

WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION / AGENDA WEDNESDAY, OCTOBER 19, 2011
LOCATION: Wasco County Courthouse, Courtroom #202
511 Washington Street, The Dalles, Oregon

Public Comment: Individuals wishing to address the Commission on items not already listed on the Agenda may do so from 9:00 a.m. - 9:30 a.m. and throughout the meeting. Please wait for the current topic to conclude. Raise your hand to be recognized by the Chair for direction. Speakers are required to give their name and address. Please limit comments to three minutes.

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 from 9:00 a.m. - 9:30 a.m. or between listed Agenda items.

NOTE: This Agenda is subject to last minute changes.

9:00 a.m.

CALL TO ORDER

“Items below, without a specific time slot may be rearranged in order to make the best possible use of available time”

- Corrections or Additions to the Agenda
- Administrative Officer - Tyler Stone: Comments
- Discussion Items (Items of general Commission discussion, not otherwise listed on the Agenda)
- Consent Agenda (Items of a routine nature: minutes, documents to complete or that have been previously discussed, etc. Removal is also allowed in order to be discussed or voted on.

10:00 a.m. **TOUR** of the Columbia Basin Care Facility.

1:30 p.m. **RON GRAVES, WASCO COUNTY SOIL & WATER CONSERVATION DISTRICT.**
Discussion on feral pigs in Wasco County.

2:00 p.m. **DAVE PETERS, COLUMBIA CASCADE HOUSING CORPORATION.** Discussion on the proposed Mid-Columbia Regional Home Repair Program Policies and Procedures and an update on the Wasco County Home Repair Loan Program.

NEW / OLD BUSINESS

COMMISSION CALL / REPORTS

ADJOURN

Meetings are ADA accessible. For special accommodations please contact the Commission Office in advance, (541) 506-2520. TDD 1-800-735-2900. Wasco County does not discriminate against individuals with disabilities.



Wasco County Planning Department

“Service, Sustainability & Solutions”

2705 East Second St. • The Dalles, OR 97058
Phone: (541) 506-2560 • wcplanning@co.wasco.or.us
www.co.wasco.or.us/planning/planhome.html

To: Wasco County Board of Commissioners (“Board”)
From: John Roberts, Planning Director
Will Clark, RARE-MCCOG
Date: October 19, 2011 Meeting
Re: Update to Wasco County’s Natural Hazards Mitigation Plan

Purpose:

The purpose of this memo is to make the Board aware of the background behind the reasons to update the Wasco County Natural Hazard Mitigation Plan (NHMP), anticipated process, and project leads and stakeholders to be involved.

Background:

A NHMP forms the foundation for a community's long-term strategy to reduce disaster losses and break the cycle of disaster impacts, reconstruction and repeated damage. It creates a framework for risk-based decision making to reduce damages to lives, property and the economy from future disasters. Jurisdictions with Federal Emergency Management Agency (FEMA) approved mitigation plans are eligible for federal grant funding to implement those mitigation items identified in the plan. Jurisdictions are required to review, update and re-seek FEMA approval of their plans every five years in order to maintain grant eligibility. Wasco County adopted its NHMP in February 2007 making it due for its 5-year update early 2012.

In October 2010 Wasco County submitted to the Oregon Partnership for Disaster Resilience (OPDR) a letter of commitment to support an application to conduct the required 5-year update to the County’s NHMP. OPDR prepared and submitted the grant, which included a proposed scope of work, activities and contributions required by Wasco County should it be funded. The grant was ultimately awarded and approved this past summer¹. Additional beneficiaries to the grant included Clackamas, Hood River, Sherman, Gilliam, Morrow, Wheeler and Umatilla counties (as their NHMPs were also nearing expiration). As a result OPDR is facilitating a regional planning approach with training sessions, technical assistance and plan updates occurring for each county simultaneously.

OPDR is partnering with two Resource Assistance to Rural Environments (RARE) AmeriCorps service placements to assist all the aforementioned counties with updates to their respective NHMPs (through the University of Oregon Community Service Center). Additionally, placements are being housed or hosted by the Mid-Columbia Council of Governments. The RARE placement or designated project lead for Wasco County is Will Clark, who will be introduced at the meeting. Whereas Will is the project lead designated by OPDR, he will work closely with the County’s Planning Director for guidance and to see the project through to completion.

¹ The project was identified as the Planning Department’s number one long range project and work program priority in 2010.

Process/Timelines:

The project began in earnest in September and is anticipated to be completed by June or July 2012. There was a project kick-off meeting held September 20th. Between now and January 2012, Will will take initiative to work with the County's Planning Director to:

- Develop a viable work plan.
- Reconvene the Wasco County Mitigation Plan Steering Committee formed to develop the 2007 edition of the NHMP. **Previous 2007 Steering Committee members included:**

Dan Boldt, *Wasco County Public Works*
Dan Hammel, *Mid-Columbia Fire and Rescue*
Mike Davidson, *Wasco County Emergency Management*
Todd Cornett, *Wasco County Planning and Development*
Ryan Bassette, *Wasco County Soil and Water Conservation District*
Richard Gassman, *City of The Dalles*
Sherry Holliday, *Wasco County Court*
Hanna Settje, *American Red Cross*
Tycho Granville, *Wasco County GIS*

- Identify and invite new participants or jurisdictions into the planning process.
- Identify and work with external partners (e.g., CGCC, School Districts, Port of the Dalles, Oregon Department of Forestry, US Army Corps of Engineers, Oregon Department of Agriculture, Hospitals, Soil and Water Conservation Districts, etc.).
- Overview a public involvement strategy.
- Review and update strategies identified in the 2007 NHMP.
- Identify and document plan implementation activities, including completed projects and other "success stories".
- Collect other necessary data.

Recommendation

At the meeting it is requested the Board make the project leads aware of anybody else they think should be included on the Steering Committee or any other important considerations. It is important to note the Steering Committee should not be a huge time commitment, but will likely include 3 or 4 meetings.

Next Steps

The Planning Department will keep the Board award of the status and progress of the update to the NHMP and report back as necessary.

**WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
OCTOBER 19, 2011**

DISCUSSION LIST

ACTION AND DISCUSSION ITEMS:

1. Discussion on HB 3188.

ON HOLD:

1. Discussion on Scope of Work and Proposed Budget for Updates and Maintenance to Wasco County Website. (Waiting for AOC)
2. Discussion on the GIS System.
3. Discussion on the National Guard Armory Property.
4. Consideration of the approval of the Intergovernmental Agreement between Wasco County and Hood River County for Veterans Services.
5. Request from Mid-Columbia Council of Governments for funding assistance on Renewable Energy Pilot Project.

Enrolled
House Bill 3188

Sponsored by Representative WAND; Representative SHEEHAN, Senator MONNES ANDERSON

CHAPTER

AN ACT

Relating to state lottery funds received by counties; and declaring an emergency.

