AGENDA: REGULAR SESSION



WEDNESDAY, MARCH 15, 2023

WASCO COUNTY BOARD OF COMMISSIONERS, 511 WASHINGTON ST. SUITE 302, THE DALLES or VIRTUALLY @

https://wascocounty-org.zoom.us/j/3957734524 OR Dial 1-253-215-8782 Meeting ID: 3957734524#

While these virtual options are provided, we cannot guarantee connection or quality of the call.

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 and interpreter, please contact the Commission Office at least 7 days in advance.

Las reuniones son ADA accesibles. Por tipo de alojamiento especiales, por favor póngase en contacto con la Oficina de la Comisión de antemano, (541) 506-2520. TDD 1-800-735-2900. Si necesita un intérprete por favor, póngase en contacto con la Oficina de la Comisión por lo menos siete días de antelación.

9:00 a.m.	CALL TO ORDER/PLEDGE OF ALLEGIANCE 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
	<u>Consent Agenda</u> : <u>3.1.2023 Regular Session Minutes</u> (Items of a routine nature: minutes, documents,
Times are	items previously discussed.)
Approximate	Public Comment at the discretion of the Chair (3 minute limit unless extended by Chair)
9:00 a.m.	Call-back Time Procedure – Nichole Biechler
9:10 a.m.	Drought Declaration – Kathy Clark
9:15 a.m.	Wasco County Title VI Plan for Transportation – Jessica Metta
9:25 a.m.	Commercial Property Assessed Clean Energy Program – Jessica Metta
	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)(n) –Security Programs, ORS 192.660(2)(n) – Labor Negotiations



WASCO COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MARCH 15, 2023 This meeting was held in person and on Zoom <u>https://wascocounty-org.zoom.us/j/3957734524</u> or call in to <u>1-253-215-8782</u> Meeting ID: **3957734524**#

PRESENT:	Steve Kramer, Chair
	Scott Hege, Vice-Chair
	Phil Brady, County Commissioner
STAFF:	Kathy Clark, Executive Assistant
ABSENT:	Tyler Stone, Administrative Officer

Chair Kramer opened the session at 9:00 a.m. with the Pledge of Allegiance.

Public Comment

Mary Beechler, representing the Wasco County Library Service District Board, read the following letter into the record:

March 15, 2023

Dear Wasco County Board of Commissioners,

I am here today to make a statement from all of your appointed Wasco County Library District Board. We are seeking your help in matters about the library district's administration.

Most of us have served for a long time on the board, and have gained a true depth of understanding about the district's management.

The Wasco County Commissioners entered into an IGA with the City of The Dalles upon the district formation, most recently amended and signed in 2010. As a board, we have sought repeatedly over many years to renegotiate this IGA -- to no avail. We have serious concerns, 2 of the most pressing I will explain to you now.

1. There was an in-depth safety inspection, last year, that found many things needing to be addressed with regards to the city's building that houses the library. Many maintenance projects have been deferred over the years and the library board now has serious concerns about rectifying

these issues. And how they will be funded in particular. One is a sooner than later need for a new HVAC system that has not been adequately planned for by city budgeting. Also, there needs to be a possible engineering assessment done to determine the soundness of the foundation. The IGA spells out that the city will "at its own expense, be financially responsible for the major maintenance of the Main Branch Library building and grounds ..." (IGA 4.2.2)

2. The city appears to operate the library district as another city department, which of course it is not. It is a Wasco County special district, with a board. A particular concern is how the administrative fee is determined, without our input, which violates the IGA. There is funding taken from the library district, as a part of the administrative fee, for many city departments, some of which the library district does not even use. In the last 12 years the admin fee has jumped 300% while the CPI for same period has been 39% Two IGA articles of relevance to this are:

Article 4.3 states "the city shall be reimbursed in an amount to be annually negotiated between the City and the District."

Article 5.1.1, board responsibilities, "manage this intergovernmental agreement and recommend to the District governing body any amendments to the IGA".

The library board is appointed by the commissioners to advise the county commissioners about library business. So here we are to let you know we need your support for your county library district in getting this IGA renegotiated and to help us foster open lines of communication. Frustratingly, we have been rebuffed again and again. The city acts as if it is the lone management of the district. We recognize we are all here, commissioners and library board, to serve the public and provide the best services possible, while most importantly, using our fiscal resources wisely.

Thank you for your time today. Please feel free to reach out to any of us for more information.

Chair Kramer stated that he reached out to the City yesterday; he said he would review the concerns expressed, noting that the Board of Commissioners acts as the District's fiscal agent. He encouraged the District to work with the City on communications; if needed the County can help with facilitation. He said that is as much as he can offer right now as the Board was not afforded the opportunity to review the materials prior to this meeting. He said he looks forward to getting the documents. WASCO COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MARCH 1, 2023 PAGE 3

Vice-Chair Hege asked how many amendments there are to the IGA. Corliss Marsh, District Board Member, replied that there is one. Ms. Beechler said that she would send what she has to the Board but does not have all the historical documents. Ms. Marsh said she has hard copies she can share.

Ms.Beechler stated that they have asked for meetings with the City and have been turned down.

Vice-Chair Hege asked if there is information available on the safety inspection. Ms. Beechler replied that Executive Director Jeff Wavrunek can provide that information.

Chair Kramer noted that Ms. Marsh and Mr. Wavrunek have met with the City Manager; we just need to keep moving forward. He said if the District puts out a request to meet and is turned down, they can contact the County to help make that connection. Ms. Marsh commented that the City always seems to be too busy to meet.

Vice-Chair Hege asked when the last time was that they met with the City. Ms. Marsh replied that they met with them last Friday.

Chair Kramer thanked the District Board members for bringing their concerns forward.

