbacks	Ongoing

Miles Creeks TMDL
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		waterways					
Effluent discharge from development	Identify new setbacks or regulations to reduce effluent discharge	Keeping structures setback at distance from streams and waterways	Wrap into costs for Land Use and Development Ordinance Update (LUDO)costs	Updated LUDO	1/1/2023	Research and evaluate possible strategies	10/15/2021
Effluent discharge	Agricultural hazardous waste collection	Collect hazardous waste from agricultural producers		Numbers of agricultural products collected annually	Ongoing	Continue to capture agricultural waste and divert from storage on land	
Effluent discharge	Cite or abate illegal discharge	Coordination between Wasco County and DEQ	Continuation of Abatement Program	Amount of waste removed from sites	Ongoing		
Channel modifications and widening	Require development permits for stream bank modification, fill, or dirt removal	Continued coordination with Department of State Lands, Oregon Parks and Recreation Department		Adoption of implementation into Land Use and Development Ordinance and/or Comprehensive Plan	1/1/2023	Adoption into Comprehensive Plan	1/11/2020
Soil erosion and runoff	Conversion of farms to no till	Wasco County Soil and Water and USDA		100% conversion	1/1/2030	95% conversion	1/1/2025