



BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON

Wednesday, December 2, 2015
10:00 a.m. - Room 308

BOARD MEETING AGENDA

CALL TO ORDER/FLAG SALUTE

MINUTES:

- Minutes, November 4, 2015 Board meeting;
- Minutes, November 25, 2015 Board meeting;
- Minutes, November 25, 2015 Staff meeting.

VISITOR COMMENTS - 5 MINUTE LIMIT

PUBLIC HEARING(S):

- 1) Public Hearing, "In the Matter of Initiating the Formation of the Columbia County Rider Transportation District".

CONSENT AGENDA:

- (A) Ratify the Select to Pay for week of 11/30/15.
- (B) Appoint David Somann to the Columbia County Parks Advisory Committee for a 4 year term.
- (C) Approve Enforcement Letters of Authority for the following: Rod Hansen; Tristan Wood; Lonny Welter; Butch Guess; Julie Stephens; Judy Reed; Kathy McMullen; Steve Pegram; Lt. Dustin Hald; Lt. Brian Pixley; Lt. Steve Salle; Dep. Derek Hibbs; Deputy David Brown; Deputy Collin Brehm; Deputy Jon Kinsel; Deputy Michelle Vandenburg; Deputy Bill Goodwin; Deputy Tyler Miller; Deputy David Chaney; Deputy Joe Jenkins; Deputy Robert Wagner; Deputy Kim Johns; Deputy Kelli Smith; Jay Tappan; and Eric Smythe.
- (D) Order No. 56-2015, "In the Matter of Amending the Columbia County Enforcement Ordinance, Incorporating Position and Personnel Changes".

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (E) Rental Agreement with Brandon and Brianne Gutenberger for Hudson Parcher Park.

DISCUSSION ITEMS:

COMMISSIONER HEIMULLER COMMENTS:

COMMISSIONER HYDE COMMENTS:

COMMISSIONER FISHER COMMENTS:

EXECUTIVE SESSION:

Pursuant to ORS 192.640(1), the Board of County Commissioners reserves the right to consider and discuss, in either open session or Executive Session, additional subjects which may arise after the agenda is published.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Approving the Formation of the)
Columbia County Rider Transportation District) ORDER NO. 55-2015
_____)

WHEREAS, on October 28, 2015, the Board of County Commissioners adopted Order No. 50-2015 initiating the formation of a new Columbia Health District; and

WHEREAS, the Board of County Commissioners scheduled a public hearing on the proposed formation of the new district for December 2, 2015, on or after 10:00 a.m., in the Board of County Commissioners Meeting Room, Room 308 of the Courthouse Annex in St. Helens, Oregon; and

WHEREAS, the Board caused notice of the public hearing to be posted in a least three public places and published by at least two insertions in a newspaper as provided by ORS 198.730, 198.800 and 198.840; and

WHEREAS, the public hearing was held on December 2, 2015, as scheduled and the Board heard testimony from proponents and opponents to the new district; and

WHEREAS, the Board then closed the hearing, deliberated, and voted to approve the formation of the new district.

NOW, THEREFORE, THE BOARD HEREBY ORDERS as follows:

1. The Board of County Commissioners, in accordance with the criteria prescribed by ORS 199.462, determines that the area could benefit from the formation of a new transportation district. The Board has considered the benefit the proposed district will have within the territory in and out of the proposed district and approves the boundaries of the proposed district as originally proposed and as described in Order No. 50-2015. Accordingly, the Board approves of the formation of a new transportation district as proposed.
2. The principal act of the proposed district is codified at ORS 267.510 *et seq.* The name of the proposed district will be the Columbia County Rider Transportation District (“District”). The boundaries of the proposed District are described in Exhibit “A”, which is attached hereto and incorporated herein by reference.
3. The District as proposed will include a proposal for operating taxes at a permanent rate of \$0.23 per \$1,000 of assessed property value. The Board has determined this rate limit after conferring with the cities within the proposed District.
4. Pursuant to ORS 198.810, a final hearing shall be held at or after 10:00 a.m. on January 13, 2016, a date which is not less than 20 days and not more than 50 days from the effective date of this order, in the Commissioner’s Meeting Room, Room 308 of the Columbia County Courthouse, in St. Helens, Oregon. Notice of the hearing shall be given by

publication as provided by ORS 198.730(2) and 198.810(1).

5. ORS 267.530 provides that if a district is to impose operating taxes, a permanent rate limit on operating taxes shall be established at the same election at which the district is established. The Board will consider the proposed District and permanent rate limit at its January 13, 2016, hearing and, if it agrees, the Board will place the question of formation of the district as well as the permanent rate limit of \$0.23 per \$1,000 of assessed property value on ballot for the May 17, 2016, election.

