



# **TILLAMOOK COUNTY BOARD OF COMMISSIONERS NOTICE OF MEETING AGENDAS**

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## **BOARD OF COMMISSIONERS**

**David Yamamoto**, Chair  
*dyamamoto@co.tillamook.or.us*

**Erin D. Skaar**, Vice-Chair  
*eskaar@co.tillamook.or.us*

**Mary Faith Bell**, Commissioner  
*mfbell@co.tillamook.or.us*

## **CONTACT**

Tillamook County Courthouse  
201 Laurel Avenue  
Tillamook, Oregon 97141  
503.842.3403  
[www.co.tillamook.or.us](http://www.co.tillamook.or.us)

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## **COMMUNITY UPDATE MEETING**

**Tuesday, March 22, 2022 at 8:00 a.m.**  
*Teleconference and KTIL-FM at 95.9*

## **BOARD MEETING**

**Wednesday, March 23, 2022 at 9:00 a.m.**  
**Commissioners' Meeting Rooms A & B**  
*County Courthouse, Teleconference, and Live Video at [tctvonline.com](http://tctvonline.com)*

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## AGENDAS

### **COMMUNITY UPDATE -2022-03-22 COMMUNITY UPDATE AUDIO.MP4**

CALL TO ORDER: Tuesday, March 22, 2022 8:00 a.m.

1. 00:35 Welcome and Board of Commissioners' Roll Call
2. 00:49 Adventist Health Tillamook
3. 03:43 Coastal Caucus
4. 15:44 Tillamook County Community Health Center
5. 27:00 Nehalem Bay Health Center & Pharmacy
6. 28:44 Sheriff's Office
7. 30:33 Emergency Management
8. 35:03 Board of Commissioners
9. Cities
  - 49:31 Manzanita
  - 50:34 Garibaldi
  - 51:02 South County

**ADJOURN – 8:54 a.m.**

## **MEETING - 2202-03-23 BOCC MEETING AUDIO.MP**

CALL TO ORDER: Wednesday, March 23, 2022 9:00 a.m.

1. 01:49 Welcome & Request to Sign Guest List
2. 01:53 Pledge of Allegiance
3. Public Comment:  
02:41 American Rescue Plan Act Funds Comments/Tilda Jones, Tillamook Bay Flood Improvement District  
08:23 Shilo Levee Flooding Concerns/Toni Perez  
09:36 American Rescue Plan Act Funds Comments/David Greinger

### **AGENDA ITEM TAKEN OUT OF ORDER**

4. 02:16 Non-Agenda Items: Commissioner Skaar to Chair Today's Meeting/Commissioner Erin Skaar  
  
11:37 Agenda Item #9 Postponed/Commissioner Erin Skaar

### **LEGISLATIVE – ADMINISTRATIVE**

5. 11:50 Discussion and Consideration of a Personnel Requisition for a New Regular Part-Time Records Clerk in the Sheriff's Office/Josh Brown, Sheriff  
  
A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Vice-Chair signed the requisition.
6. 12:49 Discussion and Consideration of a Resolution in the Matter of Declaring April, 2022 as "Sexual Assault Awareness Month" in Tillamook County, Oregon/Valerie Bundy, Executive Director; Beth Hope, Coordinator, Tides of Change  
  
A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Board signed Resolution #22-002.
7. 14:55 Discussion and Consideration of a Second Amendment to Oregon Health Authority 2022 Intergovernmental Agreement #173148 for the Financing of Community Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services/Frank Hanna-Williams, Executive Director, Tillamook Family Counseling Center  
  
A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Vice-Chair signed the amendment.
8. 30:07 Discussion and Consideration of Professional Services Agreement #21/22-013 with Green Tree Dental, LLC. for the Federally Qualified Health Centers (FQHC) Oregon Health Plan Medicaid and Non-Insured Dental Services/Marlene Putman, Administrator, Health and Human Services

A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Board signed the agreement.

9. ----- Discussion and Consideration of Modification #19 to Agreement #3491 Professional Services Agreement with Don G. Averill Recycling, Inc. for Transfer Station Operation, Transport and Disposal for Processing of Solid Waste/David McCall, Solid Waste Program Manager, Public Works

**AGENDA ITEM POSTPONED**

10. 33:58 Discussion and Consideration of Change Order #1 to Contract #6140 Contract for Goods with Peterson Machinery Company for the Purchase of a 5-Ton Mini Excavator/Chris Laity, Director, Public Works

A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Vice-Chair signed the contract.

11. 36:10 Discussion and Consideration of a Non-Prevailing Wage Rate Contract for Construction with Columbia River Contractors Inc. for the Guard Rail Repairs Project/Chris Laity, Director, Public Works

A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Vice-Chair signed the contract.

- 41:55 **UNSCHEDULED:** Construction Projects Update/Chris Laity, Director, Public Works

12. 43:20 Discussion and Consideration of Referring the Ridge Road Local Improvement District Petition to the County Road Engineer/Chris Laity, Director, Public Works

A motion to refer to the county road engineer was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes.

13. 1:15:35 Discussion and Consideration of a Prevailing Wage Rate Contract for Construction with Lyda Excavating Inc. for the Oceanside Beach Access Improvement Project/Chris Laity, Director, Public Works

A motion was made to sign the contract upon receipt of contractor's performance bond by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Vice-Chair signed the requisition.

14. 1:15:06 Discussion and Consideration of a Prevailing Wage Rate Contract for Construction with Lightwerks Communication Systems, Inc. for the Commissioners' Meeting Room Audio Visual Equipment Relocation/Damian Laviolette, Director, Information Services

A motion was made by Commissioner Bell and seconded by Chair Yamamoto to sign the contract upon receipt of contractor's performance bond. The motion passed with three aye votes.

15. 1:24:50 Discussion and Consideration of Change Order #1 to Contract #6209 Contract for General Services with Day Wireless Systems for the Tillamook County Fairgrounds Wi Fi Project/Damian Laviolette, Director, Information Services

A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Board signed the change order.

16. 1:27:48 Discussion and Consideration of a Letter of Support to Senators Ron Wyden and Jeff Merkley Regarding a Congressionally Directed Funding Request for the Nehalem Bay Health District/Commissioner Erin Skaar

A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Board signed the letter of support.

17. 1:29:55 Discussion and Consideration of American Rescue Plan Act Funding Awards/Rachel Hagerty, Chief of Staff

1:32:25 American Rescue Plan Act Projects and Congressional Spending/Commissioner Mary Faith Bell

1:34:41 Shilo Levee Project and Contingency Funds/Commissioner David Yamamoto

1:39:50 Project Selection and Process/Commissioner Erin Skaar

1:42:02 Engineering Plans for Shilo Levee/Commissioner Mary Faith Bell

1:42:42 Federal Funding and Engineering Plans/Rachel Hagerty, Chief of Staff

A motion was made by Commissioner Bell and seconded by Chair Yamamoto. The motion passed with three aye votes. The Board approved the funding awards list.

