

WASCO COUNTY COURT

REGULAR SESSION

AGENDA

MAY 13, 2009

LOCATION: WASCO COUNTY COURTHOUSE,
COUNTY COURTROOM #202,
511 Washington Street, The Dalles, Oregon

- 9:00 a.m. **WORK SESSION** of the County Court to establish goals for 2009.
- 11:30 a.m. **DISCUSSION** with George Ponte and David Jacobs, Oregon Department of Forestry (ODF) Representatives, regarding how ODF is doing in regards to providing service and interagency cooperation.
- 11:45 a.m. **CONSIDERATION AND APPROVAL** of the Resolution in the matter of the Federal Fiscal Year 2009 Elections for National Forest Related Safety-Net Payments.

The Court will recess until 6 p.m. to meet at the Mosier Creek Terrace, located at 500 Second Street, Mosier, Oregon.

CONTINUATION OF THE REGULAR SESSION

- 6:00 p.m. Members of the public are invited and encouraged to meet with members of the County Court to discuss miscellaneous matters of County concern.

NOTE: THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES.

**The facility is handicapped accessible. Please contact (541) 506-2520, if you need special accommodations to attend the meeting.
TDD – 1-800-735-2900**

Wasco County, Oregon, does not discriminate against individuals with disabilities.



WASCO COUNTY COURT
REGULAR SESSION
MAY 13, 2009

PRESENT: Dan Ericksen, County Judge
Sherry Holliday, County Commissioner
Bill Lennox, County Commissioner
Kathy McBride, Executive Assistant
Lauren Haney, County Court Assistant

At 9:07 a.m. the meeting was called to order by Judge Dan Ericksen.

OPEN TO DEPARTMENTS

Patrick Scranton, Wasco County Veterans' Service Officer, met with the Court regarding an application received for the Emergency Financial Assistance Program Funding. He noted that this is the only application that he has received since the last time they met. The Court granted \$6,295 previously, leaving \$14,000 left to award during the current Fiscal Year.

Commissioner Holliday asked if the Program will be renewed by the State of Oregon.

Scranton replied that he expects the Emergency Financial Assistance Program to be renewed. The amount of the program could be increased with the reduction of the advertisement of the program. These Enhancement Funds are not allowed to be carried over into the new Fiscal Year.

Some discussion occurred.

{{{Commissioner Lennox moved to approve the application for Emergency Financial Assistance Program Funding in the amount of \$8,992.12. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

Dan Boldt, Wasco County Public Works Director/County Surveyor, stated that the Department has made a decision as to the purchase of GPS Equipment which has been budgeted. He will bring a recommendation to the Court next week as to purchasing GPS Equipment under the State Bid.

WORK SESSION of the County Court to establish goals for 2009.

At 9:40 a.m. Marti Kantola, Six Rivers Community Mediation Services Director, met with the Court to continue the discussion on establishing goals for 2009.

Each Court Member was presented with a summary of the April 8, 2009, Goal Setting Session and the paper on County Strengths and Challenges by Program, which Commissioner Holliday, Commissioner Lennox and Executive Assistant Kathy McBride completed.

Kantola stated that she wants the Court to establish priorities and define what those goals are over the short term. She is hoping that we can get more information out of the goals that were created.

Kantola stated that we need to identify how we can be specific; how will you know if you have done this. What is it that you want to be doing? People want to know what things you have accomplished.

Commissioner Lennox stated that since the last time we met we have accomplished some of these things. We went through the budget process; a Capital Fund for Facilities was created.

Judge Ericksen stated identifying some of the rest of the staffing issues would be beneficial if the County was able to add additional staffing.

Commissioner Holliday stated that the County needs additional staff in order to provide better service to our citizens.

Judge Ericksen stated that he feels that buildings and capital improvements could come off the list.

Kantola asked if there was anything that came out of budget that stands out

Commissioner Holliday stated the potential reduction in staff.

Some discussion occurred.

Judge Ericksen informed Kantola that the Budget Committee cut the Marine Patrol.

Commissioner Holliday noted that the Budget Committee felt that maintaining the County's Vehicle Plan is important.

Kantola asked the Court what capital improvement means to them.

Judge Ericksen replied that it means adequate maintenance and repair of existing County facilities.

Kantola asked what does adequate mean.

Judge Ericksen stated that adequate means scheduled maintenance; having enough in a fund to do annual projects for our facilities.