DATED this _____ day of December, 2015.

BOARD OF COUNTY COMMISSIONERS
COLUMBIA COUNTY, OREGON

By: _____
Henry Heimuller, Chair

By: _____
Anthony Hyde, Commissioner

Approved as to Form:

By: _____
Office of County Counsel

By: _____
Earl Fisher, Commissioner

EXHIBIT A

Columbia County Rider Transportation District Boundaries

The Columbia County Rider Transportation District shall include the area within Columbia County, as follows:

Columbia County

Beginning at the point where the northern boundary of the state is intersected by the projection north of the range line between ranges 5 and 6 west of the Willamette Meridian; thence south along such projection and range line to the southwest corner of township 4 north, range 5 west; thence east along the line between townships 3 north and 4 north of the Willamette Base Line to the northeast corner of section 3, township 3 north, range 3 west; thence south along section lines to the southwest corner of section 11 of such township; thence east along section lines to the southeast corner of section 12 of such township; thence south along the township line to the southeast corner of section 13 in such township; thence east along section lines to the northeast corner of section 21, township 3 north, range 2 west; thence south to the southeast corner of section 21 of such township; thence east along section lines to the southwest corner of section 23, township 3 north, range 1 west; thence north to the west quarter-corner of such section; thence east along quarter-section lines to the boundary of the state; thence northerly and westerly along the boundary of the state to the point of beginning;

EXCEPTING THEREFROM:

City of Clatskanie

All territory included in the City of Clatskanie, as it existed on May 17, 2016.

City of Prescott

All territory included in the City of Prescott, as it existed on May 17, 2016.



COLUMBIA COUNTY FORESTS, PARKS AND RECREATION

1054 Oregon Street, St. Helens, Oregon 97051

Ph: 503/397-2353 Fax: 503/397-7215

E-Mail: parksdept@co.columbia.or.us

Web Page: www.co.columbia.or.us

M E M O R A N D U M

TO: Board of County Commissioners
FROM: Teresa Golson, Parks Secretary
DATE: November 20, 2015
SUBJECT: Park Advisory Commission Membership

The Columbia County Park Advisory Commission recommends to the Board of County Commissioners to appoint David Somann to the Columbia County Park Advisory Commission. The position is to fill a vacancy.

Attached is the interest form completed by David Somann and the by-laws of the Park Advisory Commission.

The Park Advisory Commission recognizes the need for geographical representation throughout the County and also recognizes that David would be a very valuable asset to the Park Advisory Commission, and therefore we recommend that the Board of County Commissioners appoint David Somann to be a member of the Columbia County Park Advisory Commission.

Please place this on your consent agenda unless you would like further discussion on this matter.

Thank you.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Amending the Columbia County)
Enforcement Ordinance, Incorporating)
Position and Personnel Changes)
_____)

ORDER NO. 56 - 2015

WHEREAS, Section 11 of the Columbia County Enforcement Ordinance, Ordinance No. 92-15, as amended, allows the Board of County Commissioners to authorize individuals holding certain positions to enforce certain statutes, rules, ordinances, orders and resolutions, and provisions thereof, covered by the Enforcement Ordinance; and

WHEREAS, over the years several changes in positional authority and personnel have been made but have not been incorporated into the Enforcement Ordinance; and

WHEREAS, an updated comprehensive list of those positions upon which the Board desires to confer enforcement authority, and a reference to the statutes, rules, ordinances, orders and resolutions each respective position shall have authority to enforce, is attached hereto as Exhibit A, and is incorporated herein by this reference; and

WHEREAS, a current list of employees and other personnel currently holding the positions being given enforcement authority is attached hereto as Exhibit B, and is incorporated herein by this reference;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Exhibits A and B of the Columbia County Enforcement Ordinance (Ordinance No. 92-15, as amended) are hereby amended as shown in the attached Exhibits A and B, with additions shown in **bold underline** and deletions shown in ~~strikethrough~~; and
2. Any employee holding a specific position within Columbia County which is listed on the attached Exhibit A, is granted authority and jurisdiction over, and may enforce, those statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, referenced beside the title/position and labeled "Relevant Provisions" on the attached Exhibit A, upon the issuance of a Letter of Authority by the Board of County Commissioners.
3. A Letter of Authority, if not previously issued, shall be issued to each person holding the specific position being given enforcement authority, as identified in Exhibit B.
4. A Letter of Authority may be issued by the Board of Commissioners upon a change in personnel in any position holding enforcement authority under this Order without further order or resolution.

Dated this _____ day of _____, 2015.