**Commissioner Skaar recessed the meeting at 10:52 a.m.**

**Commissioner Skaar reconvened the meeting at 11:03 a.m. – 2202-03-23 BOCC MEETING  
AUDIO PART II.MP4**

**10:00 a.m.**

18. **Second Public Hearing: Discussion and Consideration of an Amendment to Tillamook County Ordinance #86: A Short-Term Rental Operator License Fee to Support Housing and Public Safety Initiatives/Sarah Absher, Director, Community Development**

00:12      Staff Report/Sarah Absher, Director, Community Development

13:48      Opened Public Hearing

16:33      Maximum Occupancy and Fees/Susan Schaumberg

20:08      Closed Hearing Closed

20:56      Reopened Public Hearing

21:13      Rental Income Reporting/Pam Zweifler

22:08      Closed Public Hearing

22:41      Maximum Occupancy and Permitting/Sarah Absher, Community Development

24:23      Short-Term Rental Fee and Calendar Year/Commissioner David Yamamoto

25:13      Credit of Fees for Non-Rental/Sarah Absher, Community Development

A motion was made with added language in section 14 by Chair Yamamoto and seconded by Vice-Chair Skaar. The motion passed with two aye votes. Commissioner Bell voted nay. The Board signed Amended Ordinance #86.

19.    45:26      Board Concerns – Non-Agenda Items: There were none.
20.    45:44      Board Announcements

**ADJOURN – 11:49 a.m.**

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## JOIN THE BOARD OF COMMISSIONERS' MEETINGS

The board is committed to community participation and provides opportunity for public attendance during meetings via in-person and teleconference. Teleconference options are listen-only. Due to Oregon COVID-19 recommendations for public gatherings, the maximum capacity of the board meeting room is limited to 12 persons, not including staff and commissioners.

- **Community Update Meetings: Tuesdays at 8:00 a.m.**
  - Teleconference: Dial 971-254-3149, Conference ID: 736 023 979#
  - Radio: KTIL-FM at 95.9
- **Board Meetings: Wednesdays at 9:00 a.m.**
  - County Courthouse: Commissioner's Meeting Rooms A & B, 201 Laurel Avenue, Tillamook
  - Teleconference: Dial 971-254-3149, Conference ID: 736 023 979#
  - Live Video: [tctvonline.com](http://tctvonline.com)

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## MEETING INFORMATION AND RULES

- Matters for discussion and consideration by the board shall be placed on an agenda prepared by the staff and approved by the board chair. Any commissioner may request items on the agenda.
- Public hearings are formal proceedings publicized through a special public notice issued to media and others. Public hearings held by the board are to provide the board an opportunity to hear from the public about a specific topic. Public hearings are therefore different regarding audience participation at board meetings.
- Commissioners shall be addressed by their title followed by their last name.
- Commissioners shall obtain approval from the chair before speaking or asking questions of staff, presenters, and public. As a courtesy, the chair shall allow an opportunity, by the commissioner who has the floor, to ask immediate follow-up questions.
- A majority of the board shall constitute a quorum and be necessary for the transaction of business.
- All board meeting notices are publicized in accordance with public meeting laws.
- All board meetings shall commence with the Pledge of Allegiance.
- The chair will utilize the gavel as needed to maintain order, commence and adjourn meetings, and signal approval of motions.
- The board reserves the right to recess to executive session as may be required at any time during these meetings, pursuant to ORS 192.660(1).
- The courthouse is accessible to persons with disabilities. If special accommodations are needed for persons with hearing visual, or manual impairments who wish to participate in the meeting, contact (503) 842-3403 at least 24 hours prior to the meeting so that the appropriate communications assistance can be arranged.

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## PUBLIC COMMENT

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- Providing public comment is an opportunity for constituents to be heard and express their views to the board.
  - The board allows public comment at board meetings during the public comment period designated on the agenda.
  - Comments are limited to one per person and per agenda item.
  - Comments must be related to the agenda item(s) previously registered to comment on.
  - The allotted time for public comments is two minutes per person; this time may not be allotted to another speaker. The chair may, at their sole discretion, further limit or expand the amount of time.
  - The public comment opportunity is not a discussion, debate, or dialogue between the speaker and the board, which may or may not respond.
  - Members of the public do not have the right to disrupt the meeting; the board may prohibit demonstrations such as booing, hissing, or clapping.
  - Remarks containing hate speech, profanity, obscenity, name calling or personal attacks, defamation to a person, people, or organization, or other remarks the board deems inappropriate will not be allowed.
  - Failure to follow all rules and procedures may result in not being able to provide public comment and/or being removed from the meeting.

#### **In-Person Procedures**

- Sign in before the meeting begins and indicate your desire to provide public comment and which agenda item you would like to comment on. When your name is announced, please come forward to the table placed in front of the dais and for the record, first identify yourself, area of residence, and organization represented, if any.

#### **Virtual Procedures**

- Register by sending an email to [publiccomments@co.tillamook.or.us](mailto:publiccomments@co.tillamook.or.us) by 12:00 p.m. on the Tuesday prior to the board meeting. The email must contain all of the following information:
  - Full name, area of residence, and phone number.
  - Agenda item(s), you wish to comment on.
- Once registered, and before the start of the meeting, board staff will email a Microsoft Teams meeting link.
- When logged in to the meeting you must remain muted with your camera off until your name is called, then you unmute and turn on your camera.
- The chair may require those providing virtual comment to turn on their camera while providing comment or testimony.

#### **Written Procedures**

- Written comments may be mailed to 201 Laurel Avenue, Tillamook, Oregon 97141 or emailed to: [publiccomments@co.tillamook.or.us](mailto:publiccomments@co.tillamook.or.us).
  - Written comments received by 12:00 p.m. on the Tuesday prior to the board meeting will be distributed to the board and posted online. All written comments submitted become part of the permanent public meeting record.
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## **AGENDAS**

### **COMMUNITY UPDATE**

CALL TO ORDER: Tuesday, March 22, 2022 8:00 a.m.

1. Welcome and Board of Commissioners' Roll Call
2. Adventist Health Tillamook
3. Coastal Caucus
4. Tillamook County Community Health Center
5. Nehalem Bay Health Center & Pharmacy
6. Tillamook Family Counseling Center
7. Sheriff's Office
8. Emergency Management
9. Board of Commissioners
10. Cities
  - a. Manzanita
  - b. Nehalem
  - c. Wheeler
  - d. Rockaway Beach
  - e. Garibaldi
  - f. Bay City
  - g. South County

### **ADJOURN**

## **MEETING**

CALL TO ORDER: Wednesday, March 23, 2022 9:00 a.m.

