

Any item or issue not on the agenda you have a question, comment or statement about please bring up under Items from the General Public.

BOARD OF COMMISSIONERS WORK SESSION AGENDA

4:00pm, CBAB, 601 State Street, 1st Floor Conf. Room, Hood River, Oregon

Chair Rivers called the work session to order. Present: Commissioner Meyer, Commissioner Joplin, Commissioner Perkins, Commissioner Benton, Counsel Davies, Counsel Carey and Administrator Hecksel.

County Cemetery Future – discussion with representative(s) from St Mary’s Church & Mikel Diwan, PW Director

Mikel Diwan, PW Director shared the history of how this issue came before him - Bob Palmer a member of St Mary’s Church came and asked if the county would be interested in transferring the county cemetery to the Church as he saw their need for additional space. After some discussion with Bob who brought another church member into the conversation, Mikel invited Chuck Bugee with St Marys Catholic Church to come and share with the commission what they would like to see happen. Chuck noted that Bob is the Sexton for the St Marys Cemetery and he approached Mikel with the idea of possibly having the church take over the county cemetery grounds. The St Marys Cemetery is open to anyone but is primarily used by the parish members. They are concerned with the overall cost of the maintenance for new area as they spend the funds they receive from burials on the maintenance now and with about double the area, if they took on the county cemetery, they would obviously have more maintenance cost.

Feels the current cemetery has enough space for the next twenty years but if there is a need for the community or the commission feels there is a community need they are open to talking about options regarding the county cemetery.

Benton stated he hasn’t seen a map of where the bodies are buried and noted that when there are burials at St Mary’s Cemetery parking is very busy and asked if it is possible use some of the space for parking and or driveways. Chuck said that Bob Palmers thoughts did address that issue and areas would be widened for traffic.

Joplin asked Mikel if we were able to identify where the plots were and which ones were used. Mikel said that we had the land surveyed and we had them locate headstones, grave markers etc. Some say there are several unmarked graves in that cemetery and there might be but without a record indicating where it will be hard to know. He feels they picked up 50 spots and Mikel said he still has a bit of research to do but feels we have a pretty good idea of how many folks are out there. Palmer’s plan is to re-plat the land some day to account for wider roads etc and Mikel feels that with the existing layout it is possible to make that happen.

Meyer said it seems like we are trying to mitigate some cost on both sides - what are the county expenses to maintain the property? Mikel said over the last 12 months is has been \$1100-\$1200 to maintain, which is not a lot of funds. With the exception of one person who has been authorized to be buried there, when they pass away, next to their family members already in the cemetery Mikel does not see the need for the county to have a cemetery. Indigent burials are being handled through the local funeral home differently than in the past when the county cemetery was used.

Rivers asked how full the St Mary’s Cemetery is getting. Bob said that the remaining sites should last another 10-20 years depending on how folks decide to be buried. Chuck feels they have enough property for the Church's needs.

Need to know how we acquired it, are there any deed restrictions. Mikel said that 20-30 years from now it is a v

Benton asked Buggee if the County offered the land to the church would it be accepted. Buggee said he would need to take it back to the Board but feels knowing how they work it would because it would be the right thing to do.

Future Forest Revenue Opportunities – Doug Thiesies, Forest Manager

Wants to talk about pre-commercial thinning in our tree farm. Stated the practice was discontinued about 8 years ago on our lands. Private timber companies still do pre-commercial thinning because they plan on holding the property for many, many years. We have acquired some new lands in the past several years and some of that and other areas have come into the age where pre-commercial thinning needs to be done. The typical age is 15-20 years old where you remove 200-250 trees per acre to help with the growth of the other trees. Because of the amount of acres we have there is about a 5 year window when the thinning is optimal. Benefits of thinning provide ample room for trees to grow for several decades sooner than they would otherwise. The logs will be larger and bring a bit of a better price, it can also help the forest health. Future revenue would be increased with pre commercial thinning it will move the stands in to cutting size faster. In order to thin what needs to be thinned we are looking at \$400,000 over the next four years which is not something that he budgets regularly. He has spoken with Sandi Borowy about options and we would need to look to either the Timber Emergency fund, which has \$1.28M and due to put another \$50,000 into the fund this fiscal year. To his knowledge this fund

has never been used, but it would be used for a fire emergency or reforestation due to fire, or bridge replacement due to wash out etc. There is also the Timber Land Account which the Commission set aside 10% of the proceeds from the Eastern Oregon land sale for bio mass projects or something that would improve the forest and he feels pre commercial thinning would do that. The timber land fund has about \$3.4 M and what is left of the 10% allocated is about \$750,000 of that. If he has his choice he would use the timber emergency fund. He can easily point out stands that were not thinned and he is not sure if it will ever produce much value. When the growth models are run they calculate a pre commercial thin at age 15-20 yrs and if it is not done then we will be over harvesting.

Meyer asked if there is any benefit of doing it all at once. Thiesies said it would depend on getting someone in that would be able to do it. Rivers asked how the process works. Thiesies stated in a pre commercial thinning we have a prescription of what should be left at certain spacing, the process is checked to make sure we are getting what we want.