Agenda Item – Drought Declaration

Emergency Manager Sheridan McClellan reviewed the materials in the Board Packet. Chair Kramer noted that additional text has been added to the Resolution since the packet was published last week and read that language into the record:

IT FURTHER APPEARING TO THE BOARD: That as of March 1, 2023, the basin snowpack is 105% of median, modestly higher than last month when the basin snowpack was 92% of median. However, this near-average snowpack may be deceiving as rainfall has been below normal since the start of the water year, Oct. 1. The ground is extremely dry and likely to soak up the snowmelt rather than it running off as surface/stream water; and

Vice-Chair Hege asked what this Resolution will do. Mr. Sheridan responded that it will open opportunities for funding and loans for the agricultural community.

Commissioner Brady noted that the drought also contributes to raised temperatures in our streams which negatively impacts fish. That will be addressed through other avenues. Vice-Chair Hege observed that this is the 11th driest year over the last 129 years. We are 1.83" below normal rainfall which may not seem like a lot; however, we got only about 10" of annual rain so it is significant.

{{{Vice-Chair Hege moved to approve Resolution 23-003 declaring a drought emergency and requesting the State to declare a State Drought Emergency for Wasco County; he furthered moved to approve the additional language read into the record. Commissioner Brady seconded the motion which passed unanimously.}}}

Agenda Item - Wasco County Title VI Plan for Transportation

Mid-Columbia Economic Development District Executive Director Jessica Metta reviewed the memo and plan included in the Board Packet. She explained that the County is required to have this plan which outlines actions to be taken in order to avoid discrimination in the transportation system. The plan needs to be updated every three years and approved prior to the upcoming ODOT review. This plan references other plans that have already been updated. The updates in this plan are minimal – dates and current data.

{{{Vice-Chair Hege moved to adopt the Wasco County Title VI Plan for transportation services. Commissioner Brady seconded the motion which passed unanimously.}}}

Agenda Item – Commercial Property Assessed Clean Energy Program

Ms. Metta reviewed the memo included in the Board Packet saying this is a program Hood River is talking about that MCEDD could help administer. The program would help property owners finance energy, water, renewable and seismic improvements to qualifying real property. A developer would apply to qualified commercial lenders and then come to the County for eligibility. If deemed eligible by the County, the project is funded and a lien is placed on the property. It is a low-interest loan for improvements. Multnomah and Deschutes County have both adopted the program; Hood River is in the process of adopting it and will contract with MCEDD for administration. She said that she has heard from a local hotel that is interested in the program and she believes multifamily housing efforts in Wasco County could benefit from the program. She stated that if Wasco County adopts the program and engages MCEDD, they would reach out to the Port to help connect interested parties to the program. This is no risk to the County; she is here to present the information and gauge the County's interest.

Commissioner Brady pointed out that this program would create some work for the County Assessor. He said that it is interesting that the program places the burden of the loan onto the property rather than the property owner. He asked if nonprofits or government entities can participate in the program.

Ms. Metta replied that the program applies to qualifying properties but she is unsure if the owner of the property would impact eligibility.

Vice-Chair Hege stated that he is having a difficult time determining the benefit of this program. He said there are many funding programs that support these types of improvements. He asked if there are situations in which people are not able to obtain funding for these projects.

Ms. Metta replied that people are interested in this program which would lower the cost of a piece of larger projects. It would help with the capital stack in terms of the ability of projects to repay and realize a return on their investment.

Vice-Chair Hege asked if the lower cost is lower interest rates or just the longer term of the loan. Ms. Metta answered that it is mostly related to the longer term which lowers the monthly payments. Vice-Chair Hege pointed out that you cannot take a 40-year loan out on something that has a 30-year lifespan.

Chair Kramer said that he shares Vice-Chair Hege's thoughts and wants to check with our team around capacity for this program. Vice-Chair Hege added that he will check with colleagues in Hood River for their perspective on the program.

Agenda Item – Call-Back Time Procedure

Human Resources Director Nichole Biechler reviewed the memo included in the Board Packet saying that this has been the practice for some time but it has not been documented. This is for the Board's acknowledgement to recognize it as an accepted practice.

Commissioner Brady noted that this has been applied to work crews; he asked if it could also be applied to other staff, such as the Public Information Officer who might be called out overnight. Ms. Biechler responded affirmatively saying that is a similar situation.

Vice-Chair Hege observed that there is a difference between exempt and nonexempt employees. Ms. Biechler concurred, saying that it will only apply to nonexempt employees.

NCPHD Updates

North Central Public Health Executive Director Shellie Campbell announced that the mask mandate for medical facilities will be lifted on April 3rd; patients and

staff are still encouraged to wear masks. She said that there will be another vaccine clinic on the 17th and 18th at Griffith Motors for COVID, MPox and influenza vaccinations.

Commissioner Brady asked what the time lapse is for vaccination boosters. Ms. Campbell explained that the time lapse varies by manufacturer and patient age. She said she can get that information to the Board.

Consent Agenda – 3.1.2022 Minutes

{{{Vice-Chair Hege moved to approve the consent agenda. Commissioner Brady seconded the motion which passed unanimously.}}}

Commission Call

Vice-Chair Hege said he is working with Avangrid and Representative Smith's office to put forward legislation that would modify existing rules allowing temporary housing for renewable energy wind projects. The new legislation would make that applicable to all renewable energy projects. This is for temporary housing only; there is a placeholder bill to help keep this moving along.

Commissioner Brady announced that there is a Houselessness Town Hall being held at 5:30 p.m. on April 3rd at the Discovery Center. There will be a lot of local officials on hand. In addition, the ground breaking ceremony for the Navigation Center is scheduled for 11:00 a.m. on March 24th at 2505 W. 7th Street.