BOARD OF COMMISSIONERS FOR
COLUMBIA COUNTY, OREGON

By: _____
Henry Heimuller, Chair

Approved as to form

By: _____
Anthony Hyde, Commissioner

By: _____
Office of County Counsel

By: _____
Earl Fisher, Commissioner

EXHIBIT A

COUNTY-WIDE POSITIONS WITH ENFORCEMENT AUTHORITY (PURSUANT TO ORDER NO. 56 - 2015 – EXHIBIT A)

AUTHORIZED POSITIONS	AREA(S) OF AUTHORITY	RELEVANT PROVISIONS
LAND DEVELOPMENT SERVICES DIRECTOR	Comprehensive Plan, Zoning, Planning, Building, Solid Waste, DEQ Regulations, Subsurface Sewage, Mass Gathering, Stormwater and Erosion Control, Depletion Fees	Violations of those statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Subsections A, B, C, D, E, F, G, U, W and Y, and relevant amendments and ordinances under Subsections S, and T, of Section 6 of the Columbia County Enforcement Ordinance.
PLANNING DIVISION MANAGER	Planning, Comprehensive Plan, Zoning, Mass Gathering, Stormwater and Erosion Control	Violations of those ordinances, and provisions thereof, listed in Subsections A, B, C, U and W and relevant amendments and ordinances under Subsections S, and T, of Section 6 of the Columbia County Enforcement Ordinance.
ENVIRONMENTAL SERVICES SPECIALISTS I & II	Solid Waste, DEQ Regulations, Subsurface Sewage Disposal	Violations of the statutes, administrative rules and ordinances, and provisions thereof, listed in Subsections E and G, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance.
ENVIRONMENTAL SERVICES SPECIALISTS I & II	Solid Waste, DEQ Regulations, Subsurface Sewage Disposal	Violations of the statutes and administrative rules, and any provisions thereof, listed in Subsections E and G, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance.
CODE ENFORCEMENT OFFICER	Planning, Building, Solid Waste, DEQ Regulations, Subsurface Sewage, Mass Gatherings, Depletion Fees, Stormwater & Erosion Control, Kennels, Dog Nuisances	Violations of those statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Subsections A, B, C, D, E, F, G, U, W, Y, BB, and the Kennel and Dog Nuisance Ordinances, and relevant amendments and ordinances under Subsections S, and T, of Section 6 of the Columbia County Enforcement Ordinance.
BUILDING OFFICIAL	Building Codes, Access Approaches	Violations of the statutes, specialty codes, administrative rules and ordinances, and any provisions thereof, listed in Subsection F and X, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, to include violations of the Access Approach Ordinance, No. 2006 - 4, as it currently exists or may be amended, and all orders, resolutions, rules, regulations and specifications thereunder.

AUTHORIZED POSITIONS	AREA(S) OF AUTHORITY	RELEVANT PROVISIONS
PUBLIC WORKS DIRECTOR ASSISTANT PUBLIC WORKS DIRECTOR <u>COUNTY (ROAD) ENGINEER/ PROJECT COORDINATOR</u> <u>TRANSPORTATION PLANNER</u>	Road Standards; Logging on Rights-of-Way; Vehicle Length; Speed Limits; Construction in Rights-of-Way; Road Hazards; Public Road Event Permit; Access Approaches	Violations of the statutes and ordinances, and provisions thereof, listed in Subsection H, V and X, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, to include violations of the Access Approach Ordinance No. 2006 - 4, and the County Road Standards Ordinance, No. 96-06, as they currently exist or may be amended, and all orders, resolutions, rules, regulations and specifications thereunder.
COUNTY (ROAD) ENGINEER/ PROJECT COORDINATOR	Road Standards, Access Approaches	Violations of the statutes and ordinances, and provisions thereof, listed in Subsection H, V and X, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, to include violations of the Access Approach Ordinance No. 2006-4, and the County Road Standards Ordinance, No. 96-06, as they currently exist or may be amended, and all orders, resolutions, rules, regulations and specifications thereunder.
ANIMAL CONTROL OFFICERS	Animal Control, Kennels, Dog Nuisances	Violations of the statutes, and provisions thereof, listed in Subsection I, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance.
FAIR BOARD ADMINISTRATOR	Fairgrounds	Violations of the statutes, rules and regulations and provisions thereof, listed in Subsection J, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, and to include the Columbia County Fair Ordinance, No. 98-07, as it currently exists or may be amended, and all orders, resolutions, rules, and regulations thereunder.
FAIR BOARD MEMBERS	Fairgrounds	Violations of the statutes, rules and regulations and provisions thereof, listed in Subsection J, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, and to include the Columbia County Fair Ordinance, No. 98-07, as it currently exists or may be amended, and all orders, resolutions, rules, and regulations thereunder.
ENVIRONMENTAL SANITARIAN EMPLOYED BY THE PUBLIC HEALTH FOUNDATION	Food Handlers, Restaurant Inspections, Tourist Facilities, Swimming Facilities	Violations of the statutes, administrative rules and ordinances, and provisions thereof, listed in Subsections K, L, and M, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance.