Joplin asked if the thinned wood is harvested or just slashed. Doug said it is basically slashed - it does create some risk for about 3 years but after that it loses its flammability.

Benton asked him to elaborate why he would have the funds come out of the emergency fund. Thiesies state because it has been used so infrequently, and we are adding \$50,000 a year into it and at that rate we would be taking out \$100,000 a year and then putting back in \$50,000 which would keep the balance at a bit over \$1M. The funds in the timber land fund, that money can be used to obtain additional acres.

BOARD OF COMMISSIONERS REGULAR MEETING AGENDA
4:00pm, CBAB, 601 State Street, 1st Floor Conf. Room, Hood River, Oregon
MINUTES

Chair Rivers opened the general meeting at 5pm. Present: Commissioner Perkins, Commissioner Meyer, Commissioner Joplin, Commissioner Benton, Administrator Hecksel, Legal Counsel Davies and Legal Counsel Carey.

CONFLICTS OR POTENTIAL CONFLICTS OF INTEREST –

No conflicts or potential conflicts were declared.

ADDITIONS OR DELETIONS FROM THE AGENDA –

Correction to the budget adjustment for the marine patrol the amount should be \$37,000.

UNSCHEDULED ITEMS FROM THE GENERAL PUBLIC (limit 5 minutes per person per subject)

None.

REPORTS

Commissioner Benton- MCEDD is looking for businesses to loan money to.

CONSENT AGENDA

- *Approve minutes from the following commission meetings: July 18, 2016
- *Approve submitting a letter of support for Oregon Investment Board funding as presented.
- *Confirm e-mail poll approval from 7/29/16 authorizing Chair Rivers to sign off on the liquor license application for Mid Valley Market.
- *Accept resignation of Mayor Tom Cramblett as Hood River County's City representative on the MCCOG Board and then appoint Mayor Paul Blackburn as Hood River County's City representative on the MCCOG Board.
- *Approve delaying a hearing regarding amending the Voter Pamphlet Ordinance until later in the year – staff will resubmit a request to set a hearing date.
- *Re-appoint Dave Scarborough, Rita Britt and Matt Rankin to the BOPTA Citizen Pool for the 2016-2017 tax year and confirm Commissioner Benton to serve as the Chair on the BOPTA Board.
- *Approve out of state travel for the Emergency Management Coordinator to attending Disaster Recovery training in Maryland September 24-30, 2016 and a Join Info Center and PIO Academy in Maryland November 26-December 2, 2016.
- *Approve and sign an Intergovernmental Agreement with Mid Columbia Economic Development for administration of the Cascade Locks-Hood River Enterprise Zone.
- *Approve a budget adjustment & Resolution to recognize grants funds in the Health department budget FY 16/17.
- *Approve and sign a Resolution to adopt a Limited English Proficiency (LEP) Plan as a requirement for the Mid Columbia Regional Home Repair Program.

Other matters may be discussed as deemed appropriate by the Board.

- *Authorize Chair Rivers to sign the Deed to formally transfer 0.87 acres of 2N 10E 3D #800 as part of a property line adjustment to the Hood River County School District when the document is ready for closing.
- *Approve a budget adjustment & Resolution to recognize revenue and expenditure into the Sheriff budget for the School Resource Officer FY 16/17.
- *Authorize Chair Rivers to sign an Order completing the Right-of-Way Exchange approved July 18, 2016 with Mr. and Mrs. Roland Leavens.
- *Approve a budget adjustment & Resolution to recognize carry over and related expenditures in the Forestry Timber Stand Improvement budget FY 16/17.
- *Approve a budget adjustment & Resolution to recognize additional revenue and expenditures in the Forestry Timber projects budget FY 16/17.
- *Approve the closure of the Grant timber sale #16-6 and return any appropriate bonds.
- *Approve out of state travel for the Parole & Probation Commander to attend American Parole & Probation Assoc. training in Ohio August 28-31, 2016.
- *Approve and sign an Oregon Public Works Emergency Response Cooperative Assistance Agreement renewal as presented.
- *Confirm e-mail poll approval from 7/29/16 that authorized Chair Rivers to sign the 2016 Fund Exchange Agreement with ODOT as presented.
- *Award the Hyssop Timber Sale #17-3 to the high bidder High Cascade, Inc.
- *Confirm Jeff Hecksel and Sandra A Borowy as authorized staff to act on behalf of Hood River County in the administration of banking and treasury services.
- *Approve a budget adjustment & Resolution to recognize revenue and expenditures for an additional \$22,000 from the Oregon State Marine Board into the Sheriff's Marine Budget FY 16/17.
- *Approve a budget adjustment & Resolution to recognize revenue and expenditures for an additional \$20,000 from the USFS into the Sheriff's budget for forest patrol FY 16/17.

Commissioner Perkins made a motion to approve the consent agenda with the correction to the Sheriff's Marine fund budget amount correction. Commissioner Meyer seconded the motion.

Vote on the motion was as follows:

Commissioner Perkins – yea
Commissioner Benton – yea
Commissioner Meyer – yea
Commissioner Joplin – yea
Chair Rivers - yea

Motion carried.