1. Welcome & Request to Sign Guest List
2. Pledge of Allegiance
3. Public Comment
4. Non-Agenda Items

## **LEGISLATIVE – ADMINISTRATIVE**

5. Discussion and Consideration of a Personnel Requisition for a New Regular Part-Time Records Clerk in the Sheriff's Office/Josh Brown, Sheriff
6. Discussion and Consideration of a Resolution in the Matter of Declaring April, 2022 as "Sexual Assault Awareness Month" in Tillamook County, Oregon/Valerie Bundy, Executive Director; Beth Hope, Coordinator, Tides of Change
7. Discussion and Consideration of a Second Amendment to Oregon Health Authority 2022 Intergovernmental Agreement #173148 for the Financing of Community Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services/Frank Hanna-Williams, Executive Director, Tillamook Family Counseling Center
8. Discussion and Consideration of Professional Services Agreement #21/22-013 with Green Tree Dental, LLC for the Federally Qualified Health Centers (FQHC) Oregon Health Plan Medicaid and Non-Insured Dental Services/Marlene Putman, Administrator, Health and Human Services
9. Discussion and Consideration of Modification #19 to Agreement #3491 Professional Services Agreement with Don G. Averill Recycling, Inc. for Transfer Station Operation, Transport and Disposal for Processing of Solid Waste/David McCall, Solid Waste Program Manager, Public Works
10. Discussion and Consideration of Change Order #1 to Contract #6140 Contract for Goods with Peterson Machinery Company for the Purchase of a 5-Ton Mini Excavator/Chris Laity, Director, Public Works
11. Discussion and Consideration of a Non-Prevailing Wage Rate Contract for Construction with Columbia River Contractors Inc. for the Guard Rail Repairs Project/Chris Laity, Director, Public Works
12. Discussion and Consideration of Referring the Ridge Road Local Improvement District Petition to the County Road Engineer/Chris Laity, Director, Public Works
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16. Discussion and Consideration of a Letter of Support to Senators Ron Wyden and Jeff Merkley Regarding a Congressionally Directed Funding Request for the Nehalem Bay Health District/Commissioner Erin Skaar
17. Discussion and Consideration of American Rescue Plan Act Funding Awards/Rachel Hagerty, Chief of Staff

**10:00 a.m.**

18. **Second Public Hearing:** Discussion and Consideration of an Amendment to Tillamook County Ordinance #86: A Short-Term Rental Operator License Fee to Support Housing and Public Safety Initiatives/Sarah Absher, Director, Community Development
19. Board Concerns – Non-Agenda Items
20. Board Announcements

**ADJOURN**

**OTHER MEETINGS AND ANNOUNCEMENTS**

The Commissioners will hold a Board Briefing on **Wednesday, March 23, 2022** at **2:00 p.m.** to discuss weekly commissioner updates. The meeting will be held at the Courthouse in the Nestucca Room, 201 Laurel Avenue, Tillamook, Oregon. The teleconference number is 1-971-254-3149, Conference ID: 736 023 979#.

# BOARD OF COMMISSIONERS' BOARD MEETING

Wednesday, March 23, 2022

|                 | Present                             | Absent                   |                | Present                             | Absent                   |
|-----------------|-------------------------------------|--------------------------|----------------|-------------------------------------|--------------------------|
| Mary Faith Bell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Rachel Hagerty | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Yamamoto  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Joel Stevens   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Erin Skaar      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                | <input type="checkbox"/>            | <input type="checkbox"/> |

PLEASE PRINT

| <u>Name</u>   | <u>Email or Address</u>  | <u>Item of Interest</u> |
|---------------|--------------------------|-------------------------|
| Tilda Jones   | TD FID                   | #17                     |
| Barry Mammado | "                        | "                       |
| Toni PEREZ    | phgtillamookgm@gmail.com | #17                     |
| Tina Lyda     | Tlyda@tillamook.or.gov   |                         |
| Shawn Burge   | s.burge@tillamook.or.gov |                         |
| David Glenzer | freynke@embargoemail.com |                         |
| Ashley Inn    | tikeashley@gmail.com     | A14                     |
| Jan Zielinski | jzielinski@bhsnw.com     |                         |
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(Please use reverse if necessary)

# TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING

**WEDNESDAY, MARCH 23, 2022**

# PUBLIC COMMENT SIGN-IN SHEET

**PLEASE PRINT**

[illegible]



## Tillamook County Board of Commissioners

201 Laurel Avenue, Tillamook, OR 97141

Phone: 503-842-3403

TTY Oregon Relay Service

David Yamamoto, Chair

Erin D. Skaar, Vice-Chair

Mary Faith Bell, Commissioner

March 23, 2022

Senators Ron Wyden and Jeff Merkley  
Washington, D.C.  
Delivered via email

Re: Nehalem Bay Health Center and Pharmacy

Dear Senators Wyden and Merkley:

The Tillamook County Board of Commissioners is pleased to provide an endorsement and support for a request for Congressionally Directed Funding for an important initiative being led by the Nehalem Bay Health District (the district).

As you know, quality, close to home primary health care in rural Oregon remains a major challenge in many communities in our state. Many of our constituents travel long distances to access care and pharmacy services. A proposal advanced by the district, a new, state of the art health center and pharmacy in Wheeler, Oregon, will improve access and delivery of primary care in north Tillamook County. The new facility will be owned by the district but operated by a local non-profit, the Nehalem Bay Health Center and Pharmacy, and will remain a Federal Qualified Health Center, offering health care to anyone regardless of ability to pay.


The health center/pharmacy proposed by the district will more than double the size of the current aging clinic in Wheeler and its much too small pharmacy. The current facility is outdated, under sized and offers no opportunity for expansion that would facilitate specialty services, pediatrics for example, and potentially dental care. The district's property in Wheeler, adjacent to U.S. Highway 101, features both proper zoning and much improved visibility for the new center.


We are encouraged that the district's plans are based on a comprehensive strategic plan developed with extensive community input. That plan identified clearly that enhanced primary health care services are a critical need in the community. Development of the new health center will also allow the district, again as part of its overall strategic plan, to repurpose the existing clinic location to address other critical community needs, including workforce housing.

We support the Nehalem Bay Health District's request for Congressional Directed Funding and respectfully request that you give the district's request every possible consideration.

Sincerely,

BOARD OF COMMISSIONERS FOR TILLAMOOK COUNTY, OREGON

  
David Yamamoto, Chair

  
Erin D. Skaar, Vice-Chair

  
Mary Faith Bell, Commissioner

**Tillamook County**



**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**BUILDING, PLANNING & ON-SITE SANITATION SECTIONS**

1510 – B Third Street  
Tillamook, Oregon 97141  
[www.tillamook.or.us](http://www.tillamook.or.us)

Building (503) 842-3407  
Planning (503) 842-3408  
On-Site Sanitation (503) 842-3409  
FAX (503) 842-1819  
Toll Free 1 (800) 488-8280

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*Land of Cheese, Trees and Ocean Breeze*

# **MEMO**

**Date:** February 23, 2022  
**To:** Tillamook County Board of Commissioners  
**From:** Sarah Absher, CFM, Director  
**Subject:** Proposed Amendments to Tillamook County Ordinance 86: A Short-Term Rental Operator License and License Fee within Unincorporated Tillamook County  
**Meeting Date:** March 2, 2022

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A copy of Tillamook County Ordinance 86 with proposed amendments is included for your review. Also included are copies of public comments received prior to 4:00pm.

Staff will be prepared to discuss the proposed amendments at the March 2, 2022, public meeting and will also present any additional letters of public comment received after today at 4:00pm and by 8:30am on March 2, 2022.

A second meeting on this matter has been scheduled for 10:00am on Wednesday, March 23, 2022.

If you have any questions, please do not hesitate to contact me.

Thank You,

A handwritten signature in black ink that reads "Sarah Absher". The signature is fluid and cursive, with a large loop at the beginning.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

|                                       |   |                |
|---------------------------------------|---|----------------|
| In the Matter of a Short-Term Rental  | ) |                |
| Operator License and License Fee      | ) | <i>AMENDED</i> |
| within Unincorporated Tillamook       | ) | ORDINANCE #86  |
| County and Providing for the          | ) |                |
| Allocation of Funds Dedicated to      | ) |                |
| Housing and Public Safety Initiatives | ) |                |
| in Tillamook County                   | ) |                |

The Board of Commissioners for Tillamook County ORDAINS as follows:

Section 1. Title

This ordinance shall be known as the Short-Term Rental License Fee Ordinance.