Kantola asked the Court where we stand on this issue right now.

Tyler Stone, Wasco County Employee & Administrative Services Director, stated that we have 20% of the needed funding to meet that goal. His Department has a spread sheet that defines these projects; the dollar amount is huge. Without a direction from the Court they are not going to have maintenance and repairs on a schedule.

Discussion occurred on adequate maintenance and repairs of County facilities.

Kantola suggested that this goal be measurable and achievable in one year.

Stone stated that the hard work is going to be in how to catch up. As the Court I would worry about the funding piece.

Commissioner Holliday asked if our task would be to make this goal as high a priority as our Vehicle Plan.

Kantola stated that it is the Court's role to guide the County Departments. You do not have to be rigid, but you need to say this is important and needs to be in place.

A lengthy discussion occurred regarding developing County goals.

Stone suggested that the Court look at it as a three legged stool; one leg for staffing, one for alternative funding and the other for efficiencies.

The Court discussed efficiencies within County Departments. Are there things that can be done to improve our efficiencies? Are there additional revenue resources that can be established?

Kantola stated that there are alternative funding sources that the County can look at. She felt that the Court needed to look at all Departments. Departments need to be working together. Brainstorming is a good idea, after which a plan could be developed.

Kantola suggested that the Court ask Department Heads to determine what are their core services and priorities.

The following is a summary of what was accomplished during this discussion on establishing goals for Wasco County:

Capital:

Existing County facilities are adequately maintained and repaired.

- * Revitalize and inventory existing facilities.
- * Develop plan.
- * Establish a reserve fund.

Personnel/Staffing:

Review existing departments to determine where potential efficiencies, partnerships and redirection could be made.

- * Increase alternative revenue generation potential amongst all departments.
- * Revenue streams.

Safety:

Public Health District:

- * Collaboration

Underlying interests

Defining goals - 1 to 3 years
 - Short term

Looking at what's important

Review Department by Department

- * Staffing minimum

Example: Facilities – reserve budget – maintain no matter

Example: Law enforcement minimum coverage – 2 on – no matter what

Example: Juvenile Justice – staffing minimums

Example: Brainstorm ideas

Health Savings Account

DISCUSSION with George Ponte and David Jacobs, Oregon Department of Forestry (ODF) Representatives, regarding how ODF is doing in regards to providing service and interagency cooperation.

At 11:32 a.m. Oregon Department of Forestry Representatives met with the Court. David Jacobs, Unit Forester, George Ponte, District Forester for Central Oregon, and Kristin Cotugno, Assistant District Forester for the Central Oregon District, were present.

Ponte stated that they are here to talk about the following issues: Customer Satisfaction Survey, SB 189 implementation, Forest Land Classification, and the Budget situation for the Oregon Department of Forestry.

Several handouts were presented to the Court at this time, (Attached as Exhibit A).

Ponte stated that they are requesting that the County Court provide them with feedback on how they see the Oregon Department of Forestry serving the County and its citizens. They would like to get the Court's feedback by the end of the month. The feedback that they receive is very valuable to the Department.

Jacobs stated that the Department has sent out letters to all affected property owners. The property owners determine if they have a 50' buffer around their home. They send back the card for the self certification process. They have started the Forest Land Classification process in Hood River County. They had a meeting last night to finalize their draft maps. They are moving through the process pretty quickly. Both Hood River and Wasco Counties will be on track to have SB 360 implemented.

Some discussion occurred regarding the classification program. The property owners have a two year window after they receive the initial card. When they approach the two year window they will send out a second notice.

Ponte stated that the State Forester is requesting that the County convene a Forestland Classification Committee to look at all lands within the County to see if they meet the classification of forest lands. In the second handout it defines the classification of forest lands. The Senate Bill has been passed by both houses; he is not sure if the Governor has signed the legislation into law.

Ponte gave a brief description on what the Forestland Classification Committee would be doing once convened. The Oregon Department of Forestry would like Wasco County to establish a Multi-County Classification Committee with Hood River County. The Department anticipates sending the County a letter this summer beginning the process in late summer.

Ponte read the information pertaining to the Committee membership and the process for the forestland classification. He noted that this process is very similar to the SB 360 process. The Forest Service would provide similar service as they did under SB 360.

Ponte briefly addressed the Oregon Department of Forestry's budget situation. The funding is in short supply. They have been asked to put together a budget reduction plan; funding could be reduced by 30%. They are hoping to end up at a 15% reduction level, which would not harm their protection program.