ITEMS FROM THE WORK SESSION

County Cemetery - Meyer said that St Marys has ball fields behind them and property for potential affordable housing and St Marys has backed away from all of those ideas. Joplin feels we should keep it for now and then maybe we need to bring up the housing issue behind their property in the future. See if they would be interested in some sort of deal. No formal action taken, directed staff to relay to the Church we will hold the property for now.

Forest Revenue Opportunities - Perkins feels we should take the \$400,000 out of the emergency fund for pre-commercial thinning. Joplin asked if there are restrictions on the use of that fund. She agrees that we are going to be putting \$50,000 a year back into the fund and it won't go below \$1M.

Commissioner Meyer made a motion to authorize the county forest manager to take \$400,000 over the next five years for pre-commercial thinning activities on county forest land out of the Timber Emergency Fund. Commissioner Benton seconded the motion.

Benton asked which fund has more flexibility. Thiesies is not sure that either one is more flexible than the other. Benton is struggling with the fact that we are taking it out of the emergency fund. But he is ok with it.

Vote on the motion was as follows:

Commissioner Joplin – yea
Commissioner Meyer – yea
Commissioner Benton – yea

Commissioner Perkins – yea
Chair Rivers – yea

Motion carried.

PUBLIC HEARINGS –

Rawson Appeal re: Cell Tower Placement

RECOMMENDATION: Conduct the hearing and determine the best action for the County.

Chair Rivers opened the hearing and read the hearing rules into the record. Asked for Commissioner conflicts, biased, etc., nothing to declare. Chair Rivers asked for audience challenges to any board member and hearing none continued reading the rules into the record. Stated the hearing is on the record and no new information will be allowed unless it can be proved the information was not available at the Planning Commission hearing held prior.

Chair Rivers called for a staff report - Eric Walker Principal Planning - hearing an appeal filed by Rebecca Rawson of the planning commission decision to allow for 100 ft wireless tower allowed at Barrett and Tucker with conditions. 4 main issues were raised in the appeal. 1st is whether a cell tower is allowed in the M2 zone. The County zoning ordinance falls under the category as a utility and it allowed in the M2 zone following the black law dictionary description of a utility. The second is whether the tower would be a nuisance. The planning commission did not find it to be a nuisance however they agreed that the M2 zone allows for adequate separation of space from farm zones and worked with the applicant to move the tower from the original proposed location. Staff found the applicant did take steps to conceal the tower with paint, and making the tower look like a tree. 3rd – the tower is subject to set backs and height requirements. Staff determined that it is not subject to setbacks, and towers are exempt from the height however the tower will remain below the airport height restriction which is 140 ft. 4th is about public risk and safety - fire department and one other person said the tower would be within the subject risk to the public. Staff recommends upholding the PC decision to approve the tower placement.

Chair Rivers asked for the appellants to speak

Emily Busse, of Emily Busse Law, 6223 SE, Portland OR. Speaking on behalf of the appellant Becky Rawson

The proposed tower is just on the outside of the high school baseball field and close to the new golden eagle park and will be visible from the ball park at the high school. Verizon said the site proposed is the least intrusive alternative - since Verizon has made this claim she wants to speak to the federal law, her letter dates July 2016 notes all the federal citations she is speaking to. The proposed location is on industrial property however it is an isolated industrial property next to residential zoned properties and the school. They point to 13 other industrial locations that are over an acre in size and surrounded by industrial parks, and other industrial businesses. They should have considered one of these sites. Feels each community should be able to determine what is the least intrusive site. Spoke to the county comp plan Goal 5 and Goal 10 regarding placement of utilities. Noted that Mrs Rawson will speak to 3 community members that provided input to the Planning commission about what they feel is least intrusive but were not able to attend the meeting tonight. They want the issues remanded back to the planning commission and require Verizon to look at alternative commercial sites.

Ann OldFather, 1337 3rd Street Louisville, Kentucky. –

Chair Rivers granted an additional 5 minutes due to co-counsels presenting.

Burden of proof is on Verizon not on the appellant, and Verizon has not met that burden of proof. Doesn't feel that Verizon can provided adequate information on alternative sites for the planning commission to determine if this site is the least intrusive site. If you reflect on Mr. Walkers comments, staff has not investigated that this is the least intrusive site. Mr. Walker also commented on the requirement to provide adequate space between M2 and residential space and that has not happened. She has read the transcript and did not find any evidence that any other industrial parcels were identified and investigated. On the day of hearing Verizon offered a letter from Mr. Cully dated April 11, 2016 and is part of the record - there are no less intrusive parcels. That is his conclusion, and there is nothing that provided information for the planning members to come to the same conclusion and respectfully there is nothing for this commission to make a determination that the proposed side is the least intrusive. There is nothing that show which sites Verizon looked at as alternatives, other than there statement that many others would not be acceptable.

Co-location was never evaluated by staff, but it came up by Verizon at the hearing that this site could be a co-location site and no review was done to see if the site with co-location that this is the least intrusive site. Stated staff and the planning commission should be determining what is the least intrusive not Verizon. Ms OldFather passed around a map showing the proposed site and surrounding lands. She request the appeal be sustained.