Section 2. Disposition of Fees

All monies received from licenses issued shall be accounted for separately and dedicated, after administrative costs, to housing and public safety initiatives. After administrative costs, seventy-five percent (75%) of the fees shall be dedicated to housing initiatives and twenty-five percent (25%) of the fees shall be dedicated to public safety initiatives.

Section 3. Definitions

Except where the context otherwise requires, the definitions established in this Section govern the construction of this ordinance.

- (a) "Board" means the Board of County Commissioners.
- (b) "Contact Person" means the owner or if designated on the application for a permit, the agent of the owner, authorized to act for the owner.
- (c) "County" means Tillamook County, Oregon.
- (d) "Fee Administrator" means the Tillamook County Board of Commissioners *Department of Community Development*, or its designee.
- (e) "Guest" means a person who rents one (1) or more rooms in a Short-Term Rental for a period of less than thirty (30) consecutive days. Any person who signs a monthly rental or fixed-term lease agreement is not considered to be a "Guest" but is considered a tenant exercising Long-Term Occupancy.

- (f) "Rent" means the total consideration, other than taxes, paid or payable for occupancy of transient lodging. If a separate fee is charged for services, goods or commodities and the fee is optional, that fee is not included in rent.
- (g) "Short-Term Rental" means a dwelling unit (including any accessory guest house on the same property) that is rented to any person on a day to day basis for a period of less than thirty (30) consecutive days. No recreational vehicle, travel trailer, or tent or other temporary shelter shall be used as or in conjunction with a Short-Term Rental. No occupancy of a parked vehicle, including recreational vehicles as defined in the Tillamook County Land Use Ordinance, in conjunction with the Short-Term Rental is permitted.

#### Section 4. ~~Fee Collection Short-Term Rental Operator License Required~~

~~For the privilege of operating a Short-Term Rental within Tillamook County, the property owner of a Short-Term Rental shall pay to the County a quarterly Short-Term Rental Operator License Fee based upon gross revenue receipts of the rental each quarter. This quarterly license fee is due within thirty (30) days at the end of each quarter on any Short-Term Rental accommodation where rental occupancy is less than thirty (30) consecutive days. If the rental occupancy exceeds twenty-nine (29) consecutive days, the revenue received for this stay shall not be included the gross revenue for that quarter.~~

*Every owner of a Short-Term Rental within unincorporated Tillamook County is required to obtain an annual Short-Term Rental Operator License. If any person owns more than one Short-Term Rental unit on a property located within unincorporated Tillamook County, or owns multiple rental units within a structure located on a property within unincorporated Tillamook County, each rental unit shall be considered a separate rental unit and is required to obtain a separate Short-Term Rental Operator License for each rental unit.*

#### Section 5. ~~Separate License for Separate Locations~~

~~If any person owns more than one Short-Term Rental unit on a property located within unincorporated Tillamook County, or owns multiple rental units within a structure located on a property within unincorporated Tillamook County, each rental unit shall be considered a separate rental unit and is required to obtain a separate Short-Term Rental Operator License for each rental unit.~~

#### Section 5.6. ~~Collection of Short-Term Rental Operator License Fee; Rules for Collection~~

- (a) *The owner of a Short-Term Rental within unincorporated Tillamook County shall pay to the County an annual Short-Term Rental Operator License Fee based upon maximum occupancy of the rental.*
- (b) *Annual license fee amount shall be \$75 multiplied by the maximum number of occupants stated on the Short-Term Rental Permit.*

- (c) Every Short-Term Rental owner renting a Short-Term Rental within the unincorporated Tillamook County, the occupancy of which is not exempted under the terms of this ordinance or Tillamook County Ordinance #74 and Tillamook County Ordinance #84, shall pay the ~~quarterly~~ annual Short-Term Rental Operator License Fee.
- (d) The Fee Administrator shall enforce the provisions of this ordinance.
- ~~(e) The Short-Term Rental Operator License Fee shall be assessed in accordance with the operator license fee table included as "Exhibit A".~~

**Section 67. Registration of Short-Term Rental Operator License; Form and Contents; Execution; License of Authority**

An operator license shall not be issued to any Short-Term Rental not in conformance with Tillamook County Ordinances 74, 75, and 84. No Short-Term Rental lodging owner, provider or intermediary shall advertise or rent any Short-Term Rental that is not in full compliance with County Short-Term Rental permit requirements, transient lodging tax filing requirements and land use permit requirements. Every person engaging or about to engage in Short-Term Rental activities as an owner of a Short-Term Rental within unincorporated Tillamook County shall *promptly* register with the fee administrator ~~within fifteen (15) days after commencing for a new Short-Term Rental~~. The privilege of registration after the date of imposition of the operator license fee shall not relieve any person from the obligation of payment. Registration shall be on a form provided by the fee administrator and shall set forth the name under which the provider transacts or intends to conduct rental activity, the location of ~~his~~ the place or places of the Short-Term Rental, rental property site addresses, and such other information to facilitate collection of the operator license fee as the fee administrator may require. The registration shall be signed by the owner of the Short-Term Rental.

The fee administrator shall, within ten (10) days after registration, issue ~~without charge~~ a license of authority to the owner of the Short-Term Rental. License ~~shall be non-assignable and nontransferable and~~ shall be surrendered immediately to the fee administrator upon the cessation of rental activity at the location named or upon its sale or transfer. Each license shall state the place of the Short-Term Rental location to which it is applicable and shall be prominently displayed therein, readily visible to all occupants and persons seeking occupancy. The license shall include the following:

- (a) The name of the Short-Term Rental owner;
- (b) The address of the Short-Term Rental;
- (c) The date upon which the license was issued;
- (d) The transient lodging fee ID number assigned by the fee administrator;
- (e) The Short-Term Rental permit number; and

- (f) "This Short-Term Rental Operator License signifies that the person named on the face hereof has fulfilled the requirements of the Short-Term Rental Operator License Regulations, by registration with the fee administrator for the purpose of collection from the fee imposed by Tillamook County and remitting said fee to the fee administrator. This license does not authorize any person to conduct any unlawful rental activity or to conduct any lawful rental activity in an unlawful manner, or to operate a Short-Term Rental without strictly complying with all local applicable laws, including, but not limited to those requiring a permit from any board, commission, department, or office of the County. This license does not constitute a permit."