Commissioner Brady demonstrated the <u>Columbia Gorge Healthy Community</u> <u>Dashboard</u> (https://www.cghealthycommunity.org/indicators), explaining that it has substantial data on a wide range of health-related topics such as food, housing, health care services, mental health and much more.

Vice-Chair Hege asked if we ever worked through the state denial of our Homelessness State of Emergency Resolution. He commented that it appeared that we met the criteria but were denied with weak reasoning. He added that there is some confusion around the purpose of the declaration; some thought it to be the vehicle for Community Action Program funding which is not the case. We pursued the Declaration to obtain State funding.

Chair Kramer stated that we are drafting a response to the Governor regarding the denial. We have also been moved into another category where there is funding available to us. The Governor used Wasco County as an example of why the added funding is needed for those not included in the other program. At this point, we are still in line for funding; the Governor likes what we are doing in WASCO COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MARCH 1, 2023 PAGE 7

Wasco County by collaborating with regional partners. This will be a test.

Vice-Chair Hege asked where that funding will go. Chair Kramer replied that it will be a pass-through to our non-profit partners. Mr. Stone is redrafting our response to the Governor. We have been assured by the Governor's office that we are in line for funding.

Chair Kramer said work is still moving forward for the modernization of Public Health. We are waiting for March 17th to learn what bills are still alive and moving forward.

Commissioner Brady announced that he would be out of town next week.

Chair Kramer adjourned the meeting at 9:49 a.m.

Summary of Actions

MOTIONS

- To approve the consent agenda.
- To approve Resolution 23-003 declaring a drought emergency and requesting the State to declare a State Drought Emergency for Wasco County and to approve the additional resolution language read into the record.
- To adopt the Wasco County Title VI Plan for transportation services.

Wasco County Board of Commissioners

Steven D. Kramer, Commission Chair

Scott C. Hege, Vice-Chair

Philip L. Brady, County Commissioner



CONSENT AGENDA

MINUTES: 2.15.2023 REGULAR SESSION MINUTES

BOCC Regular Session: 3.1.2023



WASCO COUNTY BOARD OF COMMISSIONERS REGULAR SESSION

MARCH 1, 2023 This meeting was held in person and on Zoom <u>https://wascocounty-org.zoom.us/j/3957734524</u> or call in to <u>1-253-215-8782</u> Meeting ID: **3957734524**#

PRESENT:	Steve Kramer, Chair
	Phil Brady, County Commissioner
STAFF:	Kathy Clark, Executive Assistant
	Tyler Stone, Administrative Officer
ABSENT:	Scott Hege, Vice-Chair

Chair Kramer opened the session at 9:00 a.m. with the Pledge of Allegiance. Changes to the agenda:

- Dispute Resolution Grant process
- Letters of Support for:
 - Columbia Gorge Community College (2) (attached)
 - City of Mosier (attached)
 - Wasco County Soil and Water Conservation District (attached)
 - Port of The Dalles (attached)

Consent Agenda – 2.15.2022 Minutes

Ms. Clark noted revisions to the 2.15.2023 Minutes on pages 5 and 19 which clarified statements made by participants.

{{{Commissioner Brady moved to approve the consent agenda with revisions to the 1st paragraphs on pages 5 and 19. Chair Kramer seconded the motion which passed unanimously.}}}

Agenda Item – County Clerk

SECRETARY OF STATE ELECTIONS GRANT AMENDMENT

County Clerk Lisa Gambee reviewed the memo included in the Board Packet. She explained that the Secretary of State had additional funds to disperse; the amendment formalizes that; we will receive an additional \$5,000 for security modernization and election infrastructure.

{{Commissioner Brady moved to approve Agreement PO-16500-006599

Amendment #1 increasing funding to the Wasco County Clerk's Office by \$5,000. Chair Kramer seconded the motion which passed unanimously.}}}

CALDWELL EQUIPMENT PURCHASE

County Clerk Lisa Gambee reviewed the memo included in the Board Packet. She explained that they currently use a hand scanner to scan ballots as they are received. The scanner will allow them to process multiple ballots at once rather than individually as they do now. The time savings is significant – a 5 day process will be reduced to 90 minutes. The system will reduce the number of times staff handles ballots prior to the count. While there are 3 companies in the country that sell this equipment, this was the only company with the equipment appropriate to meet our space and capacity needs; therefore, she is requesting a sole-source exemption from our contracting rules.

Commissioner Brady asked how the scanner will help with newly issued ballots. Ms. Gambee said that if a voter requests a new ballot or a new ballot is issued due to a voter relocating, that ballot has a unique bar code. When that voter returns their ballot, the system will recognize whether they returned the new ballot or the old ballot which flags it for staff to review. This system will be compatible with the new Oregon Votes system being implemented in Oregon.

{{{Commissioner Brady moved to approve the Caldwell Sales Consulting Personal Services Contract for the purchase and software support of a Ballot Scanner and Signature Validation Solution. He further moved to exempt this contract from Wasco County Contracting Rules as a sole source provider. Chair Kramer seconded the motion which passed unanimously.}}}

Agenda Item – Red Cross Month Proclamation

Ms. Clark said that the County has passed this proclamation in previous years. It coincides with National Red Cross Month to raise awareness of the organization and its humanitarian mission.

Chair Kramer commented that the Red Cross is a great partner for our county.

{{{Chair Kramer moved to proclaim March, 2023 as Red Cross Month and encourage all citizens of Wasco County to support its humanitarian mission. Commissioner Brady seconded the motion which passed unanimously.}}}

Agenda Item – Mt. Hood Economic Alliance IGA

Mid-Columbia Economic Development District Executive Director Jessica Metta said that the Alliance is a small business lending board created in the 1980's with a \$90,000 budget for distribution. The Alliance contracts with MCEDD to administer the program. They received a request from Clackamas County to change how their Board members are appointed from County appointment to Alliance Board appointment; Hood River and Wasco Counties will continue to appoint their representatives to that board. This was also an opportunity to update the IGA in general.