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

SECTION 1. (1) For purposes of this section:

(a) "Dedicated fund" means a fund in the county treasury, or a separate account in the county treasury, that is dedicated, appropriated or set aside for purposes that further economic development.

(b) "Furthering economic development" has the meaning given that term in ORS 461.540.

(2)(a) When a county receives moneys that are derived either directly or indirectly from funds from the State Lottery Fund under section 4, Article XV of the Oregon Constitution, and ORS chapter 461, and the moneys are to be used for the purpose of furthering economic development, the county:

(A) Shall deposit the moneys into a dedicated fund; and

(B) May use a reasonable portion of the moneys to employ a person to manage the moneys in the dedicated fund, make the report required by subsection (3) of this section, verify that moneys are used for purposes that further economic development in the county and provide technical assistance to persons or entities receiving disbursements from the dedicated fund.

(b) Moneys received as described in this subsection may not be placed in the general fund of the county.

(3) On or before October 1 of each year, each county that has received moneys as described in subsection (2) of this section shall file a report with the Oregon Department of Administrative Services for posting on the Oregon transparency website as provided in ORS 184.483 stating:

(a) The amount of moneys received by the county as described in subsection (2) of this section;

(b) The purpose and use of moneys that have been disbursed from the dedicated fund during the prior calendar or fiscal year; and

(c) Work and services provided by the person employed under subsection (2) of this section.

SECTION 2. Section 1 of this 2011 Act applies to moneys received by a county from the State Lottery Fund on or after the effective date of this 2011 Act.

SECTION 3. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by House March 22, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate June 2, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2011

Approved:

.....M.,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2011

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Kate Brown, Secretary of State

House Bill 3188 Data Dictionary Version 1.0: August 12, 2011

The data dictionary describes the data elements specifically required for County reporting as defined under House Bill 3188 and as needed by the Oregon Department of Administrative Services.

Data Element	Definition	Type	Max Length	Example	Comments
County Name	The name of the county being reported for.	Text	55	Baker	This should be the county name only; "county" should not be part of the County Name.
Report Period End Date	The last day of the <i>fiscal</i> year for which the report is being submitted.	Text	Must be 10	06/30/2011	This field will always be the last day of the biennium. In 2012, for example, the date should reflect 06/30/2012.
Amount of Money Received	The <i>cumulative</i> amount of Lottery Funds received and deposited into the County's Dedicated Fund.	Numeric (Currency)	18 Digits 2 Decimal Places	55001.23	This value is entered as a cash basis, rather than an accrual basis.
Amount of Money Expended	The <i>cumulative</i> amount of Lottery Funds expended from the County's Dedicated Fund.	Numeric (Currency)	18 Digits 2 Decimal Places	125.00	This value is entered as a cash basis, rather than an accrual basis.
Amount of Money Expended on Administration	The <i>cumulative</i> amount of Lottery Funds expended from the County's Dedicated Fund.	Numeric (Currency)	18 Digits 2 Decimal Places	12600.25	This value is entered as a cash basis, rather than an accrual basis.
Purpose and Use of Moneys	Describe the purpose and use of moneys received that have been disbursed from the dedicated fund during this reporting period.	Text	2000 Characters	The moneys expended this quarter were used to: Provide services or financial assistance to a 3 businesses to promote, expand and prevent the decline of their businesses.	"Furthering economic development" is defined in ORS 461.450.
Work and Services Provided by Employed Persons	Describe the work performed by the person performing administration during this reporting period.	Text	2000 Characters	1 Full Time Equivalent (FTE) was employed during this time period to: manage moneys in the dedicated fund, provide oversight activities, and to assist recipients of funds as needed.	

**WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
OCTOBER 19, 2011**

CONSENT AGENDA

1. Order in the matter of the reappointment of Rich Remington to the Wasco County Board of Review.
2. Order in the matter of the reappointment of Jerry Duling to the Wasco County Board of Review.
3. Order in the matter of the reappointment of David Cooper to the Wasco County Board of Review.
4. Order in the matter of the reappointment of Louise Sargent to the Wasco County Elderly & Handicapped Transportation Funds Advisory Committee.
5. Order in the matter of the reappointment of Dave Mason to the Wasco County Elderly & Handicapped Transportation Funds Advisory Committee.
6. Order in the matter of the reappointment of Lee Bryant to the Wasco County Elderly & Handicapped Transportation Funds Advisory Committee.
7. Order in the matter of the reappointment of Pam Petersen to the Wasco County Courthouse Safety Committee.
8. Order in the matter of the reappointment of Jeff McCall to the Wasco County Public Works Building Safety Committee.
9. Order in the matter of the reappointment of Don Lewis to the Wasco County Public Works Building Safety Committee.
10. Order in the matter of the reappointment of Don Uhalde to the Wasco County Public Works Building Safety Committee.
11. Regular Session Minutes of October 12, 2011.

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

IN THE MATTER OF THE REAPPOINTMENT OF)
RICH REMINGTON TO THE WASCO COUNTY) ORDER
BOARD OF REVIEW.) #11-117

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

IT APPEARING TO THE BOARD: That ORS 308A.095 requires this
Board to appoint two members to the County Board of Review and requires
the County Assessor to appoint two members to the County Board of Review
and requires the four members to appoint one additional member, said Board
to advise the County Assessor on true cash values of agricultural lands in
Wasco County; and

IT FURTHER APPEARING TO THE BOARD: That Rich Remington's
term on the Wasco County Board of Review expired on June 30, 2011; and

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IT FURTHER APPEARING TO THE BOARD: That Rich Remington is willing and is qualified to be reappointed to serve on the Wasco County Board of Review.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Rich Remington be and is hereby reappointed to the Wasco County Board of Review as a Board of Commissioners appointee; said term to expire on June 30, 2013.

DATED this 19th day of October, 2011.

WASCO COUNTY BOARD
OF COMMISSIONERS

Sherry Holliday, Chair of Commission

Scott C. Hege, County Commissioner

Rod L. Runyon, County Commissioner

APPROVED AS TO FORM:

Eric J. Nisley
Wasco County District Attorney

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IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

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IN AND FOR THE COUNTY OF WASCO

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IN THE MATTER OF THE REAPPOINTMENT OF)	
JERRY DULING TO THE WASCO COUNTY)	ORDER
BOARD OF REVIEW.)	#11-118

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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

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IT APPEARING TO THE BOARD: That ORS 308A.095 requires this Board to appoint two members to the County Board of Review and requires the County Assessor to appoint two members to the County Board of Review and requires the four members to appoint one additional member, said Board to advise the County Assessor on true cash values of agricultural lands in Wasco County; and

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IT FURTHER APPEARING TO THE BOARD: That Jerry Duling's term on the Wasco County Board of Review expired on June 30, 2011; and

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IT FURTHER APPEARING TO THE BOARD: That Jerry Duling is willing and is qualified to be reappointed to serve on the Wasco County Board of Review for another term.