#### Section 78. Due Date; Returns and Payments

- (a) The Short-Term Rental Operator License Fee imposed by this ordinance shall be paid by the owner of the Short-Term Rental to the fee administrator and is due and payable to the fee administrator ~~on a quarterly basis on the last day of the following month for the preceding three (3) months and is delinquent on the first day following the month in which the operator license fee is due~~ on an annual basis.
- (b) The Short-Term Rental Operator License Fee shall be ~~filed~~ submitted in such form as the fee administrator may prescribe for payment of the ~~quarterly annual~~ license fee. ~~, even if no Short-Term Rental activity has taken place within a quarter.~~
- (c) ~~The Short-Term Rental Operator License Fee shall be paid by the owner of the short-term rental, or their designee, to the Department of Community Development. The person required to file the quarterly Short-Term Rental Operator License Fee shall deliver the fee, together with the remittance of the amount of the fee due, to the fee administrator's office, either by personal delivery or by mail. If the return is mailed, the postmark shall be considered the date of delivery for determining delinquencies.~~
- (d) ~~For good cause, the fee administrator may extend for not to exceed one month the time for making any return or submittal of fees. No further extension shall be granted. Any Short-Term Rental owner to whom an extension is granted shall pay interest at the rate of one percent (1%) per month on the amount of fees due. If a quarterly payment is not submitted, and the license fee and interest due is not paid by the end of the extension granted, then the interest shall become a part of the quarterly operator fee for computation of penalties described elsewhere in this ordinance.~~

#### Section 89. Penalties, Interest and Revocation

- (a) *Revocation. Violating any provision in this ordinance, as well as non-compliance with any term or condition of a Short-Term Rental permit, including non-compliance with Tillamook County Ordinances #74 and #75: Tillamook County Transient Lodging Tax (TLT), or violating any County or State law, may result in revocation of a Short-Term Rental permit, revocation of a Short-Term Rental*

*Operator license, denial of an application to renew a permit or license, and enforcement and penalties as outlined in this ordinance. Licenses that are terminated for non-renewal or non-payment will result in revocation of a Short-Term Rental permit. Penalty-Original Delinquency. Any Short-Term Rental owner who has not been granted an extension of time for remittance of fees due and who fails to remit the operator license fee imposed by this ordinance prior to delinquency shall pay a penalty of ten percent (10%) of the amount of the operator license fee due in addition to the amount of the quarterly operator license fee.*

- (b) Penalty-Continued Delinquency. Any Short-Term Rental owner who has not been granted an extension of time for remittance of operator license fee due, and who failed to pay a delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of fifteen percent (15%) of the amount of the license fee due plus the operator license fee and the ten percent (10%) penalty first imposed.*
- (c) Interest. In addition to the penalties imposed, any transient lodging rent collector who fails to remit any fee imposed by this ordinance shall pay interest at the rate of one percent (1%) per month or fraction thereof without proration for portions of a month, on the amount of the fee due, exclusive of penalties, from the date on which the remittance first became delinquent until paid.*
- (d) Penalties and Interest Merged with Fee. Every penalty imposed and such interest as accrues under the provisions of this Section shall be merged with and become a part of the fee herein required to be paid.*
- (e) Petition for Waiver. Any Short-Term Rental owner who fails to remit the quarterly Short-Term Rental Operator License fee herein levied within the time herein stated shall pay the penalties herein stated; provided however, Short-Term Rental owner may petition the Board of Commissioners for waiver and refund of the penalty or any portion thereof, if a good and sufficient reason is shown, and waive and direct a refund of the penalty or any portion thereof.*
- (f) Revocation. Violating any provision in this ordinance, as well as non-compliance with any term or condition of a Short-Term Rental permit, including non-compliance with Tillamook County Ordinances #74 and #75: Tillamook County Transient Lodging Tax (TLT), or violating any County or State law, may result in revocation of a Short-Term Rental permit, revocation of a Short-Term Rental Operator license, denial of an application to renew a permit or license, and enforcement and penalties as outlined in this ordinance. Licenses that are terminated for non-renewal or non-payment will result in revocation of a Short-Term Rental permit.*

#### Section 940. Refunds

- (a) Refunds by County to the Short-Term Rental Owner. Whenever the amount of any- the annual Short-Term Rental Operator License fees, penalty or interest has*

been paid more than once or has been erroneously or illegally collected or received by the fee administrator under this ordinance, it may be refunded, provided a verified claim in writing, stating the specific reason upon which the claim is founded, is filed with the fee administrator within three (3) years from the date of payment. The claim shall be made on forms provided by the fee administrator. If the claim is approved by the fee administrator, the excess amount collected or paid may be refunded or may be credited on any amount then due and payable from the Short-Term Rental owner from whom it was collected or by whom paid. and the balance may be refunded to such transient lodging rent collector, his/her administrators, executors, or assigns.

#### Section 11. Administration

- (a) ~~Examination of Records; Investigations. The fee administrator, or any person authorized in writing by the fee administrator, may examine during business hours the books, papers, and accounting records relating to transient lodging sales of any Short-Term Rental owner after notification to the Short-Term Rental owner liable for the operator license fee, and may investigate the information pertaining to the Short-Term Rental in order to ascertain and determine the Short-Term Rental operator license fee amount required to be paid based upon the information provided.~~

#### Section 10 12. Allocation of Funds for Workforce Housing Initiatives in Tillamook County

The portion of monies contained in the Short-Term Rental Operator License Fee Fund that are dedicated by this ordinance for housing initiatives in Tillamook County shall be distributed and administered in accordance with this Section.

- (a) The County Budget Committee shall allocate collected Short-Term Rental operator license fees as a special revenue fund and shall be made part of the annual County budget process.
- (b) The implementation and administration of the ~~STR Funds~~ *Short-Term Rental funds* allocated in subsection (a) of this Section shall be contained in a written policy to be adopted by Board Order.
- (c) The Board shall allocate and distribute Short-Term Rental funds for development and promotion of workforce housing at the recommendation of the Tillamook County Housing Commission.

#### Section 11 13. Allocation of Funds for Public Safety Initiatives in Tillamook County

The portion of monies contained in the Short-Term Rental Operator License Fee Fund that are dedicated by this ordinance for ~~housing~~ *public safety* initiatives in Tillamook County shall be distributed and administered in accordance with this Section.

- (a) The County Budget Committee shall allocate collected Short-Term Rental operator license fees as a special revenue fund and shall be made part of the annual County budget process.
- (b) The implementation and administration of the Short-Term Rental funds allocated in subsection (a) of this Section shall be contained in a written policy to be adopted by Board Order.

Section 12 14. Appeal to the Board of Commissioners

Any person aggrieved by any decision of the fee administrator may appeal to the Board by filing notice of appeal with the fee administrator within twenty days of the serving or mailing of the Short-Term Rental operator fee collection notice or a decision given by the fee administrator. The fee administrator shall fix a time and place for hearing such appeal and shall give the appellant not less than twenty days written notice of the time and place of hearing. Action by the Board on appeals shall be decided by a majority of the members present at the meeting where such appeal is considered.

Section 13 15. Severability

If any section, subsection, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, is for any reason held to be unconstitutional or otherwise invalid such decision shall not affect the validity of the remaining portions of this ordinance or any part thereof. The Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

Section 16. Violations

~~It is unlawful for any Short-Term Rental owner or other person so required, to fail or refuse to register, furnish any required return, furnish a supplemental return, or other data required by the fee administrator, or to render a false or fraudulent return. No person required to make, render, sign, or verify any report shall make any false or fraudulent report, with intent to defeat or evade the determination of any amount due under this ordinance.~~

Section 14 17. Penalties

Violation of any of the provisions of this ordinance shall be a Class A violation, with a maximum penalty of two thousand dollars (\$2,000) in fines.