Commissioner Brady noted that the Alliance focuses on rural Oregon business and asked for the parameters around that designation. Ms. Metta explained that it funds business ventures; there are other funding sources for agriculture. While it might, under certain circumstances, support the purchase of a piece of agricultural equipment, that would be unusual. She noted that even the City of The Dalles, is considered rural rather than urban.

{{{Commissioner Brady moved to approve the IGA between Clackamas, Hood River and Wasco Counties to continue the Mt. Hood Economic Alliance as an ORS 190 entity. Chair Kramer seconded the motion which passed unanimously.}}}

Chair Kramer expressed his gratitude for all the work MCEDD does in our community.

Discussion Item – Dispute Resolution Grant Process

Ms. Clark explained that every two years a grant process is opened to provide funding for community dispute resolution. The state-funded grant program is managed through the Law School of the University of Oregon. Historically, Wasco County has managed the grant application process for our 5-county region which includes Wasco, Sherman, Gilliam, Hood River and Wheeler counties. A process for which Wasco County bears the majority of administrative time and cost.

We have had only one applicant each biennium as we are aware of only one qualified entity to serve our region in this capacity – 6 Rivers Mediation. We have the option to opt out of the process in which case, the University would manage the process on our behalf. The change would be that we would not be making a recommendation to the University as to the entity to be funded. Since it is highly

WASCO COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MARCH 1, 2023 PAGE 4

unlikely that we would have more than one applicant; Ms. Clark recommended opting out of the process.

Ms. Clark went on to say that the University has advised that the possibility of UO/OOCDR selecting a different entity than Six Rivers is on the spectrum of possibilities, although at this time, there is no reason to think this would happen. They have not heard from any other entity that is anticipating applying in our area, although it could happen. Six Rivers is in excellent standing with OOCDR and is even piloting a Resolution Apprenticeship program that OOCDR sponsored this year. Andrea Pacheco is such a sound leader, even if a new entity applied, Six Rivers would likely still be a service provider for the area. In counties where there is more than one eligible applicant, they work with the entities to explore their areas of focus and how they can collaborate to provide excellent service to the given area. If a new entity emerged, then they would work with Six Rivers and the new entity on a collaboration agreement. The collaboration agreement then becomes part of both of their contractual requirements with OOCDR.

The Board was in consensus to opt out of the Community Dispute Resolution RFP process and allow the University of Oregon Law School manage the process on our behalf.

Discussion Item – Letters of Support

Commissioner Brady said that he finds all the request support worthwhile projects. He added that he understands the urgency of the request as the deadline for submission is this Friday. He said that he supports all the requests for letters of support.

Chair Kramer agreed, saying he would like to get Vice-Chair Hege's consensus as well.

Ms. Clark said that Vice-Chair Hege has expressed his support for all except the 2 letters that just came in this morning. She said she will contact him regarding those before sending them out.

The Board was in consensus to send letters of support for funding requests for Columbia Gorge Community College, Port of The Dalles, Wasco County Soil & Water Conservation District and the City of Mosier.

Public Comment

Colleen Ballinger of The Dalles expressed her support of MCCAC's acquisition of the Oregon Motor Motel. She referenced her volunteer work with the homeless and said that with the plan to have 24/7 staffing and a clean secure space, this is a great move. She said she believes the MCCAC staff is dedicated to running this well and she is very hopeful.

Chair Kramer said that he thinks most of us share those sentiments. With support from the State, good things are happening.

Commissioner Brady agreed, saying that these efforts are improving the situation. He thanked Ms. Ballinger for her work.

Sheila Dooley of The Dalles added her support, saying that the library has been significantly challenged by the homeless situation. The transitional housing will get folks safely off the streets – it is a good step.

Rodger Nichols announced that the Columbia River Gorge Commission has cancelled their March meeting.

Commission Call

Commissioner Brady said he would like to return to the practice of holding town halls throughout the county. He also stated that he would like to take some action regarding the drought situation.

Chair Kramer agreed that both are good steps to take. He said that things are changing rapidly in the legislative session and he continues to work on the homelessness issue.

Chair Kramer adjourned the meeting at 9:33 a.m.

Summary of Actions

MOTIONS

- To approve the consent agenda with revisions to the 1st paragraphs on pages 5 and 19.
- To approve Agreement PO-16500-006599 Amendment #1 increasing funding to the Wasco County Clerk's Office by \$5,000.
- To approve the Caldwell Sales Consulting Personal Services Contract for the purchase and software support of a Ballot Scanner

and Signature Validation Solution and to exempt this contract from Wasco County Contracting Rules as a sole source provider.

- To approve Orders 23-001, 23-002 and 23-23-003 appointing Scott Hege and Phil Brady to Northern Oregon Corrections Board of Directors and Steve Kramer to the Mid-Columbia Center for Living Board
- To proclaim March, 2023 as Red Cross Month and encourage all citizens of Wasco County to support its humanitarian mission.
- To approve the IGA between Clackamas, Hood River and Wasco Counties to continue the Mt. Hood Economic Alliance as an ORS 190 entity.

CONSENSUS

- To opt out of the Community Dispute Resolution RFP process and allow the University of Oregon Law School manage the process on our behalf.
- To send letters of support for funding requests for Columbia Gorge Community College, Port of The Dalles, Wasco County Soil & Water Conservation District and the City of Mosier.