Rebecca Rawson, 1368 Rawson Rd, Hood River, OR – she has worked in health care for 32 years and found that communication is where mistakes happen and what she has observed in this process has been a lot of communication breakdown. Page 10 it speaks to the lands reviewed and the next page staff said that Windmaster area should be looked at because of the industrial properties in the area. During the planning commission hearing Verizon was asked about co-locations several times and the Verizon representative did not have any answers. They were not aware of anything other than what they were working on in the community. Verizon has made the claim the tower will look similar to other towers and the tower. 2010 was the last time the county approved a new cell tower and asks the commission to uphold her appeal.

Patrick Rawson, 1368 Rawson Rd, Hood River, OR - Shared a picture of a cell tower in the mid valley by the Fairgrounds, and stated that is what they are trying to avoid. He wants to add a human side of this argument read a letter written by his daughter Claire that was submitted to the planning commission hearing.

Rebecca Rawson, 1368 Rawson Rd - read letters from Connie Burton and Seth Rawson who gave testimony at the planning commission hearings but were not able to attend the hearing this evening.

Chair Rivers asked for any other speakers in favor of reversing the decision and hearing none, he called for the applicants presentation.

Phillip Grillo, here on behalf of Verizon 1300 SW 5th Ave, Portland OR.

This is a permitted use in the M2 Zone - the issue is what you do with the approval criteria in the zone. The applicant in this case has worked in good faith with the county for a number of months to find an appropriate site for the facility and they have worked to find an appropriate location on the site and then third they worked to provide an appropriate design with color and stealth making the tower look like a mono pine. Another observation he has seen that this is mainly about aesthetics you do not have dust, glare etc., it is basically an issue with height and the way it looks. There is substantial info in the record that this is not completely out of scale of other utilities in the area and you have the trees of about 75 feet. The least intrusive need is not a local approval criteria - the relevant criteria is not part of the approval criteria. The applicant has looked at other sites and ways to move the tower on the site.

Derek Re, 2605 SE Blvd Spokane, WA – He has been working on this project for almost 10 years and looked at about 11 candidate sites over that time and was rejected in the rr2.5 zone about 5 years ago and at that time we were looking at 150 ft tower which would have been optimal for their transmission needs. Two years ago they found a 30 acre parcel in the EFU zone, and a question came up about looking at industrial land adjacent to that piece. The engineer says that if you go 2 miles east it would not work because it would not meet the coverage needs and would need to put up a tower West of that. The tower needs to be close the population and where the needs are. They have agreed to lower the tower, stealth the tower etc., to make it more appealing in appearance.

Phillip Grillo, Verizon attorney - knows the county recently passed a new cell tower ordinance and knows this application is not subject to that code because the application predates the Code. He has not been allowed to review the new photos that were submitted and asks the commission to reject anything submitted that was not already part of the record. Relevant approval criteria must be listed at the least. Intrusive criteria he is not aware that is a federal standard at a local level and if you are confused by that standard he urges the Commission to continue the hearing to allow for clarification.

Chair Rivers asked for additional testimony for the applicant and hearing none, started the rebuttal process.

Ann OddFather - amazed that counsel stated that he is not aware of the federal least intrusive standard. It is an FAA requirement - also because Verizon brought up the least intrusive issue at the planning commission. Mr. Bulick brought up the issue they have looked at many other sites over 10 years but that was never brought up at the planning commission. Jeff Colley representative with Verizon - speaks to less intrusive alternatives, no specifics provided to support that. Mr. Walkers statement said the planning commission has been pay attention to the balance between the zones. Aesthetics do count but it is also about the process, it is a requirement that should have been looked at and it was not. At the hearing this tower morphed into a primary co-location tower, that was never stated before and it was never evaluated for that. There is a breakdown of communication - and this has been approved without the necessary steps of what it has been approved to be because when it becomes a co-location site it will need to be 20 feet higher none of that was evaluated.

Phillip Grillo, attorney for Verizon - there is no breakdown in communication in this case. The issue of coloration is really just a red herring, the co-location would be below what was approved by the planning commission. Co locators would have to comply with the stealth technologies. Breakdown in communication might be from what staff outlined as the local requirements for approval. He is happy to agree to a continuance if there are questions about federal laws.

Chair Rivers closed testimony and asked the Commissioners for questions of the parties. There were no questions and therefore the chair closed the hearing and went into deliberations.

Commissioner Perkins understands this is emotional for everyone that has neighboring property and feels that because the property is zoned M2 the applicant met the criteria necessary.

Commissioner Perkins made a motion to uphold the Planning Commissioner approval of the application with conditions cited. Commissioner Joplin seconded the motion.

Vote on the motion was as follows:

Commissioner Joplin -yea
Commissioner Meyer -yea
Commissioner Benton -yea
Commissioner Perkins -year
Chair Rivers - yea

Motion carried.

Short Term Rental Regulations

RECOMMENDATION: Review proposed regulations and determine the best action for the County.

Chair Rivers read the legislative hearing process into the record. Chair Rivers opened the hearing and asked for a staff report.