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NOW, THEREFORE, IT IS HEREBY ORDERED: That Jerry Duling be
and is hereby reappointed to the Wasco County Board of Review as the
Board appointee; said term to expire on June 30, 2012.

DATED this 19th day of October, 2011.

WASCO COUNTY BOARD
OF COMMISSIONERS

Sherry Holliday, Chair of Commission

Scott C. Hege, County Commissioner

Rod L. Runyon, County Commissioner

APPROVED AS TO FORM:

Eric J. Nisley
Wasco County District Attorney

APPROVED by the Wasco County Board of Review.

David Cooper
Date: _____

Lowell Foreman
Date: _____

Hal Lindell
Date: _____

Rich Remington
Date: _____

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IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE REAPPOINTMENT OF)
DAVID COOPER TO THE WASCO COUNTY) ORDER
BOARD OF REVIEW.) No. 11-119

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 ORS 308A.095 requires this Board to appoint two members to the County Board of Review and requires the County Assessor to appoint two members to the County Board of Review and requires the four members to appoint one additional member, said Board to advise the County Assessor on true cash values of agricultural lands in Wasco County; and

IT FURTHER APPEARING TO THE BOARD: That David Cooper's term on the Wasco County Board of Review expired on June 30, 2011; and

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IT FURTHER APPEARING TO THE BOARD: That David Cooper is willing and is qualified to be reappointed to serve on the Wasco County Board of Review.

NOW, THEREFORE, IT IS HEREBY ORDERED: That David Cooper be and is hereby reappointed to the Wasco County Board of Review as an Assessor appointee; said term to expire on June 30, 2013.

DATED this 19th day of October, 2011.

WASCO COUNTY BOARD
OF COMMISSIONERS

Sherry Holliday, County Commissioner

Scott C. Hege, County Commissioner

Rod L. Runyon, County Commissioner

APPROVED AS TO FORM:

Eric J. Nisley
Wasco County District Attorney

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

IN THE MATTER OF THE REAPPOINTMENT OF)
LOUISE SARGENT TO THE WASCO COUNTY) ORDER
ELDERLY & HANDICAPPED TRANSPORTATION) #11-120
FUNDS ADVISORY COMMITTEE.)

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 Louise Sargent's term on the
Wasco County Elderly & Handicapped Transportation Funds Advisory
Committee has expired as of June 30, 2011; and

IT FURTHER APPEARING TO THE BOARD: That Louise Sargent is
willing and is qualified to be reappointed to the Wasco County Elderly &
Handicapped Transportation Funds Advisory Committee.

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NOW, THEREFORE, IT IS HEREBY ORDERED: That Louise Sargent
be and is hereby reappointed to the Wasco County Elderly & Handicapped
Transportation Funds Advisory Committee; said term to expire on June 30,
2013.

DATED this 19th day of October, 2011.

WASCO COUNTY BOARD
OF COMMISSIONERS

Sherry Holliday, Chair of Commission

Scott C. Hege, County Commissioner

Rod L. Runyon, County Commissioner

APPROVED AS TO FORM:

Eric J. Nisley
Wasco County District Attorney

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

IN THE MATTER OF THE REAPPOINTMENT OF)
DAVE MASON TO THE WASCO COUNTY) ORDER
ELDERLY & HANDICAPPED TRANSPORTATION) #11-121
FUNDS ADVISORY COMMITTEE.)

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 Dave Mason's term on the
Wasco County Elderly & Handicapped Transportation Funds Advisory
Committee expired on June 30, 2011; and

IT FURTHER APPEARING TO THE BOARD: That Dave Mason is
willing and is qualified to be reappointed to the Wasco County Elderly &
Handicapped Transportation Funds Advisory Committee.

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NOW, THEREFORE, IT IS HEREBY ORDERED: That Dave Mason
be and is hereby reappointed to the Wasco County Elderly & Handicapped
Transportation Funds Advisory Committee; said term to expire on June 30,
2013.

DATED this 19th day of October, 2011.

WASCO COUNTY BOARD
OF COMMISSIONERS

Sherry Holliday, Chair of Commission

Scott C. Hege, County Commissioner

Rod L. Runyon, County Commissioner

APPROVED AS TO FORM:

Eric J. Nisley
Wasco County District Attorney

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

IN THE MATTER OF THE REAPPOINTMENT OF)
LEE BRYANT TO THE WASCO COUNTY) ORDER
ELDERLY & HANDICAPPED TRANSPORTATION) #11-122
FUNDS ADVISORY COMMITTEE.)

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 Lee Bryant's term on the Wasco County Elderly & Handicapped Transportation Funds Advisory Committee has expired as of June 30, 2011; and

IT FURTHER APPEARING TO THE BOARD: That Lee Bryant is willing and is qualified to be reappointed to the Wasco County Elderly & Handicapped Transportation Funds Advisory Committee.

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NOW, THEREFORE, IT IS HEREBY ORDERED: That Lee Bryant be
and is hereby reappointed to the Wasco County Elderly & Handicapped
Transportation Funds Advisory Committee; said term to expire on June 30,
2013.

DATED this 19th day of October, 2011.

WASCO COUNTY BOARD
OF COMMISSIONERS

Sherry Holliday, Chair of Commission

Scott C. Hege, County Commissioner

Rod L. Runyon, County Commissioner

APPROVED AS TO FORM:

Eric J. Nisley
Wasco County District Attorney

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

IN THE MATTER OF THE REAPPOINTMENT)
OF PAM PETERSEN TO THE WASCO) ORDER
COUNTY COURTHOUSE SAFETY) #11-123
COMMITTEE.)

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 Pam Petersen's term on the Wasco County Courthouse Safety Committee will expire on December 31, 2011; and

IT FURTHER APPEARING TO THE BOARD: That Pam Petersen is willing and is qualified to be reappointed to the Courthouse Safety Committee for another term.

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NOW, THEREFORE, IT IS HEREBY ORDERED: That Pam Petersen
be and is hereby reappointed to the Wasco County Courthouse Safety
Committee as a Circuit Court Representative; said term to expire on
December 31, 2013.

DATED this 19th day of October, 2011.

WASCO COUNTY BOARD
OF COMMISSIONERS

Sherry Holliday, Chair of Commission

Scott C. Hege, Commissioner

Rod L. Runyon, Commissioner

APPROVED AS TO FORM:

Eric J. Nisley
Wasco County District Attorney

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

IN THE MATTER OF THE REAPPOINTMENT)
OF JEFF MC CALL TO THE WASCO) ORDER
COUNTY PUBLIC WORKS BUILDING) #11-124
SAFETY COMMITTEE.)

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 Jeff McCall's term on the Wasco County Public Works Building Safety Committee will expire on December 31, 2011; and

IT FURTHER APPEARING TO THE BOARD: That Jeff McCall is willing and is qualified to be reappointed to the Wasco County Public Works Building Safety Committee as a Management Representative.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Jeff McCall be and is hereby reappointed to the Wasco County Public Works Building Safety Committee; said term to expire on December 31, 2013.