Wasco County Board of Commissioners

Steven D. Kramer, Commission Chair

Scott C. Hege, Vice-Chair

Philip L. Brady, County Commissioner



AGENDA ITEM

Call-Back Practice

STAFF MEMO



MEMORANDUM

SUBJECT: Call-Back Time for Public Works Employees

TO: BOARD OF COUNTY COMMISSIONERS

FROM: NICHOLE BIECHLER, HR DIRECTOR

DATE: 1/19/2023

BACKGROUND INFORMATION:

With changes in positions at Wasco County, process and procedure needs to be reviewed. One recent topic that became known was the question of "Call-back" time for Public Works employees and how they were to be compensated. We do not currently have any policy in regards to this and do not have anything addressed in our Employee Handbook.

Upon researching, precedent showed that employees have been compensated at one and a half times their current hourly rate for any hours worked and classified as "call-back."

Callback time shall be defined as unscheduled time worked after an employee has been released from their regular shift, and does not connect a succeeding shift. Any employee required to work after being called back will be assured a minimum of three (3) hours' pay and will be compensated at the appropriate overtime rate of 1 ½ times their regular salary per hour. An employee who is being compensated pursuant to this memo for the assured minimum three (3) hours compensation shall remain on duty for the entire duration the employee is receiving compensation. At an employee's request, and with the approval of the Public Works Director, or their designee, the employee may forfeit the assured minimum compensation as provided by this memo and shall be compensated for actual time worked at an appropriate rate pursuant to the overtime provisions of this memo (i.e., an employee can go home early and get paid for actual time spent working, rather than being forced to remain for the minimum three hours). Emergency Response

Call back time shall be defined as an employee who is off-duty and who responds to an emergency within Wasco County. The employee shall be compensated for all such callback time at the employee's overtime rate of pay and such time shall be treated as "overtime" for all other purposes pursuant to the terms of this memo, regardless of whether or not the time would otherwise qualify as "overtime."

"Emergency" shall be defined as those instances when unit members have not been placed on-call, but are contacted to return to their work location or to perform work on short notice during an off-duty period. In the event that a call back situation should occur, the decision shall be made by the Public Works Director and/or their designee. It is in the best interest of Wasco County to continue with this precedent and to honor the one and a half rate of pay for staff of Public Works. We appreciate the hard-work and dedication they show to maintaining our public roads during inclement weather and emergency situations.



AGENDA ITEM

Drought Declaration

DROUGHT MAPS

DROUGHT DECLARATION

MOTION LANGUAGE

Wheat Hay Haylage Cattle Sheep

The USDA's National Agricultural Statistics Service (NASS) conducts hundreds of surveys every year and prepares reports covering virtually every aspect of U.S. agriculture, including agricultural commodities statistics for crops and livestock. This map displays crops and livestock by county alongside the current U.S. Drought Monitor. The size of each dot represents the total acres (crops) or total inventory (livestock) per county. Learn more.

Crop Production (Acres)





Source(s): USDA NASS

4

53,218

acres of wheat in drought (D1–D4) in Wasco County (estimated) 5,940 acres of hay in drought (D1–D4) in Wasco County (estimated) 218 acres of haylage in drought (D1– D4) in Wasco County (estimated)

9,897 number of cattle in drought (D1– D4) in Wasco County (estimated)

339 number of sheep in drought (D1– D4) in Wasco County (estimated)

This county is designated in drought by the USDA. Learn more >

Agriculture Drought Map - Drought.gov

Streamflow 1-Month Precipitation Outlooks



percent of streamflow sites that are below normal in Oregon percent of streamflow sites that are above normal in Oregon

percent area of Oregon with above normal precipitation probability this month

percent area of Oregon with below normal precipitation probability this month





Drought Conditions for Wasco County week of 3.6.2023 – Drought.gov



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF A DECLARATION AND REQUEST TO DECLARE A STATE DROUGHT EMERGENCY FOR WASCO COUNTY, OREGON

RESOLUTION 23-003

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 USDA has designated Wasco County as being in drought; and

IT FURTHER APPEARING TO THE BOARD: The U.S. Drought Monitor classifies Wasco County in abnormally dry to severe drought; and

IT FURTHER APPEARING TO THE BOARD: That As of February 28, 2023, the US Drought Monitor shows that all of Wasco County is abnormally dry, with 23% of the land in moderate drought (D1) and 49% in severe drought; and

IT FURTHER APPEARDING TO THE BOARD: That as of February 28, 2023, the NOAA Drought Outlook indicates that drought will remain or persist through at least May 31, 2023; and

IT FURTHER APPEARING TO THE BOARD: That as of March 1, 2023, the USDA NRCS Oregon Water Supply Outlook Report shows the precipitation water year to date (October 1 to March 1) for the Hood-Deschutes Basin is below normal at 80%; and

IT FURTHER APPEARING TO THE BOARD: That as of March 6, 2023, the NASA shallow groundwater drought indicator shows large swaths of Oregon and Wasco County within the 2 and 5 percent wetness percentiles, which is much drier than normal; and

IT FURTHER APPEARING TO THE BOARD: That the over 71% of Wasco County citizens are affected by drought; and

IT FURTHER APPEARING TO THE BOARD: That in Wasco County 2023 is the 11th driest year over the past 129 years; and

IT FURTHER APPEARING TO THE BOARD: that extraordinary measures must be taken to alleviate suffering of people and livestock and to mitigate economic loss and to be responsive to the threat of wildfires.

NOW, THEREFORE, BE IT DECLARED by the Wasco County Board of Commissioners that:

1. A local disaster is declared within Wasco County.

- 2. The Wasco County drought Emergency Management Plan has been implemented.
- Pursuant to ORS 401.165, we find that appropriate response is beyond the capability of Wasco County. We are declaring a state of emergency for the purpose of assessment, evaluation and acquiring the ability to provide appropriate available resources.
- 4. Request: The Honorable Tina Kotek, Governor of Oregon, declare a Drought Emergency for all of Wasco County under the provisions of ORS 401.165 and ORS Chapter 536 due to severe and continuing drought conditions beginning at this time and continuing for an unknown period of time; and direct the Oregon Department of Water Resources to make available in Wasco County: Temporary Transfers of Water Rights, and Emergency Water Use Permits, and Use of Existing Right Option/Agreement; and other federal and state drought assistance and programs as needed.
- 5. This proclamation shall take effect immediately from and after its issuance superseding any previous declarations of drought emergency.