John Roberts, Community Development Director – Noted that Short Term Rental hearing is this evening not the marijuana ordinance which is next Monday. Additional amendments are also included in this legislative change since we were opening the code it was advantageous to address these at the same time. The hope is for the Commission to approve Amendment A, but hold the ultimate adoption until next Monday when they can be adopted along with the marijuana changes.

John started working on this back in January 2015 when this issue came up and the commission asked staff to look into this issue. At the time the city was doing a study on short term rentals and the county was able to piggy back on the study and have them look at short term rentals outside the city limits and here we are. Feels there was good background work done leading up the recommendation being presented. Our recommendation is for unincorporated areas of the county outside the UGB and gorge commission. We are advocating STR's as a Type I Use. We want to incorporate this into the Home Occupation section of the Ordinance instead of making its own stand alone ordinance such as the wedding ordinance.

There is a recommendation to prohibit all STRs on EFU and Forest and cap STRs at 60 in the county. They have been working on an application for a STR, don't have it all flushed out but could go something like: someone makes application there will need to have up to 6 signatures in the process. We envision the permit to be renewed every four years for compliance reasons and it will keep information on STRs in the community current. We are also recommending a 3 strikes and you're out complaint process.

Joplin asked about a wait list if we get to the cap. John said he feels her question is really would any of the existing STR's be grandfathered and if they would, should they be prioritized to be permitted. He Feels making everyone apply is more equitable and by providing notice to them none of them would be grandfathered. Counsel Carey said in order to be grandfathered you have to prove you were doing something lawfully. Our position now is that STRs are an unlawful commercial use.

Two issues - creating a fixed cap and the other is resource law. Staff recommendation was to not create a cap because they do not get a lot of applications for this type of use nor do they receive a lot of complaints about them - staff feels that the real contentious side is within the UGB but we also said that if you want to the create a cap go with 100 or more and the EcoNorthwest report showed we have about 75. Perkins contends the study did not pick up a lot of them that currently exist in the in the community.

John noted the planning commission recommends 60 STRs outside of the resource zones EFU and Forest. Page 8 of the staff report you have STR in relation to percentage of housing stock - 125 STR would be 2.5% of the housing stock maybe that is the right number.

High Value EFU - allow or disallow - we have two forest and two EFU zones. He knew the planning commission would recommend prohibiting it on the resource zones, their values to protect those zones were very pronounced.

Option- go with PC recommendation

Option - Allow through a CUP on resource lands - which would be a Type II permit
Option - Allow as a type I on all resource Lands

John handed out comments that came in today from 1000 friends and two citizens.

Chair Rivers called for public testimony.

Mike McCarthy, representing himself and his farm business. He handed out his testimony which he gave to the planning commission which includes comments from Jim Johnson and the State Board of Agriculture. See packet for full written comments.

Heather Staten, 2931 Reed Rd, HR Executive Director of the HRVRC - handed out a photo from the Air B-N-B of a home in the upper valley and some of the promoting language is the house is located near an orchard.

The county has the ability to regulate STRs but you are limited by avenues set by the State. This is being proposed to be addressed as a Home Occupation and there are restrictions with that as well. Such as a requirement to have the owner live on the property not it be a second home. Room and board arrangements can be done as well however that is not an option in Forest zones.

Regarding the grandfathering aspect - some people purchased their property thinking they would be paying for their second home with the STR funds they would receive from renting the house out, so you might consider some avenue to allow for STR in resource lands.

Diane Zipper, 5726 N Cleveland Ave, Portland – She and her husband have a STR in Hood River at 2390 Old Dalles Drive - They frequent Hood River and in 2008 purchased a half acre and rebuilt their home until they could retire. They have a short term rental registered with the county and pay the transient room tax. She is anxious that their dream will be snatched away with these regulations not allowing them to retire in Hood River as they hope to do. They are on a small 1/2 acre lot on the outside of the EFU - please allow for grandfathering properties that already exist.

Coco Yackley 2021 Hess Rd - lives in an area that has short term and long term rentals and likes the 3 strikes you are out language, however would like it expanded to 3 complaints and not just violations. STRs provide an opportunity in the upper valley that might not otherwise exist; there are some businesses that have to shut down during the winter months because of the lack of need. She has experienced local landlords not doing what they should be doing and those that live away taking extra care to make sure things are going smoothly. She also noted that long term rentals in the area need to be addressed as well.

Linda Cremine - owns and runs a vacation rental 2290 Old Dalles Drive - lives on site. The property has been a B&B and a vacation rental for 20 years. They are zoned F1 and surrounding land has been rezoned when the Thomsen family was granted a M37 claim and rezoned to RR that used to be forest land - feels we need to consider not all forest land can sustain itself as a forest. She has only cut the trees that have been damaged and has hired an arborist to help keep the living trees healthy. She wants to be able to continuing offering her home as a location for family reunions of the folks that live in the community. She has rented her property to her neighbors when they have family in town. She likes what the city has proposed and the owner must live on site or at least in the county and likes the idea of there being a grandfathering option. Opposed to not allowing STRs on forest lands.