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DATED this 19th day of October, 2011.

WASCO COUNTY BOARD
OF COMMISSIONERS

Sherry Holliday, Chair of Commission

Scott C. Hege, Commissioner

Rod L. Runyon, Commissioner

APPROVED AS TO FORM:

Eric J. Nisley
Wasco County District Attorney

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

IN THE MATTER OF THE REAPPOINTMENT)
OF DON LEWIS TO THE WASCO COUNTY) ORDER
PUBLIC WORKS BUILDING SAFETY) #11-125
COMMITTEE.)

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 Don Lewis' term on the Wasco County Public Works Building Safety Committee will expire on December 31, 2011; and

IT FURTHER APPEARING TO THE BOARD: That Don Lewis is willing and is qualified to be reappointed to the Wasco County Public Works Building Safety Committee as a Union Representative.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Don Lewis be and is hereby reappointed to the Wasco County Public Works Building Safety Committee; said term to expire on December 31, 2013.

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DATED this 19th day of October, 2011.

WASCO COUNTY BOARD
OF COMMISSIONERS

Sherry Holliday, Chair of Commission

Scott C. Hege, Commissioner

Rod L. Runyon, Commissioner

APPROVED AS TO FORM:

Eric J. Nisley
Wasco County District Attorney

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

IN THE MATTER OF THE REAPPOINTMENT OF)
DON UHALDE TO THE WASCO COUNTY) ORDER
PUBLIC WORKS BUILDING SAFETY COMMITTEE.) #11-126

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 Don Uhalde's term on the
Wasco County Public Works Building Safety Committee will expire on
December 31, 2011; and

IT FURTHER APPEARING TO THE BOARD: That Don Uhalde is
willing and is qualified to be reappointed to the Wasco County Public Works
Building Safety Committee as a Management Representative.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Don Uhalde be
and is hereby reappointed to the Wasco County Public Works Building Safety
Committee; said term to expire on December 31, 2013.

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DATED this 19th day of October, 2011.

WASCO COUNTY BOARD
OF COMMISSIONERS

Sherry Holliday, Chair of Commission

Scott C. Hege, Commissioner

Rod L. Runyon, Commissioner

APPROVED AS TO FORM:

Eric J. Nisley
Wasco County District Attorney



WASCO COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
OCTOBER 12, 2011

PRESENT: Sherry Holliday, Chair of Commission
Scott C. Hege, County Commissioner
Rod L. Runyon, County Commissioner
Tyler Stone, Administrative Officer
Kathy McBride, Executive Assistant

At 4 p.m. Chair Sherry Holliday called the meeting to order.

OPEN TO PUBLIC

Jack Hay addressed the Board of Commissioners on the article that he read in the newspaper regarding the Mid-Columbia Council of Governments proposed wind power project. Hay informed the Board of the wind power group that he put together with local farmers years ago for the possible development of wind power. In the end Florida Power decided not to pursue the project.

Discussion occurred regarding Hay's proposed project and the project being proposed by Mid-Columbia Council of Governments.

Commissioner Hege had several questions pertaining to the land leases and what types of rates are paid during that part of the wind power project.

Hay responded by stating that the landowners received a flat fee of either \$1,000 or \$2,000 per year. The fee was dependent upon how many turbines would be placed on the land.

OPEN TO DEPARTMENTS

John Roberts, Planning & Development Director, reported that Chair Holliday requested that he provide the Board of Commissioners with a monthly update on the number of

applications received by the Planning & Development Department. He plans to submit the update to the Board on a monthly basis beginning next month.

Roberts reported on the meeting that took place with the Focus Group. The County received a lot of good feedback from the meeting. He felt it was very valuable for staff to hear those comments firsthand.

Roberts noted that he forwarded to the Board of Commissioners the request that he received from Bill Fashing, Mid-Columbia Council of Governments, for a letter of support for two grants that they are applying for.

Commissioner Hege felt that it was more appropriate for the Board of Commissioners to support such a request rather than a County Department.

Roberts noted that a comparable facility already exists in Hood River.

Chair Holliday noted that Mid-Columbia Council of Governments has spoke about the need for a transportation center for some time.

The Board discussed briefly with Roberts the recent barbeque held at the Planning & Development Department and the focus group meeting.

Fred Davis, Facilities Manager, updated the Board on the Data Center Electrical Installation Project. He presented to the Board a copy of the overview of said project, (Attached as Exhibit A).

Davis informed the Board that the County conducted a walk through with various contractors and is waiting to receive back proposals next week. The project falls under the intermediate procurement process. The IT room has been designed to provide the County with the best long term service that can be determined at this point in time. It is their intent to have the project completed by November 18, 2011.

Some discussion occurred regarding the Data Center Electrical Installation Project.

Chair Holliday asked Tyler Stone, Administrative Officer, if he had anything to present to the Board.

Stone reported that he sent out an email to the Board regarding moving forward with centralized purchasing under the Office Max State Bid. He is planning to discuss this matter at tomorrow's Department Head meeting. Stone anticipates that the County will save \$15,000 to \$20,000 if we purchase supplies from Office Max.

Stone asked the Board if they still support the centralized purchasing concept. He noted that the matter will be introduced tomorrow followed by a November 9th training.

Some discussion occurred.

Stone requested that the Board members write an article for inclusion in the next "Wasco News" County newsletter.

Stone reported that the Employee Recognition Committee has met two times over the last two months. He requested that McBride provide the Board with an update on the meetings.

McBride stated that the Committee has come up with the following projects to be undertaken by the end of the year: courthouse Christmas tree, holiday potluck, gift exchange, door decorating and fudge contests, cookie exchange, food and toy drive, and adopt a family. Stone is allowing the Committee to move forward with these employee activities.

Chair Holliday suggested that the County newsletter should include an employee spotlight.

Stone stated that he is guessing that the newsletter will expand. Hope Vance, Payroll/Human Resource Generalist, wants to write an article for the newsletter. He also anticipates that the newsletter will include an article from the Employee Recognition Committee.

Stone reported that he redistributed the draft of the Employee Handbook to the Senior Management Team. The handbook is an overview and introduction on our policies and procedures. There are many things to cover in the handbook. The handbook will be discussed at tomorrow's Department Head meeting.

Stone stated that he spoke to the Wasco County Circuit Court regarding the County's use of the Courthouse Meeting Room #206. Circuit Court stated that they will work with us.

CONSIDERATION of items listed on the Discussion List of October 12, 2011, (Attached as Exhibit B).

Item #4

Chair Holliday suggested that the Board of Commissioners need to develop some type of written policy so that Kathy McBride, Executive Assistant, knows what to do in the handling of openings on various Boards, Commissions and Committees. She wondered if the County was going to allow people to continue to serve if they have had no more than two consecutive terms on any specific Board, Commission or Committee.

A lengthy discussion occurred.

CONSIDERATION AND APPROVAL of the Regular Session Consent Calendars of October 12, 2011, (Attached as Exhibit C).