DATED this 15th Day of March, 2023.

APPROVED AS TO FORM:

WASCO COUNTY BOARD OF COMMISSIONERS:

Kristen Campbell, County Counsel

Steven D. Kramer, Commission Chair

Scott C. Hege, Vice-Chair

Philip L. Brady, County Commissioner



MOTION

SUBJECT: Drought Declaration

I move to approve Resolution 23-003 declaring a drought emergency and requesting the State to declare a State Drought Emergency for Wasco County.



AGENDA ITEM

Title VI Plan

STAFF MEMO

TITLE VI PLAN

MOTION LANGUAGE



Memorandum

To: Wasco County Board of County Commissioners From: Jessica Metta, Mid-Columbia Economic Development District Re: Wasco County Title VI Plan Update Date: March 7, 2023

Overview

Wasco County is a recipient of grants from the Federal Transit Administration (FTA) for public transportation, which the County passes through to MCEDD as operator of The Link. One of FTA's requirements to receive funds is adoption of a Title VI Plan. From the FTA's website:

Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance. The Federal Transit Administration works to ensure nondiscriminatory transportation in support of our mission to enhance the social and economic quality of life for all Americans. The FTA Office of Civil Rights is responsible for monitoring FTA recipients' Title VI programs and ensuring their compliance with Title VI requirements.

The FTA requires these plans be updated every 3 years, and Wasco County's last update was in 2019. ODOT reached out to remind Wasco County about the update. Wasco County's plan largely references MCEDD's own Title VI plan, and corresponding Limited English Proficiency (LEP) Plan. ODOT was still fine with this structure. MCEDD updated its Title VI and LEP plans in 2022 and they have been approved by ODOT. They can be found on the MCEDD website at https://www.mcedd.org/about-mid-columbia-economic-development-district/policies/

Wasco County staff asked for MCEDD's assistance in updating the 2019 Title VI plan. The update is provided for the County's review and adoption.

Possible Motion

I move to adopt the 2023 Wasco County Title VI Plan as presented.



WASCO COUNTY TITLE VI PLAN

Adopted March 15, 2023

INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin in programs and activities receiving Federal financial assistance.

Wasco County passes through responsibility of transportation services to Mid-Columbia Economic Development District (MCEDD) and is committed to ensuring that no person is excluded from participation in, or denied the benefits of its programs and services on the basis of race, color, sex, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B

TITLE VI COMPLAINT PROCEDURES

In order to comply with 49 CFR Section 21.9(b), Wasco County has developed procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. Complainants, or their representative, may file a written complaint with the Title VI Complaint Coordinator at any time within one hundred and eighty (180) days from the date of the alleged discriminatory act.

If you believe you have been subjected to discrimination under Title VI, you may file a complaint.

HOW TO FILE A TITLE VI COMPLAINT

You may file a signed, written complaint up to one hundred and eighty (180) days from the date of alleged discrimination by delivering, mailing or faxing your complaint to Wasco County. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- Name, address, phone number and relationship of Representative to Complainant, if applicable
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant

The complaint may also be filed in writing with Wasco County at the following address:

Wasco County ATTN: Title VI Complaint Coordinator 511 Washington St, Suite 101 The Dalles, OR 97058 By phone: 541-506-2520 By fax: 541-296-2551

NOTE: Wasco County encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

What happens to your complaint after it is submitted to Wasco County?

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by Wasco County will be directly addressed by Wasco County. Wasco County provides for staff to take complaints and forward them to the Title VI Complaint Coordinator (Office Administrator) who categorizes, tracks them, and develops responses and forwards them to the Wasco County Administrator for approval. The Administrator will investigate the complaint and make a determination. Formal investigation of the complaint will be confidential and will include, but is not limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Customer will be notified of resolution.

Wasco County shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, Wasco County shall make every effort to address all complaints in an expeditious and thorough manner.

In instances where additional information is needed for investigation of the complaint, Wasco County will contact the complainant in writing. Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information within thirty (30) calendar days may result in the administrative closure of the complaint.

Once sufficient information for investigating the complaint is received by Wasco County, a written response will be drafted, subject to review by the County's attorney. If appropriate, Wasco County's attorney may administratively close the complaint. In this case, Wasco County will notify the complainant of the action as soon as possible.

How you will be notified of the outcome of your complaint:

Wasco County will send a final written response to the complainant and advise the complainant of his or her right to 1) appeal within seven (7) calendar days of receipt of the final written decision from Wasco County, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

A written appeal requesting review of a determination of unlawful denial of access or accommodation to services must include the customer's name, address, and telephone contact number. A statement of reason(s) why the applicant believes the denial of accommodation request or access to services was inappropriate is recommended. The Wasco County Board of Commissioners will set a mutually agreed-upon time and place for the review process with the applicant and/or representatives within 30 days of the request. The applicant may submit documents or other information to be included with the record

and considered in the review process. Anyone needing special accommodations may contact Wasco County at 541-296-2520 for assistance.

The right of the appellant to a prompt and equitable resolution of the complaint must not be impaired by the appellant's pursuit of other remedies, such as filing of a complaint with the Department of Justice or other appropriate federal agency or the filing of a suit in state or federal court. Use of this procedure is not a prerequisite to the pursuit of other remedies.