Steve Bronsflafd 111 Scoggins Rd, Udnerwood, WA - Thanked the PC and staff for the work that has been done on this. He has been a long time contractor. He was looking at the staff report and the pending issues and the reference to short term rentals and rentals generally. STRs are not anything like a residential use. Goal 10 - speaks to providing for the residents. STRs do not provide housing for the residents this is a commercial function. Feels the premises of the hearing has not been advertised properly to the public and therefore the guidelines have not been followed. Staff referred to existing short term rentals as an illegal commercial use. His real issue is with the Ordinance - complaints. Neighbors being required to speak to the offending neighbor – we all know that isn't going to happen. The ordinance also then says the county is responsible to maintain the neighborhood - but the Ordinance requires the neighbors to be the complaint department. Document is misleading. Feels all of this should be handled through the nuisance complaints - it is about what is happening outside of the house not what is inside of the house. Take all the requirements in the Ordinance and set them up as nuisances with fines if the rules are violated. Concerned the Ordinance is not going to be able to be enforced.

Scott Franke, 4584 Leisure Dr, Mt Hood OR - Feels the NIMBYs are not being represented and appreciates the PC restriction for a cap and not being allowed on EFU and Forest zones. Would prefer this activity be kept to the unincorporated areas and not allowed in the RR zone. However that typically doesn't happen and hopes the commission will keep a relatively modest cap on the number of STR's allowed. We need to get out ahead of this issue.

Ron Guth, 1383 Oakridge Drive, Hood River - financial issue is a concern to him - what is this doing for Hood River? Hood River is a very special place that we need to protect. Vacation rentals if there are 300 in the city and county and the homes are worth \$400,000

each that is \$120M in taxes paid into this county on vacation rentals. We need to think about the taxes paid into this community. The outside money from vacation rentals need to be considered. If there are 5 nights for 12 weeks that is 60 nights and 300 units that means that 1500 people in our community that wouldn't otherwise be here - and then 90,000 nights in our community and that is what they leave behind and leave average \$100 night that is \$9M to our community. Agricultural and tourism is important to our community. 2nd thing- he attended the last PC hearing and the staff position was strongly supported by folks that own STRs and he owns one in the Urban Growth Boundary - which is being left out of the city and county regulations. In the PC deliberations new concepts were brought up and that is when the forest and EFU was brought in and ultimately prohibited and that was surprising to him that would happen quickly outside of public input and surprised that was allowed to happen. If we are going to do no EFU and no F1 we need to consider there are lots in that zone where an STR would be appropriate and it needs to be looked at.

Mike McCarthy - in regards to Mr. Bronsfeld's comments about neighbors enforcing - he is right on target, it is an issue and he spends hours and hours of time dealing with neighbors. The county does not have one system set up to deal with the incidents that come up for the neighbors. STRs are illegal uses today and not being enforced. That needs to be addressed.

Chair Rivers asked for additional comments and hearing none closed the hearing and asked for commissioner deliberations. Commissioner Meyer asked for a break to read the letters that were handed, Chair adjourned the meeting for 10 minutes.

Chair called the meeting back to order at 7:25pm and went into commissioners deliberations. Joplin has some clarifying questions - what is an acceptable short term rental - would a garage apartment be an acceptable short term rental. There was some discussion about farm worker housing being turned into short term rentals that would be more applicable for the general public would that be allowed in the proposed rules? John stated you need to think about what would be allowed on an EFU property, it would have to be used for less than 1/2 year. Clarification - if a dwelling was put on the preppy and permitted as farm worker housing you cannot pull that out and make it a short term rental.

John said that we do not permit accessory dwellings like an apartment they rent out. Meyer said that a garage apartment that was rented out long term and now you will switch and make an application for the STR - that would not be allowed. Perkins said this relies heavily on the enforcement - asked what will the permitting process will look like will it be found out that a garage apartment rented out long term is now going to be used as a STR?

Perkins said we cannot be complaint driven, and the fees are very low. Meyer is on that as well. The program needs to be self sufficient.

We need a FT compliance officer to monitor this stuff.

Perkins doesn't have an issue with the 3 strikes language and no problem with neighbors having to complain to their neighbors, as well as complaining to the county but we need to make the fees more appropriate. The application process is going to be time consuming - are we going to have a staff person go out to the house to verify what the applicant has presented is really what it is. John said yes the building department will be going out.

Perkins wants to make sure we have enough funding available to ensure that we are monitoring this when it is up and running. Talking about fine structure what is on the books right now.

Meyer said if we allow 75 rentals what do you see for a fee. \$125 year and then transient room tax. Perkins feels that \$500 a year would not be an undue burden because that is like 2 nights rent. The issue is when you would make the permit for 4 years cause that would be \$2,000 up front. Maybe the permit should be a less than 4 years. John said he has not seen annual applications but has seen biannual. Maybe the initial application fee for two years could be more and a license renewal fee for subsequent years would be a little less.

Chair Rivers asked about the zones STRs would be allowed. Chair Rivers does not want to see them on EFU. Benton said he would like to see it as a type I application on every zone. Meyer asked if high value low value is the right split.

Benton says there is so much land in the county that is zoned High Val EFU when it really is not and there is a lot of acres that should be zoned high value EFU and it is not zoned that way.

Perkins feels we can see where STRs are going and we need to get regulations on it. EFU piece he is mixed on which way to go.