Discussion occurred regarding proposed reductions in funding for the Oregon Department of Forestry.

CONSIDERATION AND APPROVAL of the Resolution in the matter of the Federal Fiscal Year 2009 Elections for National Forest Related Safety-Net Payments.

At 12:01 p.m. Marty Matherly, Wasco County Roadmaster, and Arthur Smith, Wasco County Project Manager, were present.

Smith stated that with the change in the Federal law the County is limited on the expenditure of new Title III funding. Any money retained under the new law is limited.

Discussion occurred regarding the allocation of funding for Title II and Title III Projects.

*****It was the consensus of the County Court to allocate 15% of the full funding amount and 100% of said amount to Title II Projects***.**

The Court recessed at 12:08 p.m.

The Court reconvened at 6:06 p.m. at Mosier Creek Terrace in Mosier, Oregon.

Members of the public are invited and encouraged to meet with members of the County Court to discuss miscellaneous matters of County concern.

Rita Rathkey, Opportunity Connections Executive Director, requested that the Court support their grant proposal to expand their current document destruction business for Gorge Security Shred.

*****It was the consensus of the County Court to support the grant proposal of Opportunity Connections to expand their current document destruction business for Gorge Security Shred***.**

Judge Ericksen requested that Rathkey explain in detail what the expansion would provide.

Rathkey stated that many local businesses currently obtain services from document destruction companies out of Portland. She noted that there are no local facilities which provided these services to this area. Businesses will be able to obtain these services from Opportunity Connections for a better price than from a company out of Portland. She noted that document destruction by shredding reduces landfill waste and increases recycling.

Linda Griswold reviewed the document destruction process that would be performed by Gorge Security Shred.

Rathkey stated that they had been working on this expansion for a year. She said that it will provide jobs specifically geared toward people with disabilities. She stated that they will hopefully have some positions available in Wasco County in the future.

Some discussion occurred.

{{{Commissioner Holliday moved to approve the letter of support regarding the grant proposal from Opportunity Connections to expand their current document destruction business for Gorge Security Shred. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

CONSIDERATION AND APPROVAL of the Resolution in the matter of the Federal Fiscal Year 2009 Elections for National Forest Related Safety-Net Payments.

{{{Commissioner Lennox moved to approve the Resolution in the matter of the Federal Fiscal Year 2009 Elections for National Forest Related Safety-Net Payments. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

CONSIDERATION of items listed on the Discussion List of May 13, 2009, (Attached as Exhibit B).

Item #7 – McBride suggested that the Court hold off on approving the Intergovernmental Agreement for Provision of Veterans' Services between Hood River County and Wasco County since the Agreement only reflects that services are provided in Wasco County on Tuesdays and Fridays. The County will be picking up 60% of the costs rather than 40% and the days that services are provided remain the same.

The approval of the Agreement will be put on hold until the dates of service are better defined.

McBride informed the Court that the Interagency Agreement for the Recovery Act Justice Assistance Grant Program Award between the City of The Dalles, Oregon, and the County of Wasco, Oregon, which was approved on April 27, 2009, has been amended by the City of The Dalles as to the funding amount. The Court is being asked to rescind the approval of that Interagency Agreement and approve the Interagency Agreement as revised.

{{{Commissioner Holliday moved to rescind the Interagency Agreement for the Recovery Act Justice Assistance Grant Program Award between the City of The Dalles, Oregon, and County of Wasco, Oregon, which was approved on April 27, 2009. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

{{{Commissioner Lennox moved to approve the Interagency Agreement for the Recovery Act Justice Assistance Grant Program Award in the amount of \$27,173.00 between the City of The Dalles, Oregon, and County of Wasco, Oregon. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

The Court took time to discuss and answer the Oregon Department of Forestry Customer Satisfaction Survey.

The Court briefly discussed the Forestland Classification Committee. The Court informed Marc Berry, former Mayor of the City of Mosier, who was in the audience about the requirements of the Senate Bill 189. The Court is looking for names of interested property owners.

Item #5 – The Court considered the approval of the amended By-Laws and Articles of Agreement for the Mid-Columbia Council of Governments.

{{{Commissioner Holliday moved to approve the By-Laws of the Mid-Columbia Council of Governments and the Mid-Columbia Council of Governments Articles of Agreement. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

CONSIDERATION of the Regular Session Consent Calendar of May 13, 2009, (Attached as Exhibit C).