Section 15. Declaration of an Emergency

*This Board of County Commissioners finds that the enactment of this Ordinance is necessary for the public health, safety and general welfare, and that an emergency exists, and this ordinance shall take effect immediately upon passage by the Board of Commissioners.*

Section 1648.      Effective Date

This ordinance shall take effect on ~~July 1, 2021~~ *March 23, 2022*

~~Date of First Reading: December 16, 2020.~~

~~Date of Second Reading: December 30, 2020.~~

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

*Date of First Reading: March 2, 2022.*

*Date of Second Reading: March 23, 2022.*

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

BOARD OF COUNTY COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

Aye      Nay      Abstain/Absent

\_\_\_\_\_  
*David Yamamoto* ~~Bill Baertlein~~, Chair

\_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_  
*Erin Skaar* ~~Mary Faith Bell~~, Vice Chair

\_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_  
*Mary Faith Bell* ~~David Yamamoto~~, Commissioner

\_\_\_\_\_ / \_\_\_\_\_

ATTEST:      Tassi O'Neil, County Clerk

APPROVED AS TO FORM:

By \_\_\_\_\_  
Special Deputy

\_\_\_\_\_  
Joel W. Stevens, County Counsel



1510 – B Third Street  
Tillamook, Oregon 97141  
[www.tillamook.or.us](http://www.tillamook.or.us)  
Building (503) 842-3407  
Planning (503) 842-3408  
Sanitation (503) 842-3409  
FAX (503) 842-1819  
Toll Free 1(800) 488-8280

*Land of Cheese, Trees and Ocean Breeze*

## NOTICE OF PUBLIC HEARINGS AMENDMENT TO TILLAMOOK COUNTY ORDINANCE #86: A SHORT-TERM RENTAL LICENSE OPERATOR FEE TO SUPPORT HOUSING & PUBLIC SAFETY INITIATIVES

**Date & Time:**

March 2, 2022 at 10:00am

March 23, 2022 at 10:00am

**Location:**

Tillamook County Courthouse

201 Laurel Avenue, Tillamook, OR 97141

### **Summary of Proposed Amendments**

**Existing:** Short-Term Rental Operator License Fee is a quarterly license fee based upon gross revenue receipts of the short-term rental. License fee payment is due at the end of each quarter.

**Proposed:** Short-Term Rental Operator License Fee shall be calculated at a flat-rate based upon the maximum number of occupants of a Short-Term Rental multiplied by \$75. Short-Term Rental Operator License Fee will be an annual (yearly) fee paid at the time of STR Permit issuance and at the time of STR Permit renewal.

**Result:** Replace existing quarterly license payment based upon gross revenue receipts with an annual (yearly) flat-rate license fee. License fee will now be based upon the maximum number of occupants of a Short-Term Rental (STR) and no longer on gross revenue receipts.

**Proposed Short-Term Rental License Fee Calculation Example:**

| Proposed Short-Term Rental<br>Operator License Fee Multiplier | Maximum Occupancy Allowed<br>Under Approved Short-Term Rental<br>Permit | Cost of <u>Annual</u> Short-Term Rental<br>Operator License Fee of STR Rental<br>with Maximum Occupancy of 8<br>Persons |
|---|---|---|
| \$75 Per Person   | 8   | \$600   |

### **Public Hearing Information**

The Tillamook County Board of Commissioners will hold two public hearings for discussion and consideration of the proposed amendments to Tillamook County Ordinance #86 as summarized above. Hearings will take place on March 2,

2022, at 10:00am and on March 23, 2022, at 10:00am at the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon.

The hearing will take place virtually with limited opportunity for in-person attendance following OHA guidelines. Oral testimony will be heard at the March 2, 2022, hearing. For instructions on how to provide oral testimony at the hearing, please email Lynn Tone, DCD Office Specialist 2, Tillamook County Department of Community Development, [ltone@co.tillamook.or.us](mailto:ltone@co.tillamook.or.us). A virtual meeting link will be provided on the Community Development webpage on the date of the hearings: <https://www.co.tillamook.or.us/commdev>.

Written testimony submitted to the Tillamook County Department of Community Development by 4:00 p.m. on February 23, 2022, will be included in the packet provided to the Board of County Commissioners prior to the March 2, 2022, hearing. Please contact Lynn Tone, DCD Office Specialist 2, Tillamook County Department of Community Development, [ltone@co.tillamook.or.us](mailto:ltone@co.tillamook.or.us) as soon as possible if you wish to have your comments included in the staff report that will be presented to the Tillamook County Board of Commissioners.

A copy of proposed amendments to Tillamook County Ordinance #86 will be available for public inspection at the Department of Community Development and are also on the Tillamook County Department of Community Development website: <https://www.co.tillamook.or.us/gov/ComDev/>.

The Tillamook County Courthouse is handicapped accessible. If special accommodations are needed for persons with hearing, visual, or manual impairments who wish to participate in the hearing, please contact 1-800-488-8280 ext. 3303, at least 24 hours prior to the hearing in order that appropriate communications assistance can be arranged.

For questions regarding the proposed amendments to Tillamook County Ordinance #86, please contact Sarah Absher, CFM, Director, Tillamook County Department of Community Development via email [sabsher@co.tillamook.or.us](mailto:sabsher@co.tillamook.or.us), by calling 503-842-3408 x3412 or by emailing Lynn Tone, DCD Office Specialist 2, Tillamook County Department of Community Development, [ltone@co.tillamook.or.us](mailto:ltone@co.tillamook.or.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Absher", written over a horizontal line.

Sarah Absher, CFM, Director

February 23, 2022

Tillamook County Department of Community Development

RE: Proposed Amendment to Ordinance #86

Dear Council members;

I am a home owner in North County that supplements my social security income with short term renting of my primary residence. I've cleaned professionally for private residences, motel, and short term rental before using my home first as a room renting through AirBnB then moved to renting my entire residence and finding alternative housing while renting. I clean to a professional level with the extra steps for COVID 19. I don't make anywhere near the \$5000.00 minimum per quarter and pay the current rate of \$50.00 a quarter or \$200.00 a year. So a home making \$200,000 a year currently pays \$2400.00 a year for this license fee. That's 1.2% of their income. For 2021 I made \$4617.20 gross in rent before expenses to give my home a rest and \$13,000.00 gross before expenses, the previous year. So if I paid \$600.00 for licensing last year and the flat rate was \$600.00 for my so called 8 occupancy home (which I don't allow to be all adults as too many for home and parking) then I'm paying between 12-13% of my income, which again is before expenses and not taxable. Even at \$13000.00, BEFORE expenses, I'm paying between 4 and 5 % to wealthier multi-home owners less than 2% of their income and less percentage if they make more.

Can you see why I'd question why you are doing this? It feels like punishment to the small business minded folks looking to simply be more financially independent.

I'm so very curious who even comes up with these amendments and what 'public safety' measures these license fees will pay for? If it's for fire and rescue fine, but I would think TLT taxes already pay for that? Is it to finance more over reach of government that the free market is more than capable to handle through guest reviews on VRBO and AirBnB?

I can only speculate on your reasons and purposes for the money as well as the reason for this proposed change to the ordinance. I can't think of any non-nefarious reason for the proposed amendment. Helping the wealthy, marginalize the small business.

The current system that goes by home rent income NOT occupancy, which can be deceptive, is much more fair then the proposed flat rate as my income percentages show. You are punishing the lower income producing properties with this rate. Is that the goal? I would think not.