{{{Commissioner Hege moved to approve the Regular Session Consent Calendar of October 12, 2011 as presented. Commissioner Runyon seconded the motion; it was then passed unanimously.}}}

{{{Commissioner Hege moved to approve Order #11-115 in the matter of the reappointment of Sherry Holliday to the Mid-Columbia Council of Governments Board of Directors and Order #11-116 in the matter of the reappointment of Rod Runyon to the Mid-Columbia Council of Governments Board of Directors. Chair Holliday seconded the motion; it was then passed unanimously.}}}

CONTINUATION OF THE CONSIDERATION of items listed on the Discussion List of October 12, 2011.

#1

Stone stated that the Sheriff's Office has another governmental agency that wants to purchase the Crown Victoria vehicle from Wasco County. He has contacted the Oregon Department of Administrative Services to see if it is appropriate for the County to sale the vehicle to this agency. Stone is waiting to hear back from the state.

{{{Commissioner Runyon moved to declare the Wasco County Sheriff's Office 2007 Crown Victoria vehicle as surplus as requested by Chief Deputy Sheriff Lane Magill. Commissioner Hege seconded the motion; it was then passed unanimously.}}}

#2

The Board had no problem with the Proposed Radio Station Schedule for 2012 as presented by McBride.

#3

The Board had no problem with the Proposed 2012 Board of Commissioners Schedule. The schedule can be changed as required.

Commissioner Hege stated that he received some emails thanking the Board of Commissioners for conducting evening meetings. Commissioner Hege would like to see that we continue to hold evening meetings, especially when we consider the Energy Chapter Updates.

#5

The Board discussed the request from Mid-Columbia Council of Governments (MCCOG) for a letter of support for two different grant requests.

Commissioner Hege had no problem with supporting their request.

Commissioner Runyon stated that he has no problem with MCCOG saying they were going to apply for a grant. He has a problem with them stating that they want to acquire property and the Port of The Dalles does not know anything about it.

{{{Commissioner Hege moved that the Board of Commissioners send a letter of support for the Mid-Columbia Council of Governments Grant Application and that the County's support does not include supporting a specific location for the transportation center. Commissioner Runyon seconded the motion; it was then passed unanimously.}}}

On Hold Item #4

Stone stated that the discussion on the National Guard Armory Property is still on hold. Dr. Frank Toda is making the personal contact with the National Guard.

On Hold Item #4

Stone had a conversation with Mike Benedict, Hood River County, in regards to adding new termination language within the proposed Intergovernmental Agreement between Wasco County and Hood River County for Veterans Services. Benedict has no problem with amending the language. The Agreement will be amended and returned for the County's consideration.

On Hold Item #5

Stone stated that he has started to review the request from Mid-Columbia Council of Governments for funding assistance on their Renewable Energy Pilot Project. It will be a little while before he comes up with his recommendation on their request.

Chair Holliday asked the Board if they support paying for the dinner for County staff attending the Annual Association of Oregon Counties Conference in Eugene in November.

The Board is fine with the cost of the dinner coming out of the County Court's Budget. The Board briefly discussed this year's Product Tasting Event at the Association of Oregon Counties Conference.

The Board signed:

- Order #11-109 in the matter of the reappointment of Del Cesar to the Wasco County Board of Property Tax Appeals.
- Order #11-110 in the matter of the reappointment of Delphene Thornton to the Wasco County Board of Property Tax Appeals.
- Order #11-111 in the matter of the reappointment of Scott Hege to the Wasco County Board of Property Tax Appeals.
- Order #11-112 in the matter of the reappointment of Mike Zingg to the Wasco County Economic Development Commission.
- Order #11-113 in the matter of the reappointment of Ken Polehn to the Wasco County Fair Board.
- Order #11-114 in the matter of the reappointment of Jim Yuhas to the Wasco County Board of Property Tax Appeals.
- Order #11-115 in the matter of the reappointment of Sherry Holliday to the Mid-Columbia Council of Governments Board of Directors.
- Order #11-116 in the matter of the reappointment of Rod Runyon to the Mid-Columbia Council of Governments Board of Directors.

The Board adjourned at 6:07 p.m.

WASCO COUNTY BOARD OF
COUNTY COMMISSIONERS

Sherry Holliday, Chair of Commission

Scott C. Hege, County Commissioner

Rod L. Runyon, County Commissioner

WASCO COUNTY COURT
REGULAR SESSION
OCTOBER 12, 2011
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Mid-Columbia Regional Home Repair Program

Policies and Procedures

2011

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**MID-COLUMBIA REGIONAL
HOME REPAIR LOAN PROGRAM
POLICIES**

INTRODUCTION

The Mid Columbia Regional Home Repair Program, funded through repayments through previous Oregon Community Development Block Grants (OCDBG), was initiated as a response to a community survey. As loans are repaid in each county, funds will first be targeted to that county, but not required to be used there.

The target area is chosen on the basis of housing conditions, income and availability of other sources of assistance and community support.

The goals of the Home Repair Loan Program are:

1. To alleviate health and safety problems, including lead-based paint hazards and correct structural deficiencies in target area homes.
2. To conserve and improve existing low income housing stock.
3. To increase housing opportunities for low and moderate income households.
4. To enable lower income residents of the targeted areas to remain in their homes.

SECTION 1: APPLICANT ELIGIBILITY

In order to be eligible for a Home Repair Loan, an applicant must meet all of the following requirements:

1:1 Residency: The applicant must own and occupy the property to be repaired. More than 50% of the floor space of the dwelling must be occupied by the applicant. The property must also be in Sherman, Wasco or Hood River Counties. Efforts will be made to ensure an equitable distribution of grants throughout the entire region.

1:2 Homeowner preferences: A preference of 1 point each will be given to homeowners who are:

- a) Earning less than 50% of the county median income
- b) Over the age of 65
- c) Disabled Veterans
- d) Other disabled
- e) Families
- f) Living in homes requiring immediate safety repairs

1:3 Incomes: Annual gross income of the applicant household should not exceed 50% of county median income limits established by Housing and Urban Development (HUD) and must not exceed 80%. The limits by family size are listed on page 12.

1:31 Total gross income includes, but is not limited to, the following: wages, tips, net income from operation of a business or profession, unemployment, interest, dividends, social security benefits, pensions, annuity income, alimony, child support, welfare payments, Veterans' benefits, disability benefits, stipends, or living allowances.

1:32 Annual income does not include the following:

- a) Income from employment of children (including foster children) under the age of 18 years.
- b) Earnings in excess of \$480 for each full-time student 18 years or older (excluding the head of household and spouse).
- c) Payments received for the care of foster children.
- d) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses.

- e) Amounts received by the family that is specifically for, or in reimbursement of the cost of medical expenses for any family member.
- f) Income of a live-in aide.
- g) Amounts of educational scholarships paid directly to the student or to the educational institution, and amounts paid by the Government to a veteran, for use in meeting the costs of tuition, fees, books, equipment, materials, supplies, transportation, and miscellaneous personal expenses of the student.
- h) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
- i) Amounts received under training programs funded by HUD.
- j) Amounts received by a disabled person that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS). Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program.
- k) Temporary, nonrecurring or sporadic income (including gifts).
- l) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937.