AUTHORIZED POSITIONS	AREA(S) OF AUTHORITY	RELEVANT PROVISIONS
EMERGENCY MANAGEMENT DIRECTOR	Ambulance Service	Violations of the statutes, administrative rules, ordinance and plan, and provisions thereof, listed in Subsection N, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance.
FOREST PARKS AND RECREATION DIRECTOR FOREST PARKS AND RECREATION ASSISTANT DIRECTOR PUBLIC WORKS DIRECTOR	Docks, Parks, Forest	Violations of the ordinance and orders, and provisions thereof, listed in Subsections O and P, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, and to include the Forest, Parks & Recreation Ordinance, No. 94 - 9, as it currently exists or may be amended, and all orders, resolutions, rules and regulations thereunder.
COLUMBIA COUNTY SHERIFF AND EACH SWORN DEPUTY SHERIFF		Any offense declared to be a violation under the Columbia County Enforcement Ordinance, to include violations of statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Section 6 of the Columbia County Enforcement Ordinance.
DISTRICT ATTORNEY		Any offense declared to be a violation under the Columbia County Enforcement Ordinance, to include violations of statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Section 6 of the Columbia County Enforcement Ordinance.
DEPUTY DISTRICT ATTORNEYS		Any offense declared to be a violation under the Columbia County Enforcement Ordinance, to include violations of statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Section 6 of the Columbia County Enforcement Ordinance.
COUNTY COUNSEL		Any offense declared to be a violation under the Columbia County Enforcement Ordinance, to include violations of statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Section 6 of the Columbia County Enforcement Ordinance.
ASSISTANT COUNTY COUNSEL		Any offense declared to be a violation under the Columbia County Enforcement Ordinance, to include violations of statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Section 6 of the Columbia County Enforcement Ordinance.
FIRE CHIEF, COLUMBIA RIVER FIRE AND RESCUE DISTRICT	Fire Codes	Violations of the Fire Prevention Code of the Columbia River Fire and Rescue District, Ordinance No. 10-04 2014/15-04 , as it currently exists or may be amended, and all orders, resolutions, rules, regulations and specifications thereunder.

AUTHORIZED POSITIONS	AREA(S) OF AUTHORITY	RELEVANT PROVISIONS
ASSISTANT FIRE CHIEF/ FIRE MARSHAL, COLUMBIA RIVER FIRE AND RESCUE DISTRICT AND OTHER MEMBERS OF THE COLUMBIA RIVER FIRE PREVENTION DIVISION	Fire Codes	Violations of the Fire Prevention Code of the Columbia River Fire and Rescue District, Ordinance No. 10-04 2014/15-04 , as it currently exists or may be amended, and all orders, resolutions, rules, regulations and specifications thereunder.

EXHIBIT B

**INDIVIDUAL HOLDING POSITIONS
WITH ENFORCEMENT AUTHORITY ON
(PURSUANT TO ORDER NO. __ - 2015 – EXHIBIT B)**

AUTHORIZED POSITIONS	EMPLOYEES WITH AUTHORITY	RELEVANT PROVISIONS
LAND DEVELOPMENT SERVICES DIRECTOR	TODD DUGDALE	Violations of those statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Subsections A, B, C, D, E, F, G, U, W and Y, and relevant amendments and ordinances under Subsections S, and T, of Section 6 of the Columbia County Enforcement Ordinance.
PLANNING DIVISION MANAGER	GLEN HIGGINS	Violations of those ordinances, and provisions thereof, listed in Subsections A, B, C, U and W and relevant amendments and ordinances under Subsections S, and T, of Section 6 of the Columbia County Enforcement Ordinance.
ENVIRONMENTAL SERVICES SPECIALIST II	ERIN O'CONNELL	Violations of the <u>statutes, administrative rules and</u> ordinances, and provisions thereof, listed in Subsections E and G, and the statutes and administrative rules, and any provisions thereof, listed in Subsection H, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance.
ENVIRONMENTAL SERVICES SPECIALIST I	VACANT	Violations of the <u>statutes, administrative rules and</u> ordinances, and provisions thereof, listed in Subsections E and G, and the statutes and administrative rules, and any provision thereof, listed in Subsection H, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance.
CODE ENFORCEMENT OFFICER	ROBERT CRAIN	Violations of those statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Subsections A, B, C, D, E, F, G, U, W, Y, BB, and the Kennel and Dog Nuisance Ordinances, and relevant amendments and ordinances under Subsections S, and T, of Section 6 of the Columbia County Enforcement Ordinance.