The application would be restricted to main dwelling not allowed for farm labor housing.

Perkins brought up forest land - he spoke with Doug Thiesies and he has concern but you have pieces that are zoned forest and are surrounded by RR, and RR can have a STR.

Meyer asked if the commission sees EFU and Forest as separate. Perkins said concern is for fire. John said then you restrict on F2 and you are down to F1 zones.

Meyer asked for John to go over the Type II process - John said notice, use CUP notice requirement, and every issue is similar to a cell tower and about 90% will be appealed to the PC.

Discussion about lower the cap.

Rivers said that it bothers him that we are allowing tourism to be the driver. Benton said the PC allowed for 60 units in the county and to him that is a non issue, and the cap is going to keep it from getting out of hand. He feels the 2% is manageable which would allow for 100 units.

Perkins feels that realistically we have 85-90 STRs existing in the county today. 2% is a manageable number. One per parcel, legal primary dwelling and it cannot be farm labor housing and agricultural buildings are not allowed.

Perkins has a few issues he wanted to go over:

Section 53 - permits required D. (page 3): should be more explicit and says TRT is required. E. -RV's- what if the property has adequate parking? Does that mean you cannot drive your RV to a STR and park it in the driveway. It shouldn't be allowed to be used for additional housing however. Section 53 - Permit requirements E. Question - Are we dealing with pools and hot tubs? Will they be inspected by environmental health? Section 53 Standards I - signs: this means no advertising on the premises.

Compliance question - how is a complaint defined? One complaint is 1 strike, or if we have the complaint and then we address it. Perkins said that getting to D is too long of a process before you get a strike. It needs to be more direct.

Discussion about the number of STRs that need to be allowed. Perkins feels we need to shoot slightly ahead of where we are now and at 2% or 100 STRs that would do it. Meyer asking if the number is 100 does that include approving it on EFU. Discussion about what it will take to get STR on EFU. State Land use says that STR on EFU cannot be longer than 50% of the year.

Heather said that Home occupation on EFU must be owner on site. Meyer wants a lower number of allowed STRs, others do not agree.

John says EFU he is not sure where to go with that, he is ok with Type II application for F1.

Is Type I application possible on EFU and F1. John believes it is.

Joplin - the 4 year renewal - we want to change that to a 2. year Section 53 B.

Johns recapped what was said:

Code compliance, random checks ramped up, \$500 every 2 years, ramp up heavy fines, one per parcel and legal primary residence in EFU, contact person, no farm labor housing

Prohibit on F2, F1 allowed with CUP limited to no more than HV EFU - CUP NON HV EFU -. Perkins and Benton do not support separating out HV and low value EFU is type II.

Prohibited on F2, F1 and EFU CUP (Type II), limited to 100 units.

Legal spoke about TRT - we cannot decrease the percentage given to tourism, We are frozen at giving 90% of the TRT.

More data is needed - what is the revenue, what are the costs. Commissioner Perkins moved to continue the hearing until Monday Aug 29th at 6pm. Meyer seconded the motion.

Vote on the motion was as follows:

Commissioner Perkins - yea
Commissioner Meyer - yea
Commissioner Benton - yea

Commissioner Joplin – yea
Chair Rivers – yea

Motion carried.

CONSENT AGENDA-

- *Approve minutes from the following commission meetings: July 18, 2016
- *Approve submitting a letter of support for Oregon Investment Board funding as presented.
- *Confirm e-mail poll approval from 7/29/16 authorizing Chair Rivers to sign off on the liquor license application for Mid Valley Market.
- *Accept resignation of Mayor Tom Cramblett as Hood River County's City representative on the MCCOG Board and then appoint Mayor Paul Blackburn as Hood River County's City representative on the MCCOG Board.
- *Approve delaying a hearing regarding amending the Voter Pamphlet Ordinance until later in the year – staff will resubmit a request to set a hearing date.
- *Re-appoint Dave Scarborough, Rita Britt and Matt Rankin to the BOPTA Citizen Pool for the 2016-2017 tax year and confirm Commissioner Benton to serve as the Chair on the BOPTA Board.
- *Approve out of state travel for the Emergency Management Coordinator to attending Disaster Recovery training in Maryland September 24-30, 2016 and a Join Info Center and PIO Academy in Maryland November 26-December 2, 2016.
- *Approve and sign an Intergovernmental Agreement with Mid Columbia Economic Development for administration of the Cascade Locks-Hood River Enterprise Zone.
- *Approve a budget adjustment & Resolution to recognize grants funds in the Health department budget FY 16/17.
- *Approve and sign a Resolution to adopt a Limited English Proficiency (LEP) Plan as a requirement for the Mid Columbia Regional Home Repair Program.
- *Authorize Chair Rivers to sign the Deed to formally transfer 0.87 acres of 2N 10E 3D #800 as part of a property line adjustment to the Hood River County School District when the document is ready for closing.
- *Approve a budget adjustment & Resolution to recognize revenue and expenditure into the Sheriff budget for the School Resource Officer FY 16/17.
- *Authorize Chair Rivers to sign an Order completing the Right-of-Way Exchange approved July 18, 2016 with Mr. and Mrs. Roland Leavens.
- *Approve a budget adjustment & Resolution to recognize carry over and related expenditures in the Forestry Timber Stand Improvement budget FY 16/17.
- *Approve a budget adjustment & Resolution to recognize additional revenue and expenditures in the Forestry Timber projects budget FY 16/17.
- *Approve the closure of the Grant timber sale #16-6 and return any appropriate bonds.
- *Approve out of state travel for the Parole & Probation Commander to attend American Parole & Probation Assoc. training in Ohio August 28-31, 2016.
- *Approve and sign an Oregon Public Works Emergency Response Cooperative Assistance Agreement renewal as presented.
- *Confirm e-mail poll approval from 7/29/16 that authorized Chair Rivers to sign the 2016 Fund Exchange Agreement with ODOT as presented.
- *Award the Hyssop Timber Sale #17-3 to the high bidder High Cascade, Inc.
- *Confirm Jeff Hecksel and Sandra A Borowy as authorized staff to act on behalf of Hood River County in the administration of banking and treasury services.
- *Approve a budget adjustment & Resolution to recognize revenue and expenditures for an additional \$22-37,000 from the Oregon State Marine Board into the Sheriff's Marine Budget FY 16/17.
- *Approve a budget adjustment & Resolution to recognize revenue and expenditures for an additional \$20,000 from the USFS into the Sheriff's budget for forest patrol FY 16/17.