Some discussion occurred regarding Order #09-108 in the matter of holding a Public Hearing to consider amending the Wasco County Impoundment, Towing and Booking Procedure Ordinance; the Order, as written, calls for a Public Hearing to adopt the amendments by an emergency process.

{{{Commissioner Holliday moved to approve the Regular Session Consent Calendar of May 13, 2009, with the exception of Item #6. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

Item #1 – Judge Ericksen updated the Court on the Strategic Investment Program (SIP). The County is not required to adopt an Ordinance to implement the SIP.

Item #4 – The Court discussed the requirements under the 2008/2009 Contract with the Oregon Marine Board for the maintenance of the Pine Hollow vault toilet. The Marine Board will be sending the County the 2009/2010 Contract for approval. The County Court will be administrator for the vault toilet.

*****It was the consensus of the County Court to authorize staff to issue a payment to the Wasco County Youth Services Department for the maintenance of the out houses at the Pine Hollow Reservoir***.**

Item #2 – Staff was instructed to remove this item from the Discussion List.

Item #3 – The Court will discuss refilling the Position of Finance Director at a later date.

The Court signed:

- 2009 Grant Award Agreement between North Wasco County School District/9th Grade Campus and Wasco County Commission on Children and Families.
- Business Associate Contract for Nursing Services between Wasco Sherman Public Health and Dufur School District #29.
- Business Associate Contract for Nursing Services between Wasco Sherman Public Health and Sherman County Schools.
- Amendment to Agreement for Professional Services between Wasco Sherman Health Department and Maria del Pilar Basile.
- Amendment to Agreement for Professional Services between Wasco Sherman Health Department and David Staenke.
- Interagency Agreement for the Recovery Act Justice Assistance Grant Program Award between the City of The Dalles, Oregon, and County of Wasco, Oregon.
- Mid-Columbia Council of Governments Articles of Agreement.

WASCO COUNTY COURT
REGULAR SESSION
MAY 13, 2009
PAGE 10

- Resolution in the matter of the Federal Fiscal Year 2009 elections for National Forest
Related Safety-Net Payments

The Court adjourned at 7:02 p.m.

WASCO COUNTY COURT



Dan Ericksen, County Judge



Sherry Holliday, County Commissioner



Bill Lennox, County Commissioner



Oregon

May 13, 2009

Wasco County Court
511 Washington St. Suite 302
The Dalles, Oregon 97058

Department of Forestry

Central Oregon District

The Dalles Unit

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RE: Oregon Department of Forestry 2008 Customer Satisfaction Survey

Dear Commissioners:

The Oregon Department of Forestry is conducting its annual customer survey of the boards and commissions of Oregon's forested counties. The purpose of this survey is to solicit your feedback on the services provided by the Department of Forestry to Wasco County and its citizens during 2008. This survey is one of 22 performance measures the department uses to evaluate the efficiency and effectiveness of our programs and our employees.

This information will be summarized and reported, along with other performance measure results, to the department's Executive Team and Audit Committee, the Oregon Board of Forestry, and the Oregon Legislature.

I am requesting that the Court take a few minutes at an upcoming business meeting to consider and collectively respond to the enclosed five-question survey and to provide any additional comments that you would desire.

The department views this process as an important opportunity to foster improved communication and collaboration with county governments and the citizens of Oregon. To that end, I would be happy to be present at the Court meeting when this matter is discussed. I am available to meet in advance with commissioners, either as a group or individually, at your convenience to answer any questions you may have about the Department of Forestry's programs, our recent accomplishments in improving the stewardship of forest resources in Wasco County, and our interactions with public and private forest landowners in the county. This same offer extends to your staff. I would encourage you to solicit feedback from your staff prior to submitting your response to our survey.

I would appreciate receiving your survey response no later than May 31, 2009.

Please contact me at 541-447-5658 ext 231 or at gponte@odf.state.or.us if you have any immediate questions or desire more information.

Thank you in advance for helping the Department of Forestry improve our service to Oregonians through this performance evaluation process.

Sincerely,

George Ponte
Central Oregon District Forester

Enclosure



Oregon Department of Forestry
2008 Customer Service Performance Measure Survey

Please answer the following questions regarding your rating of service provided by the Oregon Department of Forestry during calendar year 2008 and add any additional comments:

Scale: Excellent, Good, Fair, Poor, Don't Know

Questions:

TIMELINESS – How do you rate the timeliness of the services provided by the Oregon Department of Forestry?