AUTHORIZED POSITIONS	EMPLOYEES WITH AUTHORITY	RELEVANT PROVISIONS
BUILDING OFFICIAL	TODD CUNNINGHAM <u>ROD HANSEN</u>	Violations of the statutes, specialty codes, administrative rules and ordinances, and any provisions thereof, listed in Subsection F and X, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, to include violations of the Access Approach Ordinance, No. 2006 - 4, as it currently exists or may be amended, and all orders, resolutions, rules, regulations and specifications thereunder.
PUBLIC WORKS DIRECTOR ASSISTANT PUBLIC WORKS DIRECTOR <u>COUNTY (ROAD) ENGINEER/ PROJECT COORDINATOR</u> <u>TRANSPORTATION PLANNER</u>	DAVE HILL <u>GLEN CRINKLAW</u> <u>TRISTAN WOOD</u> <u>LONNY WELTER</u>	Violations of the statutes and ordinances, and provisions thereof, listed in Subsection H, V and X, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, to include violations of the Access Approach Ordinance No. 2006 - 4, and the County Road Standards Ordinance, No. 96-06, as they currently exist or may be amended, and all orders, resolutions, rules, regulations and specifications thereunder.
COUNTY (ROAD) ENGINEER/ PROJECT COORDINATOR	TRISTAN WOOD	Violations of the statutes and ordinances, and provisions thereof, listed in Subsection H, V and X, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, to include violations of the Access Approach Ordinance No. 2006-4, and the County Road Standards Ordinance, No. 96-06, as they currently exist or may be amended, and all orders, resolutions, rules, regulations and specifications thereunder.
ANIMAL CONTROL OFFICERS	ROGER KADELL	Violations of the statutes, and provisions thereof, listed in Subsection I, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance.
FAIR BOARD ADMINISTRATOR	VACANT	Violations of the statutes, rules and regulations and provisions thereof, listed in Subsection J, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, and to include the Columbia County Fair Ordinance, No. 98-07, as it currently exists or may be amended, and all orders, resolutions, rules, and regulations thereunder.

AUTHORIZED POSITIONS	EMPLOYEES WITH AUTHORITY	RELEVANT PROVISIONS
FAIR BOARD MEMBERS	MICHAEL WARREN RANDY HANSEN DELORIS BELLINGHAM AMANDA McFERON MARYANN GUESS BUTCH GUESS JULIE STEPHENS <u>JUDY REED</u> <u>KATHY MCMULLEN</u>	Violations of the statutes, rules and regulations and provisions thereof, listed in Subsection J, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, and to include the Columbia County Fair Ordinance, No. 98-07, as it currently exists or may be amended, and all orders, resolutions, rules, and regulations thereunder.
ENVIRONMENTAL SANITARIAN EMPLOYED BY THE PUBLIC HEALTH FOUNDATION	MARK EDINGTON	Violations of the statutes, administrative rules and ordinances, and provisions thereof, listed in Subsections K, L, and M, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance.
EMERGENCY MANAGEMENT DIRECTOR	RENATE GARRISON <u>STEVE PEGRAM</u>	Violations of the statutes, administrative rules, ordinance and plan, and provisions thereof, listed in Subsection N, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance.
FOREST PARKS AND RECREATION DIRECTOR ASSISTANT FOREST PARKS AND RECREATION DIRECTOR	DAVE HILL GLEN CRINKLAW	Violations of the ordinance and orders, and provisions thereof, listed in Subsections O and P, and relevant amendments and ordinances under Subsections S and T, of Section 6 of the Columbia County Enforcement Ordinance, and to include the Forest, Parks & Recreation Ordinance, No. 94 - 9, as it currently exists or may be amended, and all orders, resolutions, rules and regulations thereunder.