Sincerely,

Kathleen A. Johnston

Ruby Wray's Coastal Home

## **Sarah Absher**

---

**From:** kcj3pdx@gmail.com  
**Sent:** Tuesday, February 22, 2022 12:08 PM  
**To:** Lynn Tone  
**Cc:** Sarah Absher  
**Subject:** EXTERNAL: Comments in opposition to amendment to County Ordinance #86

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

**Attn: Lynn Tone, DCD Office Specialist. Please include this communication in the packet provided to the Board. Thank you.**

**TO: Tillamook County Board of Commissioners**

As a long-time property owner in Tillamook County, I urge the Board to reconsider provisions of the proposed amendment to County ordinance #86, which affects the short-term rental license operator fee. I don't understand the rationale of replacing a tax that is related to an owner's income revenue, with a fixed tax that is related to potential occupancy levels of the rental property.

As written the proposed fee structure would penalize home owners who rent their home on a very limited basis, by assessing fees that are unrelated to the amount of rental income. As I understand the proposal, home owner with a rental property with maximum occupancy of 8 persons and annual rental income of \$5,000, would pay \$600 per year in STR rental fee; while another owner with a similar rental property with annual rental income of \$25,000 would also pay \$600 per year in rental fee to the County. One owner pays 12% of their rental income, while the other owner pays 2.4% of their rental income.

While I suppose that rental owners could simply increase the rental rate to recoup the increased fee, that would also place the owner who expects more limited rental income at a market disadvantage.

The proposed amendment penalizes property owners who simply want to offset a portion of their property expenses with limited rental income, and has less impact on those who buy property in order to generate maximum rental income.

While I certainly understand local governments' pressures to increase revenues, I believe that the approach in the proposed amendment is inequitable and economically unsound. I ask you to consider other options to this tax structure, for example increasing the existing lodging tax, or fees that are related to actual rental usage of the property.

Prior to making the above comments, I raised a number of questions in an email to the Department of Community Development in hopes of being able to provide more informed comments to the Board. However, to date I have not received a response, so I have copied my earlier email for your review and consideration.

*My email of February 14, 2022:*

To: Sarah Absher, CFM Director:

I've owned a house in Neahkahnie for the past 40+ years, and rent it on a limited basis, and received your recent letter re: amendments to County Ordinance #86.

I suspect that the proposed structure would decrease the County's administrative costs, but it would also impose a financial burden on rental property owners that is unrelated to the potential income that they might receive.

I'd appreciate your insights on the following questions.

1. Why is the County proposing replacing the recently enacted short term rental fee structure?
2. What initial expectations of the current fee system were not met?
3. How much revenue was estimated to be produced in 2021 from the current fee structure, and what is the estimate of the annual revenue to be produced from the proposed system?
4. The proposed fee structure would seem to penalized owners who rent their homes on a limited basis for only a few months out of the year, and would penalize owners who experience declining bookings in the future (as may be the case as Covid continues to decline from the levels experienced pre-Covid).
5. Over the past few years, the County has continued to impose new costs to rental property owners and to renters that may depress the volume of rentals going forward. What analysis has the County done that weighs the economic impact on Tillamook businesses of potential depressed rentals, compared to the revenue that the County receives directly from fees and charges to rental property owners and the fees paid directly by the renters?

Thank you very much for your response. I'd like to be better informed in the event that I choose to submit written testimony to the Board by February 23.

Ken Jones

## Sarah Absher

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**From:** Brenda Kevin <huffingertrentals@gmail.com>  
**Sent:** Wednesday, February 23, 2022 1:27 PM  
**To:** Sarah Absher; Lynn Tone  
**Subject:** EXTERNAL: Ammendment to Ordinance #86

[NOTICE: This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Below is a letter to be given to the County Commissioners regarding the discussion on 3/2/22 and 3/23/22. We are unable to attend due to pandemic homeschooling at that time and us having jobs.

To the County Commissioners,

As a social worker who has worked with deeply impoverished and homeless communities, I am one to encourage ways to better support communities.

However, what has been happening in the development of Ordinance #86 has been a convoluted mess, at best. And it has been a reach out to add taxes to those who are already taxed and pay fees to Tillamook County without any direct representation from the county.

In 2020, the county already collected \$150,000 in TLT taxes. And the county collects annual license fees from each operator as well as property taxes (which results in little benefit in services for those who rent out a second home or vacation rental and do not have children attending Tillamook County schools). And with all these different fee collections, there is STILL no way to pay online, so the county has created its own headache by having to manually manage an increasingly complex system of taxes and payments.

The original payment structure that came out last year contained large gaps of disparity between different owners. For instance, if in a quarter a person netted \$15,000, they paid the same amount as someone who received \$10,000, or someone who received \$19,999.

Now the taxation just became more burdensome. For instance, our unit had one rental in February. Our quarterly netted "income" (and this is in quotations because there are utilities paid to the county, mortgage, property tax paid to the county, and cleaning staff who live in the county are paid), would put us at the previous \$50 range, and now it would technically be \$150 if you divided the \$600 for our maximum occupancy over four quarters.

Additionally, to use the per person maximum occupancy as a guide, you are also missing out on potential taxes you had established in the quarterly payment structure plan. For instance, our unit sleeps 8. Next door sleeps six. Next door charges slightly more in the high season. You just lost potential revenue because you are billing by occupancy, rather than the actual income.

If we look at several units in our area that have a maximum occupancy of 10, in the high season one charges \$315/night, another \$345/night, and another \$395/night. The higher two would yield a greater profit and place them in the \$20-30K revenue, while the lower one would fall into the \$10-20K revenue. Using the occupancy rate formula, you just lost revenue.

Not only does the county miss out on potential income, but there is a HUGE question about equity. Is it fair to tax on projections, or is it fair tax on actual income? If this were the IRS taking money out upfront, there would need to be money returned at the end of the year.

Would it be better to have a percentage tax on each person's income? The state of Oregon and the federal government is already doing this.

Please feel free to reach out to me for greater dialog,

Brenda Huffstutler

## Sarah Absher

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**From:** Isabel Gilda  
**Sent:** Wednesday, February 23, 2022 11:51 AM  
**To:** Sarah Absher  
**Cc:** Joel Stevens; Lynn Tone; William K Sargent  
**Subject:** FW: EXTERNAL: Form submission from: Contact Us

Hi Sarah,

Please see below the public comment received today for the STR public hearing. Please let me know if I need to share with the commissioners.

Thank you,  
Isabel



**Isabel Gilda** | Executive Assistant  
**TILLAMOOK COUNTY** | BOARD OF COMMISSIONERS  
201 Laurel Avenue  
Tillamook, OR 97141  
Phone (503) 842-3431  
[igilda@co.tillamook.or.us](mailto:igilda@co.tillamook.or.us)

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**From:** Webmaster <[webmaster@co.tillamook.or.us](mailto:webmaster@co.tillamook.or.us)>  
**Sent:** Wednesday, February 23, 2022 11:37 AM  
**To:** Isabel Gilda <[igilda@co.tillamook.or.us](mailto:igilda@co.tillamook.or.us)>  
**Subject:** FW: EXTERNAL: Form submission from: Contact Us

This came in to the webmaster mailbox.