Rating:
Comments:

ACCURACY – How do you rate the ability of the Oregon Department of Forestry to provide services correctly the first time?

Rating:
Comments:

HELPFULNESS – How do you rate the helpfulness of Oregon Department of Forestry employees?

Rating:
Comments:

EXPERTISE – How do you rate the knowledge and expertise of Oregon Department of Forestry employees?

Rating:
Comments:

AVAILABILITY OF INFORMATION – How do you rate the availability of information at the Oregon Department of Forestry?

Rating:
Comments:

OVERALL SERVICE – How do you rate the overall quality of services provided by the Oregon Department of Forestry?

Rating:
Comments:

Enrolled
Senate Bill 189

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for State Forestry Department)

CHAPTER

AN ACT

Relating to forestland fire protection; creating new provisions; and amending ORS 477.281, 526.005, 526.305, 526.310, 526.320, 526.324, 526.328, 526.332 and 526.340.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 477.281 is amended to read:

477.281. (1) The obligation of an owner of timberland or grazing land for payment of assessments and taxes for fire protection of forestland is limited to:

(a) The payment of moneys pursuant to ORS 321.015 (2), 477.277, 477.295, 477.760 (4) and 477.880 to maintain the Oregon Forest Land Protection Fund; and

(b) The payment of forest protection district assessments pursuant to ORS 477.060 and 477.205 to 477.281.

(2) As used in this section, "obligation of an owner of timberland or grazing land for payment of assessments and taxes for fire protection of forestland" does not include the duties or obligations of the owner under ORS 477.066, 477.068 or 477.120 or the obligations of an owner of land included in a rural fire protection district pursuant to ORS 478.010.

SECTION 2. ORS 526.005 is amended to read:

526.005. As used in this chapter, unless the context otherwise requires:

(1) "Board" means the State Board of Forestry.

(2) "Certified Burn Manager" means an individual, other than the forester, who is currently certified under a program established pursuant to ORS 526.360 (3).

(3) "Department" means the State Forestry Department.

(4) "Forester" means the State Forester or the authorized representative of the forester.

[(5) "Forestland" means any woodland, brushland, timberland, grazing land or clearing, which, during any time of the year, contains enough forest growth, slashing or vegetation to constitute, in the opinion of the forester, a fire hazard, regardless of how the land is zoned or taxed.]

(5)(a) "Forestland" means any woodland, brushland, timberland, grazing land or clearing that, during any time of the year, contains enough forest growth, slashing or vegetation to constitute, in the judgment of the forester, a fire hazard, regardless of how the land is zoned or taxed.

(b) As used in this subsection, "clearing" means any grassland, improved area, lake, meadow, mechanically or manually cleared area, road, rocky area, stream or other similar opening that is surrounded by or contiguous to land described in paragraph (a) of this sub-

section and that has been included in areas classified as forestland under ORS 526.305 to 526.370.

(6) "Forestry carbon offset" means a transferable unit based on a measured amount of carbon storage expressed as a carbon dioxide emission equivalent, or other equivalent standard, and accruing on forestland as live or dead matter in trees, shrubs, forest litter and soil.

(7) "Nonindustrial private forest landowner" means any forest landowner who does not own a forest products manufacturing facility that employs more than six people.

(8) "Nonindustrial private forestland" means any forestland owned by a nonindustrial private forest landowner.

SECTION 3. ORS 526.305 is amended to read:

526.305. As used in ORS 526.305 to 526.370, unless the context requires otherwise:

(1) "Committee" means a [county] forestland classification committee.

(2) "Governing body" means the board of county commissioners or county court of a county, as the case may be.

SECTION 4. ORS 526.310 is amended to read:

526.310. (1) Pursuant to a request by the State Forester:

(a) The governing body of [each] a county [containing forestland] may establish a [county] forestland classification committee of [five] six persons, of whom one shall be appointed by the State Forester, one by the Director of the Oregon State University Extension Service, one by the State Fire Marshal and three by the governing body. Of the members appointed by the governing body, one must be an owner of forestland [or a representative thereof], and, if the land to be investigated and studied by the committee includes or is expected to include grazing land, one must be an owner of grazing land [or a representative thereof]; or

(b) The governing bodies of two or more counties may, by written agreement, establish a joint forestland classification committee. One member of a joint committee shall be appointed by the State Forester, one by the Director of the Oregon State University Extension Service and one by the State Fire Marshal. The governing body of each participating county shall appoint two members. Of the members appointed by a governing body to a joint committee, one must be an owner of forestland.