1:33 For the purposes of this subsection, "Applicant" is the person(s) who own the property and any other persons sharing residency whose income and resources are available to meet the household's needs and who are either related by blood, marriage or operation of law, or who evidenced a stable family relationship for the six months prior to signing the application.

Evidence of "stable family relationship" may include any of the following: birth certificates of the children, joint tax return, prior lease (held jointly), joint bank accounts, insurance policies, prior joint credit history, or equivalent documentation as determined by the Program Manager.

1:34 To determine the applicant's income for eligibility purposes, one of the following methods will be used:

- a) Applicant(s) where all the applicant(s) have full time employment will use their income for the three months prior to the date of application, annualize their year to date earnings, or use their latest federal income tax return.
- b) Applicant(s) receiving social security and welfare will annualize their current monthly benefit prior to the date of application.
- c) Applicant(s) where one or more of the applicant(s) have temporary, part-time or seasonal occupations will have income computed from their latest federal income tax return.
- d) Applicant(s) where one or more of the applicant(s) are self employed will use income reported on their latest federal income tax return.

1:35 Income and employment information submitted by applicants will be subject to verification.

1:4 Net Worth: In order to qualify for a repair loan, the applicant should have a net worth of less than \$50,000. The "net worth" is calculated according to the "Home Repair Loan Program Application Instructions". Excluded from the assets and liabilities used in the "net worth" calculation are the applicant(s) home, one automobile and household furnishings.

1:41 The property on which the home is located is excluded from the net worth calculation. The parcel can include more than one lot as long as the lots are adjacent to the lot on which the house is located and were purchased when the home was purchased.

1:5 Exceptions: Applicant(s) with an income that exceeds the limits in 1:3 or net worth that exceeds the limits in 1:4 must be approved by the Loan Committee. Some of the factors the Loan Committee will consider when approving loans where the applicant(s) income and/or net worth exceeds the limits of 1:3 and 1:4 are:

- a) The amount that the applicant(s) will contribute toward the repair. Applicant(s) will be evaluated based upon the percentage of their assets that exceed the net worth requirements that will be contributed toward the repair work. The Loan Committee may require the applicant(s) to contribute a specific amount of funds for the repair work as a condition for receiving a home repair loan.
- b) The amount that the income exceeds the limits of 1:3 or the amount that net worth exceeds 1.4. Applicant(s) that greatly exceed the limits will receive less consideration for approval than applicant(s) that exceed the limits by a small amount. The Loan Committee may require applicant(s) to contribute a specific amount of funds for the repair work based upon the amount that the applicant(s) net worth exceeds the limits and may make the applicant(s) contribution a condition for receiving a repair loan.
- c) The age and health of the applicant(s). Applicant(s) who are elderly and/or are disabled will be given more favorable consideration for approval.
- d) Any unusual financial hardship of the applicant(s).

SECTION 2: REPAIR LOAN REQUIREMENTS

All loans will be deferred, no interest loans that are due upon sale or transfer of ownership by the last surviving borrower, or when the property is no longer the primary residence of the borrower. Applicants will be required to use other private or public resources where possible to provide repair assistance. Applicants with household income above 50% of median income as shown on the table on page 8 will require review by the Loan Committee.

2:1 Loan Amounts: The maximum repair loan will be the lesser of:

2:11 \$30,000, unless higher amount is approved by Loan Committee as outlined in 2:15.

2:12 Actual cost of approved repair work and fees.

2:13 50% of the Real Market Value (RMV) of the structure BEFORE repairs are made.

2:14 The applicant's equity in subject property as determined by subtracting all liens and/or judgments of record from 90% of the county assessed or value, or appraised value as determined by a certified appraiser. The appraisal must have been completed within the past 12 months. An exception can be made if the repair loan and all other priority liens are less than the assessed or appraised value. Priority liens are liens that must be paid from the proceeds of the sale of the property before payment can be made for the repair loan. Questions about the priority of a specific lien should be referred to legal counsel if necessary.

2:15 Loans that exceed the limits allowed in 2:11 must be approved by the Loan Committee. Some of the factors that will be considered are:

- a) The applicant(s) ability to finance some of the repair work. The applicant(s) will be evaluated based upon the percentage of income devoted to housing costs, the percentage of income devoted to total installment debt, the credit worthiness of the applicant(s) and the suitability of the house for financing.
- b) The amount that the requested loan exceeds the limit allowed in 2:11. Loans that slightly exceed the limit will be given more favorable consideration than those that greatly exceed the limit.

2:16 Loans that exceed the limits of 2:13 must be approved by the Loan Committee. Some of the factors that will be considered are:

- a) The credit worthiness of the applicant(s) as evidenced by a credit report. Generally, applicant(s) with a good credit report will receive more favorable consideration however the Loan Committee will carefully

examine the circumstances regarding negative credit information such as illness/disability, job loss or divorce.

- b) The applicant(s) ability to finance some of the repair work through traditional sources. (Please refer to 2:14(a)).
- c) The amount that the requested loan exceeds the limit.

2:2 Eligible Repair Costs: The repair loan may be used to pay for all the work necessary to achieve the repair standards of the Program including control or abatement of lead-based paint hazards as determined by the Repair Inspector. The minimum goal will be the HUD Section 8 Housing Quality Standard. The preferred goal will be the HUD Minimum Design Standard for Rehabilitation for Residential Properties and other improvements and repairs not required by this standard but determined to be necessary to reduce maintenance and operating costs by the Repair Inspector. Eligible repairs and costs also can include:

2:21 Removal of architectural barriers to meet the special needs of elderly and handicapped persons will be considered an eligible repair cost.

2:22 Recording, title insurance, appraisals, credit reports and other miscellaneous fees are eligible repair costs.

2:23 Additions that are necessary due to overcrowding are eligible repair costs. Guidelines used by the local housing authority and the repair standards of the program will be used to determine whether overcrowding exists.

2:24 Other repairs to structures as deemed needed by Loan Committee.

2:3 Ineligible Repair Costs:

2:31 New construction, expansion, addition or the finishing of unfinished spaces, such as attic or basement. Exceptions to this policy are; dwellings which do not meet guidelines used by the local housing authority and the repair standards of the program.

2:32 Materials, fixture, or equipment of a type or quality which exceeds that customarily used in properties of the same general type or value as the property being rehabilitated. Energy efficient upgrades are eligible.

2:33 Purchase, installation or repair of furnishings.

2:34 The applicant's labor or the labor of a member of the applicant's family or household.

2:4 Ineligible Structures: The existence of the following conditions will disqualify a structure for a Home Repair Loan:

2:41 The structure and/or use is in substantial nonconformity with the zoning regulations and/or the comprehensive land use plan of the city or county in which it is located, unless prior written approval is granted by the governing zoning agency.