AUTHORIZED POSITIONS	EMPLOYEES WITH AUTHORITY	RELEVANT PROVISIONS
<p>COLUMBIA COUNTY SHERIFF AND EACH SWORN DEPUTY SHERIFF</p>	<p><u>SUPERVISORS:</u> <u>SHERIFF JEFF DICKERSON</u> <u>UNDERSHERIFF ANDY MOYER</u> <u>LT. DUSTIN HALD</u> <u>LT. BRIAN PIXLEY</u> <u>LT. STEVE SALLE</u></p> <p><u>ENFORCEMENT DEPUTIES:</u> <u>RANDY BONDS</u> <u>DAVE PEABODY</u> <u>RYAN DEWS</u> <u>TROY CALDWELL</u> <u>LENNY LENARD OLSEN</u> <u>DUSTIN KING</u> <u>BRIAN PIXLEY</u> <u>DEREK HIBBS</u> <u>JON KERNUTT</u> <u>WILLIAM HAAS</u> <u>DAVID BROWN</u> <u>COLLIN BREHM</u> <u>JON KINSEL</u> <u>MICHELLE VANDENBURG</u></p> <p><u>CIVIL DEPUTY</u> <u>ALAN HAEBE</u></p> <p><u>RESERVE DEPUTIES:</u> <u>JEFF MANSHEIM</u> <u>GREG BRODY</u> <u>BILL GOODWIN</u> <u>TYLER MILLER</u> <u>DAVID CHANEY</u> <u>JOE JENKINS</u> <u>ROBERT WAGNER</u> <u>KIM JOHNS</u> <u>KELLI SMITH</u></p>	<p>Any offense declared to be a violation under the Columbia County Enforcement Ordinance, to include violations of statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Section 6 of the Columbia County Enforcement Ordinance.</p>
<p>DISTRICT ATTORNEY</p>	<p>STEVE ATCHISON</p>	<p>Any offense declared to be a violation under the Columbia County Enforcement Ordinance, to include violations of statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Section 6 of the Columbia County Enforcement Ordinance.</p>
<p>DEPUTY DISTRICT ATTORNEYS</p>	<p>DALE ANDERSON JOHN BERG JENNI JORDAN DENISE KEPPINGER KIMBERLYN SILVERMAN JEAN MARTWICK NICKOLAS BRAJCICH</p>	<p>Any offense declared to be a violation under the Columbia County Enforcement Ordinance, to include violations of statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Section 6 of the Columbia County Enforcement Ordinance.</p>

AUTHORIZED POSITIONS	EMPLOYEES WITH AUTHORITY	RELEVANT PROVISIONS
COUNTY COUNSEL	SARAH HANSON	Any offense declared to be a violation under the Columbia County Enforcement Ordinance, to include violations of statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Section 6 of the Columbia County Enforcement Ordinance.
ASSISTANT COUNTY COUNSEL	ROBIN McINTYRE	Any offense declared to be a violation under the Columbia County Enforcement Ordinance, to include violations of statutes, administrative rules, ordinances, orders and resolutions, and provisions thereof, listed in Section 6 of the Columbia County Enforcement Ordinance.
FIRE CHIEF, COLUMBIA RIVER FIRE & RESCUE DISTRICT	JAY TAPPAN	Violations of the Fire Prevention Code of the Columbia River Fire and Rescue District, Ordinance No. 10-04 2014/15-04 , as it currently exists or may be amended, and all orders, resolutions, rules, regulations and specifications thereunder.
ASSISTANT FIRE CHIEF/ FIRE MARSHAL, COLUMBIA RIVER FIRE & RESCUE DISTRICT AND OTHER MEMBERS OF THE COLUMBIA RIVER FIRE PREVENTION DIVISION	RON YOUNGBERG ERIC SMYTHE	Violations of the Fire Prevention Code of the Columbia River Fire and Rescue District, Ordinance No. 10-04 2014/15-04 , as it currently exists or may be amended, and all orders, resolutions, rules, regulations and specifications thereunder.

COLUMBIA COUNTY PARKS DEPARTMENT

RENTAL AGREEMENT

THIS RENTAL AGREEMENT is entered into this 24 day of November, 2015, between Columbia County, a political subdivision of the State of Oregon, by and through its Parks Department, hereinafter referred to as "Landlord", and Brandon and Brianne Gutenberger, hereinafter referred to as "Tenant."

For good and valuable consideration, the parties hereby agree as follows:

1. RENT

- 1.1 In consideration of the payment of the rent and performance of the Tenant's obligations herein contained, Landlord does hereby demise and let unto the Tenant and Tenant hires from Landlord for use as a residence those certain premises described as a single-wide, two bedroom mobile home (further detailed in Section 6 below), located at 75503 Larson Rd., Rainier, Oregon month-to-month tenancy beginning November 24, 2015, at a rental fee of \$800.00 per month, payable monthly on the last day of each and every month for the following month.
- 1.2 The first month's rent (for December is due upon move in on or before November 24, 2015. The pro-rated amount shall be \$26.67/day times 7 days (\$186.69) Total due is \$1786.69.
- 1.3 Tenant shall pay rent by the first (1st) of each month at the following address: Columbia County Forests, Parks and Recreation Department, 1054 Oregon Street, St. Helens, Oregon, 97051.
- 1.4 It is agreed that if rent is unpaid after 5:00 p.m. on the fifth (5th) day of the month, Tenant shall pay a one-time late charge of \$80.00. Said charge shall apply to each late payment of rent. Any dishonored check shall be treated as unpaid rent and shall be subject to the same late charge plus a \$35.00 special handling fee and must be made good by cash, money order or certified check within twenty-four (24) hours of notification.
- 1.5 If Tenant fails to pay rent or other charges promptly when due, or to comply with any other term or condition hereof, Landlord at Landlord's option, and after proper written notice, may terminate this Rental Agreement.
- 1.6 Upon thirty (30) days written notice to Tenant, Landlord may change the rental fee or any other terms of this Rental Agreement.