(2) Each appointing authority shall file with the [forester] State Forester the name of its appointee or appointees, and the persons so named shall constitute the committee [for the county]. Unless otherwise provided for by the appointing authority, members of the committee shall serve a term of four years and may be reappointed to any number of terms. Each member of the committee at all times is subject to replacement by the appointing authority, effective upon the filing with the [forester] State Forester by that authority of written notice of [removal and] the name of the new appointee.

[(2)] (3) The committee shall elect from among its members a chair and a secretary and may elect [or employ] other officers[, agents and employees,] as it finds advisable. It shall adopt rules governing its organization and proceedings and the performance of its duties, and shall keep written minutes of all its meetings.

[(3)(a)] (4)(a) The governing body of [the] a county may provide for the committee and its [employees] members such accommodations and supplies and such county funds not otherwise appropriated as the governing body finds necessary for the proper performance of the committee's functions.

(b) The forester may provide for the committee and its [employees] members such accommodations and supplies and such forest protection district funds as the forester finds necessary for the proper performance of the committee's functions.

[(4)] (5) The members of the committee shall receive no compensation for their services but [the] a governing body or [the forester] a forest protection district may reimburse them for their actual and necessary travel and other expenses incurred in the performance of their duties.

SECTION 5. ORS 526.320 is amended to read:

526.320. Upon establishment of a forestland classification committee under ORS 526.310, the committee shall periodically investigate and study all [forestland] land within [its county] the boundaries of its county or counties and determine which of the land is [suitable primarily for the production of timber, which is suitable primarily for joint use for timber production and the grazing of livestock, and which is suitable primarily for grazing or other agricultural use] forestland. Such determination shall take into consideration climate, topography, elevation, rainfall, soil conditions, roads, extent of fire hazards, recreation needs, scenic values, and other physical, economic and social factors and conditions relating to the land involved.

SECTION 6. ORS 526.324 is amended to read:

526.324. (1) Upon the basis of its investigation and determination under ORS 526.320, a committee shall assign all forestland within [its county] the boundaries of its county or counties and within a forest protection district to one of the following [classes] classifications:

(a) Class 1, timber class, includes [all] forestland [primarily] suitable for the production of timber and may include lands on which structures are present.

(b) Class 2, timber and grazing class, includes [all] forestland [primarily] suitable for joint use for timber production and the grazing of livestock[, as a permanent or semipermanent joint use, or as a temporary joint use during the interim between logging and reforestation] and may include lands on which structures are present.

(c) Class 3, agricultural class, includes [all] forestland [primarily] suitable for grazing of livestock or other agricultural use and may include lands on which structures are present.

(2) The committee [first] shall adopt [a] preliminary [classification] classifications and [upon its completion] shall cause notice thereof to be published once a week for two consecutive weeks in [a newspaper of general circulation in the county] one or more newspapers of general circulation within the boundaries of its county or within the boundaries of each of its counties and to be posted in three public places within the [county] boundaries of its county or within the boundaries of each of its counties. The notice shall state the time and place for [hearing or receiving objections, remonstrances or suggestions as to the proposed classification and the place where a statement of the preliminary classification] the public hearing required pursuant to ORS 526.328 and where maps of the preliminary classifications may be inspected.

SECTION 7. ORS 526.328 is amended to read:

526.328. (1) The committee shall hold a public hearing within the boundaries of its county or within the boundaries of each of its counties at the time and place stated in the notice published under ORS 526.324 (2), or at such other time and place as the hearing may then be adjourned to, to receive from any interested persons objections, remonstrances or suggestions relating to the [proposed classification] preliminary classifications. Following the hearing the committee may make such changes [in] to the preliminary [classification] classifications as it finds to be proper, and thereafter shall [make its] adopt final [classification] classifications.

(2) All action by the committee in [classifying or reclassifying forestland] adopting final classifications shall be by formal written order [which] that must include a statement of findings of fact on the basis of which the order is made[,] and must include a [map showing the] list of tax lots affected by the classifications or reclassifications [made]. The committee shall prepare one or more maps showing the final classifications, but the maps may not be included as part of the formal written order. The original of the order shall be filed [immediately] with the county clerk of [the] its county[, who shall maintain it available for public inspection.] or with the county clerk of each of its counties. The order need not meet the requirements of ORS 205.232, 205.234 and 205.236 to be filed and recorded. A copy of the order certified by the secretary of the committee shall be sent to the State [Board of Forestry] Forester.