2:42 Significant HQS violations exist which would be extremely difficult and/or economically unfeasible to correct.

2:43 The proposed expenditure would not increase the value of the property sufficiently to protect the owner's existing equity.

2:44 The cost of the repairs required to bring the dwelling up to minimum property standards will exceed the program's loan limit.

2:5 Consent from Holders of Prior Financing: Written consent from all holders of existing financing with recorded liens must be secured prior to loan closing if required under prior financing agreements. Prior financing includes but is not limited to prior but still active mortgages, trust deeds and land sales contracts.

- 2:6 Prior Financing Balloon Payment Provisions:** Program participation where there is an existing financing lien containing balloon payment provisions must be approved by the Loan Committee. Some of the factors that will be considered are:
- 2:61 The amount of the balloon payment and the due date.
 - 2:62 The present equity and projected equity when the balloon payment is due.
 - 2:63 An assessment of the applicant's ability to refinance or pay the balloon payment.
- 2:7 Judgments/Federal Tax Liens:** A judgment in excess of \$3,000 at the time of entry will disqualify the property for a Home Repair Loan. All Federal tax liens must be satisfied prior to loan closing.
- 2:8 Property Taxes:** All real property taxes that are due and payable at the date of loan closing must be paid before loan closing if the property taxes due, existing liens and the repair loan exceed 80% of assessed Real Market Value.
- 2:9 Fire Insurance:** Applicants are required to have fire insurance equal to the amount of existing liens and the repair loan at the time of loan closing and to maintain the insurance during the term of the loan. All premiums for fire insurance coverage that are due and payable at the date of loan closing must be paid before loan closing.

SECTION 3: APPLICATION PROCESSING

- 3:1 Application Verification:** All verification documentation except consent(s) from holder(s) of prior financing must be submitted within 60 days of the applicant(s) signing of the application. If the required documentation is not received within 60 days of signing of the application, the next eligible applicant may be considered for a loan.
- 3:2 Property Inspection:** All dwellings must be inspected to determine needed repairs and improvements by the Repair Inspector. Input and participation by the homeowner is encouraged in determining needed repairs and improvements.
- 3.3 Inspection Report/Bid Form:** After the Property Inspection, the Repair Inspector will prepare a written report based on the Property Inspection that describes the substandard conditions of the house and recommended corrections. The Report is not meant to be exhaustive: the loan is limited and there may be other work the house requires to meet HUD standards or local building codes or that is desired by the homeowner. Contractors interested in submitting bids for repair projects must use the Inspection Report/Bid Form for their proposal and cost estimate. The Repair Inspector will prepare a cost estimate for the file to evaluate cost reasonableness of bids provided by contractors. If repair estimates exceed project limits, Homeowner and Project Manager must agree on which repairs will be done, which repairs can be covered by other partners such as the Mid Columbia Community Action (CAP), United States Department of Agriculture, Rural Development (USDA RD) etc. and which repairs may not be done.
- 3.4 Procurement of Bids:** Applicants are encouraged to obtain at least three bids; however, one bid can be accepted if it is less than the cost estimate prepared by the Repair Inspector. It is the responsibility of the applicant to procure a minimum of (1) acceptable bid for the repair work within 30 days unless the applicant authorizes the Program Manager to procure the bids. Contractors who have a record of poor performance with prior repair projects funded through the Repair Program will not be awarded contracts and will be removed from the list of approved contractors provided to homeowners. The decision to remove a contractor will be made by The Program Manager and the Loan Committee. Some of the factors that will be considered as evidence of poor performance are:
- 3:41 The quantity and severity of complaints from homeowners: Complaints will be documented from the Evaluation Form provided to the homeowner and complaints filed with the Construction Contractors Board. Complaints will be evaluated based upon project records and findings made by the Construction Contractors Board.
 - 3:42 Failure to pay subcontractors and suppliers when payment is due, however failure to pay a disputed claim may or may not be evidence of poor performance. If the contractor fails to pay undisputed bills to subcontractors and suppliers when due, this may be considered as evidence of unsatisfactory performance.

3:43 Failure to complete work in a timely manner: Both the frequency and the magnitude of time will be evaluated and compared with the records of other contractors participating in the program.

3:44 Other material violations of previous contracts awarded through the Repair Program: Contractors may appeal the decision to have their name removed from the list to the Lender's Loan Committee.

3:5 Loan Approval: A Mid Columbia Regional Home Repair Loan Committee will be formed with at least 1 representative from each county. The Program Manager from Columbia Cascade Housing Corporation (CCHC) and the Loan Committee Chairperson will approve repair loans unless Committee Approval is needed. Applicants will be notified in writing of the final decision of the application. Applications will be decided in the order they are Received and deemed complete. All loans will be secured by a recorded trust deed and/or other instruments required by CCHC. Title insurance is required and can be included in the loan.

3:6 Other Repair Assistance: Program staff will assist the homeowner apply for weatherization grants/loans, bank loans for repair and/or refinancing and other assistance as appropriate. Necessary repair assistance and bank loans for repair and/or refinancing involved in the application must be committed, in writing, prior to loan closing. Weatherization grants/loans may be committed after loan closing.

SECTION 4: THE CONSTRUCTION CONTRACT

The parties to the contract are the homeowner and contractor. All Construction Contracts and related documents must be completed on forms supplied by the Program Manager. All contract modifications must be approved by the homeowner, contractor and the Program Manager.

4:1 Contractor Eligibility Requirements: All contractors and subcontractors awarded contracts through the Repair Loan Program must be registered with the Construction Contractor's Board and possess the required registration classifications and must have \$100,000 liability insurance and Workmen's Compensation Insurance if required. Contractors and subcontractors performing lead-based paint hazard control or abatement work must submit certifications acceptable to the Program Manager to perform this kind of work. Contractors with a record of poor performance pursuant to paragraph 3:4 will not be eligible for repair contracts. Homeowners are encouraged to hire local contractors whenever possible. The homeowner is responsible for checking references and quality of work of the contractor.

4:2 Owner/Contractor: The owner may act as the general contractor for the repair work. The owner will be responsible for coordinating the work of the subcontractors and will be required to submit billings from subcontractors in order to receive payment. The owner is also responsible for ensuring that all subcontractors are registered with the Construction Contractors Board and with Columbia Cascade Housing.

4:3 Work Performed by Homeowner: Homeowners that can demonstrate competence will be allowed to do some or all of the work when, in the estimation of the Repair Inspector they are able to do so. The owner and members of the owner's household cannot receive any payment for their labor. The homeowner will be required to submit invoices for materials purchased in order to receive reimbursement.

4:4 Contract Completion Time: All work must be completed within 90 days from the date of the Notice to Proceed. The loan commitment may be terminated by the Program Manager if work has not begun within 45 days or less than 30% of the work is completed within 60 days of the Notice to Proceed. Time extensions may be approved due to weather and other reasons in accordance with the Construction Contract. Completion dates of less than 90 days may be required in order to complete the Repair Loan Program in a timely manner.