In addition to the complaint process described above, a complainant may file a Title VI complaint or lawsuit with the following offices:

Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor – TCR 1200 New Jersey Ave., SE Washington, DC 20590

Oregon Department of Transportation Office of Civil Rights, MS 23 3930 Fairview Industrial Drive SE Salem, OR 97302

U.S. Department of Justice Civil Rights Division Coordination and Review Section – NWB 950 Pennsylvania Ave, NW Washington, DC 20530

Disposition of Complaints and Resolution

Sustained Complaints- If the complaint is substantiated and a probable cause of a discriminatory practice based on race, color, or national origin is found to exist, Wasco County shall endeavor to eliminate said practice by means of a Remedial Action Plan. The Remedial Plan shall include: a list of all corrective actions accepted by the agency; description of how the corrective action will be implemented; and a written assurance that the agency will implement the accepted corrective action in the manner discussed in the plan.

Unsustained Complaints- If there is insufficient evidence to either prove or disprove the allegation(s) both parties to the complaint will be informed of the reason(s) for this disposition.

Unfounded Complaint- If it is determined that an act reported pursuant to this policy/procedure did not in fact occur, a finding of unfounded shall be made.

Exonerated Complaints- If it is determined that an act reported pursuant to this policy/procedure did in fact occur, but was lawful and proper within the guidelines established herein, a finding of exonerated shall be made.

Recording Title VI Investigations, Complaints and Lawsuits

In order to comply with 49 CFR Section 21.9(b), Wasco County prepares and maintains a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming Wasco County that allege discrimination on the basis of race, color, or national origin. This list includes the date of the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response to the investigation, lawsuit, or complaint. The Wasco County Title VI Complaint Coordinator (Office Administrator) maintains these files until closed. The Wasco County Title VI Complaint Coordinator will also maintain a log of all complaints received. Records will be stored according to state and federal record retention requirements. Tracked information will be reported to ODOT as the grantor of the funds as required.

Additional Information Upon Request

At the discretion of FTA, information other than that required by the referenced circular may be requested, in writing, from Wasco County in order to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI requirements. The Wasco County Title VI Complaint Coordinator is available to provide additional information as needed and to respond to any inquiry.

BOARD COMPOSITION AND MINORITY REPRESENTATION ON NON-ELECTED BODIES

Wasco County is overseen by a Board of Commissioners, and the table depicting the membership of this Board as of March 2023 is below:

	Not Hispanic or Latino	Hispanic or Latino	
Population (2020 Census)	21,653	5017	
Wasco County Board of Commissioners	3		

Of Those Who Are Not Hispanic or Latino										
	White Alone	Black or African American Alone	Asian Alone	Native Hawaiian Alone	American Indian or Alaskan Native Alone	Some Other Race Alone	Two or more races			
Population (2020 Census)	18,703	115	248	185	983	110	1309			
Wasco County Board of Commissioners	3									

For the Board of Commissioners and Committees advising the Wasco County Board and transportation operations, Wasco County encourages participation of minorities on the Board and committees in the following manners:

- Posting information about the ability to participate on our website, through our social media platforms and through our newsletter.
- Sending press releases to the local newspapers in our regional service area.
- Conducting direct outreach to organizations and agencies representing the interests of minority populations and/or providing direct services to minority individuals.

RECORD OF TITLE VI OR OTHER CIVIL RIGHTS INVESTIGATIONS, COMPLAINTS OR LAWSUITS

To date, there have been no Title VI investigations, complaints or lawsuits.

LIMITED ENGLISH PROFICIENCY PLAN

Wasco County is committed to breaking down language barriers by implementing consistent standards of language assistance across its service area. Wasco County leverages the MCEDD updated Limited English Proficiency Plan as part of our Title VI policy, which can be found on their website.

NOTIFYING BENEFICIARIES OF THEIR RIGHTS UNDER TITLE VI

Our website includes our Title VI policy and complaint form. The website also states the Anti- Discrimination Statement as listed in this plan. Wasco County's Title VI policy and complaint form are also posted at Wasco County's office (located at 511 Washington St, Suite 101, The Dalles, OR). The Title VI Compliance Statement is included in rider guides and bus schedules as appropriate. Finally, the Title VI Compliance Statement is posted inside vehicles used for public transportation. Individuals who believe they have been discriminated against may request a complaint form from the Office Administrator at Wasco County's office.

ANALYSIS OF CONSTRUCTION PROJECTS

Over the last three years Wasco County has not completed a construction project requiring an environmental assessment (EA) or environmental impact statement (EIS).

INCLUSIVE PUBLIC PARTICIPATION

Community Outreach is a requirement of Title VI. Wasco County and its sub-recipients shall seek out and consider the viewpoints of minority and low-income populations in the course of conducting public outreach. Specific information about MCEDD's programs can be found in their Title VI policy.

ANTI-DISCRIMINATION STATEMENT/TITLE VI POLICY

Anti-Discrimination Statement: Wasco County is an affirmative-action, equal-opportunity employer. Public Transportation services are available to all without regard to race, color, national origin, gender, gender identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status.

Declaración de Anti-discriminación: Wasco County y son empleadores de acción afirmativa e igualdad de oportunidades. Servicios de transporte públicos son disponibles a todos sin importar raza, color, origen nacional, genero, identidad de genero, religión, edad, altura, peso, incapacidad, creencias políticas, orientación sexual, estado de matrimonio, estado familiar o si es veterano de guerra. Wasco County's Title VI policy and complaint form are posted on the Wasco County website (http://co.wasco.or.us) and at Wasco County's offices (located at 511 Washington Street, The Dalles, OR). Individuals who believe they have been discriminated against may request a complaint form from the Office Administrator at Wasco County's office.

Ref: FTA Circular 4702.1B Title VI and Title VI Dependent Guidelines for Federal Transit Administration Recipients

Purpose

The purpose of this policy is to establish guidelines to effectively monitor and ensure that Wasco County is in compliance with all FTA Title VI requirements and regulations in order to carry out the provisions of the Department of Transportation's (DOT) Title VI Regulations at 49 CFR Part 21.