SECTION 8. ORS 526.332 is amended to read:

526.332. (1) Any owner of land classified under ORS 526.328 or 526.340 who is aggrieved by the classification may, within 30 days after the date of the order making the classification, appeal to the circuit court for the county. The appeal shall be taken by serving the] in which the property is located. If the forestland classification committee has been established for more than one

county and the property is located in more than one of those counties, the owner of the land may appeal to the circuit court for any of those counties. Notice of an appeal shall be promptly served on the secretary of the committee or, if the classification was made under ORS 526.340, on the State Forester, and by filing such a notice with the county clerk.

(2) The appeal shall be tried by the circuit court as an action not triable by right to a jury.

SECTION 9. ORS 526.340 is amended to read:

526.340. (1) *[In the event no classification of forestland is made by a committee within a county in which such land is situated because no committee was appointed for a period of time exceeding two years or, if appointed,] The State Forester may identify and classify forestland in a county, consistent with ORS 526.324 and 526.328, if:*

(a) The governing body of a county has failed to establish a forestland classification committee within two years after the State Forester made a request under ORS 526.310 (1);

(b) A forestland classification committee *[did not act for a period of time exceeding two years or acted]* has failed to adopt and file a final classification pursuant to ORS 526.328 within the five-year period after the date the forestland classification committee was first established; or

(c) A forestland classification committee has failed to act in a manner *[inconsistent with law, the State Forester may make the final classifications that were otherwise to be made by a committee.]* consistent with ORS 526.310, 526.320, 526.324 and 526.328.

(2) Classifications by the State Forester have the same force and effect as though made by a forestland classification committee *[for that county]*. However, classifications made by the State Forester cease to be effective if replaced by classifications made pursuant to ORS 526.320, 526.324 and 526.328 *[by the appropriate committee]*.

SECTION 10. Section 11 of this 2009 Act is added to and made a part of ORS 526.305 to 526.340.

SECTION 11. The State Board of Forestry may adopt rules as necessary to implement ORS 526.305 to 526.340.

Passed by Senate March 4, 2009

.....
Secretary of Senate

.....
President of Senate

Passed by House April 7, 2009

.....
Speaker of House

Received by Governor:

.....M.,....., 2009

Approved:

.....M.,....., 2009

.....
Governor

Filed in Office of Secretary of State:

.....M.,....., 2009

.....
Secretary of State

Edith B

**WASCO COUNTY COURT
REGULAR SESSION
May 13, 2009**

DISCUSSION LIST

ACTION AND DISCUSSION ITEMS:

1. Update from Judge Ericksen on the conversation with Wil Carey regarding the Strategic Investment Program (SIP).
2. Discussion on whether the County Court wants to take a position on the Palomar Pipeline Project.
3. Discussion on filling the Position of Wasco County Finance Director.
4. Decision on the Marine Board 2008/09 Contract for the Pine Hollow Vault Toilet.
5. Action on the request from Mid-Columbia Council of Governments to amend their By-Laws and Articles of Agreement.
6. Request from Rita Rathkey, Executive Director of Opportunity Connections (formerly Columbia Gorge Center), regarding letter of support for their 2009 Tri-County Grant Proposal for Gorge Security Shred.
7. Discussion on the terms of the proposed Intergovernmental Agreement for Provision of Veterans' Services between Hood River County and Wasco County.

ON HOLD:

1. Discussion on Amending Document Approval Policy.

**WASCO COUNTY COURT
REGULAR SESSION
MAY 13, 2009**

CONSENT CALENDAR

1. 2009 Grant Award Agreement between North Wasco County School District/9th Grade Campus and Wasco County Commission on Children and Families.
2. Business Associate Contract for Nursing Services between Wasco Sherman Public Health and Dufur School District #29.
3. Business Associate Contract for Nursing Services between Wasco Sherman Public Health and Sherman County Schools.
4. Amendment to Agreement for Professional Services between Wasco Sherman Health Department and Maria del Pilar Basile.
5. Amendment to Agreement for Professional Services between Wasco Sherman Health Department and David Staenke.
6. Order #09-108 in the matter of holding a Public Hearing to consider amending the Wasco County Impoundment, Towing and Booking Procedure Ordinance.