2. SECURITY DEPOSIT

- 2.1 Tenant acknowledges that a \$800.00 security deposit is due and payable to Landlord, of which Landlord may claim all or part thereof as may be reasonably necessary to remedy Tenant's defaults in the performance of this Rental Agreement, including nonpayment of past-due rent, damage to the premises caused by Tenant, not including ordinary wear and

tear, or failure to return to Landlord at the end of said tenancy keys to said premises. To claim all or part of said deposit, Landlord shall give Tenant, within thirty (30) days after termination of the tenancy and delivery of possession of the premises to Landlord, a written accounting which states specifically the nature of the claim, and the portion not so claimed shall be returned to Tenant within said thirty (30) days. Landlord may recover damages in excess of said deposit to which Landlord may be entitled.

3. TERMINATION

3.1 This Rental Agreement may be terminated by either party giving the other party written notice of the party's intent to terminate the Rental Agreement not less than thirty (30) days prior to the date of termination.

3.2 In accordance with ORS 90.396, Landlord may otherwise terminate this Rental Agreement and take immediate possession of the premises upon giving Tenant twenty-four (24) hours written notice specifying the acts or omissions that constitute the cause for termination and the date and time of termination. Cause for 24-hour termination includes but is not limited to: Tenant, someone in Tenant's control or Tenant's pet seriously threatened to inflict personal injury, or inflicted substantial personal injury upon a person on the premises other than the tenant; Tenant, someone in Tenant's control or Tenant's pet inflicted substantial damage to the premises; or Tenant or someone in Tenant's control committed any act which is extremely outrageous.

3.3 Any hold-over by Tenant after the expiration of this Rental Agreement or any extension thereof, shall be as a tenancy from month to month. Upon termination of this Rental Agreement or upon the surrender or abandonment of the premises, Landlord may dispose of property abandoned on the Landlord's premises pursuant to ORS 90.425(2).

4. UTILITIES

4.1 Tenant shall pay for all utilities to include; electricity service, natural gas (or propane), telephone service and household garbage service. Special exceptions: None.

5. INSURANCE

5.1 Landlord shall insure the premises. A certificate of insurance shall be available to Tenant upon request. Insurance of Tenant's possessions in or around the premises shall be the responsibility of the Tenant.

6. MAINTENANCE AND REPAIR

6.1 Tenant shall maintain the premises in a clean and sanitary condition at all times, and upon the termination of the tenancy shall surrender same to Landlord in as good condition as when received, ordinary wear and tear and damage due to the elements excepted. The premises shall consist of a single-wide, two bedroom mobile home and one small outbuilding.

6.2 Tenant shall maintain the yard, if any. The yard shall consist of: the areas surrounding the mobile home from park roadway to property back fence line directly behind residence. The front yard represents the park and shall not have personal items left out (tents, vehicles,

etc.) If the grass becomes four (4) inches or greater in height, Landlord shall give Tenant five (5) days notice to mow the lawn. If the lawn is not mowed at the expiration of the 5-day notice, Landlord may mow the lawn and charge tenant \$50.00 per incident.

6.3 General tidiness is expected at all times surrounding the rental home. No abandoned appliances, equipment and/or vehicles will be permitted and may be removed by Landlord at Tenant's expense, following a five (5) day notice period.

7. RIGHT OF ENTRY

7.1 Landlord reserves the right to enter the premises for purposes of repair and maintenance to the interior and exterior of the residence, and to the grounds area. Landlord shall notify Tenant in writing twenty-four (24) hours prior to entering the premises, or of Landlord's intent to enter the premises. Tenant agrees to allow Landlord access to the premises for such purposes. Landlord may enter the premises in the event of an emergency without notice.