Authorities

Title VI of the Civil Rights Act of 1964, as amended, provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

Policy Statement

Wasco County assures that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, as amended, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Wasco County is committed to creating and maintaining programs and services that are free of all forms of discrimination.

Responsibilities

All employees of Wasco County shall follow the intent of these guidelines in a manner that reflects the organization's policy. Employees receiving information regarding violations of this order shall determine if there is any basis for the allegation and shall proceed with resolution as stated in the sections *Employee Responsibility* and/or *Investigation of Complaints and Appeal Process*.

Certification and Assurance

To ensure accordance with 49 CFR Section 21.7, every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI of the Civil Rights Act of 1964. This requirement shall be fulfilled when the applicant submits its annual certifications and assurances to FTA. The text of FTA's annual certifications and assurances is available on FTA's Web site. Wasco County complies with this instruction annually in order to receive FTA funding.

NOTIFICATION OF COMPLIANCE WITH TITLE VI

In order to comply with 49 CFR Section 21.9 (d) MCEDD has posted information for the public regarding the Title VI obligations and protections against discrimination afforded to the public by Title VI on the Wasco County website. Wasco County has also posted the following notice of compliance with Title VI,

which is visible to the public at the Wasco County office and directs the public to the Wasco County website and to the appropriate phone number to inquire for more information. Additionally, this information is available upon request.

Notification of Compliance with Title VI

Wasco County complies with Title VI and Title VI Dependent Guidelines for Federal Transit Administration Recipients. Title VI obligations and protections against discrimination afforded to the public by Title VI can be found on the Wasco County website at http://www.co.wasco.or.us. This information is also available upon request, please inquire inside office or contact Title VI Complaint Coordinator at (541) 506-2520.

Notificación de la conformidad con Title VI

Wasco County se conforma con las pautas dependientes del Title VI y del Title VI para los recipientes federales de la administración del tránsito. Las obligaciones y las protecciones del Title VI contra la discriminación producida al público por Title VI se pueden encontrar en el Web site de Wasco County en http://www.co.wasco.or.us. Esta información está también disponible a petición, investiga por favor dentro de oficina o entra en contacto con a coordinador de la queja del Title VI en (541) 506-2520.

APPROVED this 15th day of March, 2023.

Wasco County Board of Commissioners

Steven D. Kramer, Chair

Scott C. Hege, Vice-Chair

Philip L. Brady, County Commissioner



MOTION

SUBJECT: Title VI Plan

I move to adopt the Wasco County Title VI Plan for transportation services.



AGENDA ITEM

Commercial Property Assessed Clean Energy (CPACE) Program

STAFF MEMO



Memorandum

To: Wasco County Board of County Commissioners From: Jessica Metta, Mid-Columbia Economic Development District Re: Consideration of a Commercial Property Assessed Clean Energy (CPACE) Program Date: March 7, 2023

Request

Provide feedback on consideration of authorizing a CPACE program for Wasco County, and possible administration by MCEDD.

Overview

*The Oregon legislature authorized creation of Commercial Property Assessed Clean Energy ("CPACE") financing programs. Oregon Statutes (ORS 223.680 and ORS 223.685) authorize local governments (cities and counties) to establish property assessed financing programs that help property owners finance energy, water, renewable, and seismic improvements to qualifying real property. The CPACE Program allows owners of eligible commercial property to obtain long-term financing from private capital providers for certain qualified improvements. While the financing is repaid to the Capital Provider, the CPACE Act directs the County to impose a voluntary benefit assessment and record a lien (the "CPACE Lien") on the property. While new to Oregon, this approach to financing has been used by programs like CPACE on thousands of properties in more than 31 states and the District of Columbia.

The financing is secured with a lien on the benefitted property (Benefit Assessment Lien) with the same priority as a lien for the assessment for local improvements. The local improvement lien is an established mechanism used by municipalities for decades to finance projects that provide a public benefit such as street improvements, water, sewer and street lighting.

Individual cities and counties may now take action to create their own CPACE programs and help buildings become more efficient and resilient. Creating a county CPACE program is simple: first, a city/county adopts a resolution and guidelines that govern how its CPACE program works. Second, since the repayment of the CPACE financing is between a private lender and a property owner, when the lender's lien against the property is filed, a county (or another administrator such as Mid-Columbia Economic Development District) only has to review the lien application for compliance with the CPACE state law, and then record a unique agreement that includes the acknowledgment of a special property "benefit assessment" by the city/county.

In Oregon, CPACE financing is available for energy efficiency, renewable energy, energy storage, smart electric vehicle charging stations, water conservation, and seismic rehabilitation improvements. Eligible properties include multifamily residential dwellings, commercial or industrial buildings that the local government has determined can be benefited by utilities improvements.

A voluntary CPACE loan is secured by a senior lien on the property and paid back over time; tax liens and other government assessments remain superior to the CPACE lien. Like other assessments, CPACE financing is non-accelerating, which means only current or past due payments can be collected, while future payments are the responsibility of whomever owns the property at the time. The CPACE repayment obligation transfers automatically to the next owner if the property is sold. In the event of default, only the payments in arrears are due. This arrangement spreads the cost of qualifying improvements – such as energy-efficient HVAC equipment, upgraded insulation, new windows, solar installations, or seismic upgrades – over the useful life of the measures.

Administration is fairly straightforward. Application fees can be charged to cover expenses. Mid-Columbia Economic Development District (MCEDD) is helping Hood River and Sherman Counties in considering allowing a program and contracting with MCEDD for program administration.

Next Steps

MCEDD could incorporate any feedback into a resolution for Wasco County to consider, as well as a draft administration agreement with MCEDD if there is interest.