4:5 Contract Payments: Progress payments can be made for up to 90% of the value of acceptable work completed as represented on the Contractor Payment Request/Voucher Form. Payments will be made in accordance with the Accounts Payable Schedule for the Repair Loan Program. Before final payment can be authorized:

4:51 All contract work must be completed.

4:52 The borrower must sign the Owner's Certification and Acceptance of Improvements.

4:53 The contractor must sign the Contractor's Warranty and Lien Waiver.

4:6 Contract Payments Withheld: The Program Manager may withhold or, on account of subsequently discovered evidence, nullify the whole or a part of the Contract Sum owing to Contractor as may be necessary to protect CCHC from loss on account of:

4:61 Defective work is not remedied.

4:62 Claims filed or reasonable evidence indicating probable filing of claims by the Owner.

4:63 Failure of Contractor to make payments properly to subcontractors or for material, labor, or withheld taxes.

4:64 A reasonable doubt that the contract can be completed for the balance then unpaid.

4:65 Damage to another Contractor involved in the project.

4:66 Failure of Contractor to complete work within the time limits set forth in the Construction Contract.

4:67 Work not authorized under the Construction Contract or Contract Change Order approved by Applicant or Project Manager.

If a Contractor has been removed from the program and the problem listed above is corrected, Contractors may be allowed back on the program. Approval will be granted by the Project Manager and Loan Committee.

4:7 Contract Change Orders: Any modification of the Construction Contract must be approved, in writing, by the Program Manager which approval shall not be unreasonably withheld. The Program Manager is authorized to approve Contract Change Orders that do not exceed 20% of the contract amount or \$4,000.00, whichever is less.

SECTION 5: CONFLICT OF INTEREST

No employee of CCHC, its agents, members and families of the Loan Committee, and other 'covered persons' pursuant to 24CFR 570.489(h) who exercise any functions or responsibilities in connection with administration of the Home Repair Loan Program shall be eligible for a Home Repair Loan, nor shall such a person have any interest, direct or indirect, in the proceeds of such a loan unless a waiver is granted in accordance with 24CFR 570.489(h).

SECTION 6: POLICY EXCEPTIONS

The Loan Committee may waive non-statutory program policies. The request for the waiver will be submitted by the Program Manager. Requests for waivers will be evaluated based upon whether the requested waiver is necessary to accomplish the goals of the Repair Loan Program and will apply only to the application for which a waiver was requested.

SECTION 7: DISPUTE RESOLUTION

Any controversy or claim arising out of or relating to the construction contract and the incorporated documents, whether acts of commission or omission, and including, without limitation, the making, performance, or interpretation of the construction contract and the incorporated documents shall be settled by the following process: If the dispute involves the homeowner and the contractor, the Repair Inspector will first be requested to mediate the dispute. If the Repair Inspector is not able to mediate the dispute to the mutual satisfaction of the homeowner and the contractor, then the Program Manager will review the case. The homeowner and/or contractor must make a written request within six months from the time the last payment was made to the contractor for review by the Program Manager. The Program Manager will issue a decision within 30 days of receipt of the request for the review. If the decision of the Program Manager is not acceptable to the homeowner or the contractor, then the case must be submitted to the Construction Contractor's Board. If the dispute involves the CCHC and agents or contractors of CCHC, the parties will first submit the dispute to the Construction Contractor's Board. If the case cannot be heard by the Construction Contractor's Board, the dispute shall be settled by arbitration administered by the American Arbitration Association, before a single arbitrator, using the rules of commercial arbitration of the American Arbitration Association. The parties shall be entitled to conduct discovery in accordance with the Oregon Rules of Civil Procedure, subject to limitation by the arbitrator to secure just and efficient resolution of the dispute. If the amount in controversy exceeds \$10,000, the arbitrator's decision shall include a statement specifying in reasonable detail the basis for the computation of the amount of the award, if any. Judgment upon the arbitration award may be entered in any court having jurisdiction. Nothing herein, however, shall prevent a party from resorting to a court of competent jurisdiction in those instances where injunctive relief may be appropriate. Any claims must be commenced within one year of the date of the last payment to

the contractor. In no event may any claim be commenced after the agreed upon period of limitations has passed, and any claim not timely commenced is barred for purposes of mediation, arbitration, litigation or otherwise.

SECTION 8: PROGRAM INCOME

Program income shall be managed in accordance with requirements of Title 1 of the federal Housing and Community Development Act of 1984 as amended including, but not limited to, requirements for eligible costs compliance with national objectives, environmental review, labor standards, procurement, equal employment opportunity, affirmatively furthering fair housing, nondiscrimination against persons with disabilities, and relocation and real property acquisition. CCHC shall rely primarily on guidance from the State of Oregon in complying with these requirements, since the state is responsible for monitoring the local use of program income earned from Oregon Community Development Block Grant projects. The CCHC management fee shall be 15% of relent loans.

Program income earned as a result of this program shall be used for continuation of the Home Repair Loan Program as described in the approved application and the Home Repair Loan Policies included in the approved application.

SECTION 9: SUBORDINATION AGREEMENTS

The Loan Committee will not approve any subordination agreements after approval of the Repair Loan except to protect its security interest or unless approved prior to closing in the Notice of Loan Approval.

SECTION 10: INCOME GUIDELINES

The most recent HUD income guidelines used by the Mid-Columbia Housing Authority in administration of their Section 8 program will be used to determine 50 and 80 percent of the median income for the county of residence for the homeowner.

SECTION 11: FORMS

1. Home Repair Application
2. Application Summary
3. Initial Discussion with Homeowner
4. Bid Specifications Master
5. Property Inspection
6. Lead Paint Notification
7. Construction Contract
8. General Conditions and Performance Requirements Manual
9. Pre Construction Conference Checklist
10. Notice to Proceed, Statement of Non-Collusion & Hold Harmless
11. Contractor's Warranty and Lien Waiver
12. Permitting Form
13. Owners Certification and Acceptance of Improvement
14. Request for Verification of Fire Insurance
15. Contract Change Order
16. Notice of Right to Cancel
17. Truth in Lending Loan Disclosure Statement
18. Trust Deed
19. Note

ADOPTED _____, 2011, by the Mid-Columbia Regional Home Repair Program Committee:

, Chair

Mid Columbia Regional Home Repair Program

- Initially funded by loans repaid from County repair programs-No County processes any checks.
- Application for additional funds through CDBG grant to be submitted in 1st quarter of 2012. Wasco County is the likely applicant.
- The Loan Committee will have at least 1 representative from each County
- Funds repaid in each county will be targeted for that county
- Maximum income limit 80% Area Median Income
- Maximum Loan \$30,000 without Loan Committee approval
- Priority for seniors, families, Veterans, disabled and very low income
- 15% on funds re-lent out for administration to CCHC to administer the program