8. INDEMNIFICATION

8.1 ~~Tenant agrees to assume all liability, indemnify, defend and hold Landlord harmless from all damages and all costs and fees in the defense thereof, caused by negligence or willful act of Tenant or Tenant's invitees or guests, in or upon any part of the demised premises, and to be responsible for any damage or breakage to Landlord's equipment, fixtures or appliances therein or thereon, not caused by Landlord's misconduct or willful neglect.~~

9. USE OF PREMISES

9.1 The premises shall not be occupied by more than five (5) occupants. The occupants are: Brandon, Brianne, Hunter, Payton and Easton Gutenberger. Tenant shall report any change in occupancy to Landlord within five (5) days of the change. Tenant shall report to Landlord the names of any guests or invitees who stay overnight on five (5) or more consecutive nights. Any guests or invitees who stay for more than seven (7) consecutive days in a 30-day period, or more than 14 days in a calendar year, and who are 18 years or older, shall be added to this Rental Agreement and shall be subject to the terms and provisions hereof, and shall submit to a background check. Any guests or invitees deemed unacceptable tenants by the Landlord subsequent to a background check shall vacate the premises immediately upon notice by Landlord.

9.2 Tenant shall not have more than two (2) personal vehicles on the premises, which shall include cars, pickup trucks, utility trailers, RVs, boats on trailers, motorcycles and ATVs, and shall park them in a place out-of-the-way of regular park activities. Tenant shall not allow any inoperable vehicle to remain on the premises for more than two (2) weeks. No major car repairs are to be made on the premises, including minor maintenance (oil changes are permitted).

9.3 Tenant shall not sub-let the demised premises, or any part thereof, or assign this Rental Agreement without Landlord's written consent. Any such sublease or assignment shall be void.

9.4 Pets are allowed to a maximum of 0 animals on the premises and must be confined to the

rental area. A pet deposit of \$250.00 shall be required for each pet,

- 9.5 If, in the future, any additional animals are brought onto the premise, Tenant shall notify the Parks Main Office in writing immediately. An additional pet deposit may be assessed at \$250 per additional animal.
- 9.6 Smoking within the mobile home is prohibited.
- 9.7 The residence and any of its outbuildings shall be used only for their intended use (i.e., the outbuildings shall not be used for sleeping or living quarters).
- 9.8 The growing, production, use, possession and distribution of marijuana or marijuana products are prohibited in the mobile home or anywhere on the premises.

10. MISCELLANEOUS

10.1 No Waiver. Nothing herein shall be construed as waiving any of the rights provided by law of either party hereto. If Landlord at any time fails to require performance by Tenant of any provision hereof, such failure shall in no way affect Landlord's right hereunder to enforce the same, or any other provision.

10.2 Attorney Fees. In the event any suit or action is brought to collect any of said rents or to enforce any provision of this Rental Agreement or to repossess said premises, reasonable attorney's fees may be awarded by the trial court to the prevailing party in such suit or action together with costs and necessary disbursements; and on appeal, if any, reasonable attorney's fees, costs and disbursements may be awarded by the appellate court to the party prevailing on such appeal.

10.3 Applicable Law. Tenant shall not violate any federal, state or local law, regulation or ordinance in or about the premises.

10.4 Notice. Notice shall be deemed to be delivered to Tenant when such notice is placed in first class mail and sent to Tenant at the following address, and attached to the main entrance of that portion of the premises of which Tenant has possession. Notice shall be effective against the Landlord when it has been addressed as follows and placed in first class mail:

LANDLORD:
Columbia County
Forests, Parks & Recreation
1054 Oregon Street
St. Helens, Oregon 97051
Attn. Glen Crinklaw
(503)397-2353

TENANT:
Brandon and Brianne Gutenberger
75503 Larson Rd.
Rainier, Oregon 97053

10.5 Landlord's Property The following personal property is included and to be left upon the premises when the tenancy is terminated: (1) refrigerator, (1) cooking stove

10.6 Tenant further agrees that Tenant has personally inspected the premises and finds them satisfactory at the time of execution of this Rental Agreement (see "Rental House Walk

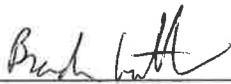
Through" attached hereto as Exhibit A) and that Tenant has read and understands this Rental Agreement and all the stipulations contained herein.

10.7 Landlord has authorized the following person(s) to manage the premises on landlord's behalf: Glen Crinklaw, or his designee.

IN WITNESS WHEREOF, the parties hereto have executed this Rental Agreement the day and year first above written and Tenant acknowledges receipt of a copy of this Rental Agreement.

TENANT:

LANDLORD:
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 

By: _____
Chair

ODL#: 5327422

By: _____
Commissioner

Dated: 11-24-15

By: _____
Commissioner

By: 

Dated: _____

ODL: 7784808

Approved as to form:

By: _____
County Counsel

Dated: 11/24/15