Commissioner Perkins made a motion to approve the consent agenda with the correction to the Sheriff's budget adjustment regarding fund from the Oregon Marine Board. Commissioner Benton seconded the motion.

Vote on the motion was as follows:

Commissioner Benton – yea
Commissioner Perkins – yea
Commissioner Joplin – yea
Commissioner Meyer – yea
Chair Rivers – yea

Motion carried

ITEMS FROM THE WORK SESSION

County Cemetery

No formal action taken. Discussion surrounded holding the property for now.

Forest Revenue Opportunities

Commissioner Benton made a motion to approve taking \$400,000 over the next five years, from the Timber Emergency fund for pre- commercial thinning on county forest. Commissioner Meyer seconded the motion.

Vote on the motion was as follows:

Commissioner Benton – yea
Commissioner Perkins – yea
Commissioner Joplin – yea
Commissioner Meyer – yea
Chair Rivers – yea

Motion carried.

ADJOURNMENT – Chair Rivers adjourned the meeting at 9:00pm.

CALENDAR OF UPCOMING PUBLIC MEETINGS/EVENTS (note all dates and time subject to change with or without notice as required)

Aug 22	4:00	Board of Commissioners work session & business meeting, CBAB, 601 State Street, Conf Room 1 st Floor (3 rd Mon. ea. mo)
Aug 23	2:00pm	Safety Committee Meeting, Courthouse, 309 State Street, 1 st Floor (4 th Tues. ea. mo.)
Aug 24	5:30pm	County Planning Commission Meeting, CBAB, 601 State St Conf Rm. 1 st Fl, (2 nd & 4 th Wed. ea. mo generally)
Sept 5	1:00pm	Tri-County Mental Health Board, Mid Col. Center for Living-TD (1 st Mon. ea. mo.-generally)
Sept 7	2:00pm	HRC Water Planning Group, 601 State St, 1 st floor conf. room (1 st Wed. ea.mo. – generally)
Sept 14	5:30pm	County Planning Commission Meeting, CBAB, 601 State St Conf Rm. 1 st Fl, (2 nd & 4 th Wed. ea. mo generally)
Sept 19	4:00 & 6:00pm	Board of Commissioners work session & business meeting, CBAB, 601 State Street, Conf Room 1 st Floor (3 rd Mon. ea. mo)
Sept 20	7:00pm	Library District Board meeting, Library, 502 State St., Conf. Room (3 rd Tues ea. mo. - subject to change)
Sept 21	3:00pm	Department Head Meeting – Courthouse, 309 State Street, 1 st Floor Conf Room
Sept 27	2:00pm	Safety Committee Meeting, Courthouse, 309 State Street, 1 st Floor (4 th Tues. ea. mo.)
Sept 28	5:30pm	County Planning Commission Meeting, CBAB, 601 State St Conf Rm. 1 st Fl, (2 nd & 4 th Wed. ea. mo generally)
Oct 3	1:00pm	Tri-County Mental Health Board, Mid Col. Center for Living-TD (1 st Mon. ea. mo.-generally)
Oct 5	2:00pm	HRC Water Planning Group, 601 State St, 1 st floor conf. room (1 st Wed. ea.mo. – generally)
Oct 12	5:30pm	County Planning Commission Meeting, CBAB, 601 State St Conf Rm. 1 st Fl, (2 nd & 4 th Wed. ea. mo generally)
Oct 17	4:00 & 6:00pm	Board of Commissioners work session & business meeting, CBAB, 601 State Street, Conf Room 1 st Floor (3 rd Mon. ea. mo)
Oct 18	7:00pm	Library District Board meeting, Library, 502 State St., Conf. Room (3 rd Tues ea. mo. - subject to change)
Oct 19	3:00pm	Department Head Meeting – CBAB, 601 State Street, 1 st Floor Conf Room