**Jeff Underwood** (he/his) | Programmer/Analyst  
**TILLAMOOK COUNTY** | Information Services  
201 Laurel Avenue  
Tillamook, OR 97141  
Phone (503) 842-3406 x3480  
Mobile (503) 812-2098  
[junderwo@co.tillamook.or.us](mailto:junderwo@co.tillamook.or.us)

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**From:** Tillamook County OR <[tillamookcounty-or@municodeweb.com](mailto:tillamookcounty-or@municodeweb.com)>  
**Sent:** Wednesday, February 23, 2022 9:31 AM  
**To:** Webmaster <[webmaster@co.tillamook.or.us](mailto:webmaster@co.tillamook.or.us)>  
**Subject:** EXTERNAL: Form submission from: Contact Us

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Submitted on Wednesday, February 23, 2022 - 9:31am

Submitted by anonymous user: 209.216.166.141

Submitted values are:

First Name Marc

Last Name Geller

Email [marcgeller@gorge.net](mailto:marcgeller@gorge.net)

Question/Comment

Please consider this as Public Comment regarding Tillamook County Ordinance #86 STR Operator License Fee Amendments.

Our STR permit is for 8 persons, but we cap guests at 5 persons. Since the proposed ordinance applies a cost based on the number of permitted persons we should be allowed to unilaterally lower our number of permitted persons, or otherwise be treated fairly, as we would be charged for capacity we don't even utilize.

Thank you.

The results of this submission may be viewed at:

<https://www.co.tillamook.or.us/node/7/submission/4394>

**TILLAMOOK COUNTY**  
**ARPA AWARDS**  
Approved on March 23, 2022

| App. # | Lead Organization                                   | Lead      | Project Name  | Funding Requested | Funding Secured | Total Project Cost | FINAL AWARD |
|--------|---|-----------|---|-------------------|-----------------|--------------------|-------------|
| 98     | Board of Commissioners                              | County    | Tillamook County Courthouse Annex                                     | \$995,000         | \$1,350,000     | \$5,700,000        | \$995,000   |
| 55     | Public Works  | County    | Kilchis House   | \$640,000         | \$1,865,233     | \$2,486,977        | \$640,000   |
| 57     | Community Development                               | County    | Housing Opportunities   | \$1,000,000       | \$0             | \$1,000,000        | \$400,000   |
| -      | Board of Commissioners                              | County    | Reserve   |                   |                 | \$3,721,250        | \$371,250   |
| 4      | Treasurer   | County    | Employee Premium Pay  | \$300,000         | \$0             | \$300,000          | \$300,000   |
| 78     | Public Works  | County    | Bridge Beams  | \$419,350         | \$0             | \$419,350          | \$250,000   |
| 46     | Board of Commissioners                              | County    | Countywide Facilities Assessment                                      | \$200,000         | \$0             | \$200,000          | \$200,000   |
| 66     | Public Works  | County    | Cape Meares Loop Road   | \$200,000         | \$2,052,860     | \$22,000,000       | \$200,000   |
| 106    | Sheriff's Office                                    | County    | Body Scanner  | \$179,000         | \$10,000        | \$189,000          | \$179,000   |
| 104    | Fairgrounds   | County    | Emergency Site Preparations   | \$150,000         | \$0             | \$150,000          | \$100,000   |
| 109    | Sheriff's Office                                    | County    | Jail Camera System Upgrade  | \$99,162          | \$0             | \$99,162           | \$99,162    |
| 108    | Sheriff's Office                                    | County    | Jail Bathroom Floors  | \$84,902          | \$0             | \$84,902           | \$84,902    |
| 47     | Information Services                                | County    | Data Segmentation   | \$80,000          | NA              | \$80,000           | \$80,000    |
| 96     | Board of Commissioners                              | County    | Tillamook County Strategic Plan and Branding                          | \$150,000         | \$0             | \$150,000          | \$75,000    |
| -      | Board of Commissioners                              | County    | Court Security  | \$65,448          | \$0             | \$65,448           | \$65,448    |
| 93     | Board of Commissioners                              | County    | Procurement Software  | \$50,000          | \$0             | \$50,000           | \$50,000    |
| 74     | Sheriff's Office                                    | County    | Body Cameras  | \$143,968         | \$0             | \$143,968          | \$50,000    |
| 91     | Communications                                      | County    | Public Safety Radio System Upgrade                                    | \$30,000          | \$0             | \$20,000,000       | \$30,000    |
| 90     | Facilities  | County    | Tillamook County Courthouse Improvements - Exterior Door Replacements | \$30,000          | \$0             | \$30,000           | \$30,000    |
| 24     | Health and Human Services                           | County    | Equity and Inclusion Plan   | \$60,000          | NA              | \$60,000           | \$30,000    |
| 89     | Facilities  | County    | Tillamook County Courthouse Improvements - Interior Lighting Upgrades | \$28,000          | \$0             | \$28,000           | \$28,000    |
| 34     | Health and Human Services                           | County    | Facilities Plan   | \$25,000          | NA              | \$25,000           | \$25,000    |
| 40     | Board of Commissioners                              | County    | Community Planning for Beaver, Hebo, and Cloverdale                   | \$20,000          | \$0             | \$20,000           | \$20,000    |
| 86     | Health and Human Services                           | County    | Communications Plan   | \$40,000          | NA              | \$40,000           | \$20,000    |
| -      | Board of Commissioners                              | County    | EcoNW Project Management  |                   |                 | \$5,000            | \$5,000     |
| 41     | City of Tillamook                                   | Community | Wastewater Master Plan Update   | \$350,000         | \$0             | \$350,000          | \$200,000   |
| 8      | Consejo Hispano                                     | Community | Latinx Access in Tillamook County                                     | \$200,000         | \$50,000        | \$250,000          | \$50,000    |
| 32     | Northwest Regional Child Care Resource and Referral | Community | Tillamook County Child Care Shared Services Project                   | \$95,000          | \$0             | \$95,000           | \$50,000    |
| 26     | Oregon Human Development Corporation                | Community | Latinx Comprehensive Community Needs Assessment                       | \$45,000          | \$0             | \$45,000           | \$45,000    |
| 42     | Tillamook Senior Citizens Club Inc.                 | Community | Senior Center Siding Replacement & Building Improvement               | \$97,853          | \$0             | \$97,853           | \$40,000    |
| 21     | Port of Tillamook Bay                               | Community | Hybrid Meeting Technology Equipment                                   | \$20,000          | \$0             | \$22,478           | \$20,000    |
| 67     | KTIL  | Community | Generator   | \$4,000           | \$0             | \$3,000            | \$4,000     |
| 5      | Trees2Sea Montessori                                | Community | Montessori Preschool Startup Equipment/Materials                      | \$2,000           | \$4,000         | \$6,000            | \$2,000     |

**TOTAL ARPA AWARDS \$4,738,762**

**TOTAL # OF AWARDS 33**

**# County 25**

**\$ County \$4,327,762**

**# Community 8**

**\$ Community \$411,000**



*Land of Cheese, Trees and Ocean Breeze*

**TASSI O'NEIL  
COUNTY CLERK  
201 LAUREL AVENUE  
TILLAMOOK, OR 97141  
(503) 842-3402**

Received

MAR - 1 2022

Tillamook County  
Board of Commissioners

March 1, 2022

Tillamook County Board of Commissioners  
201 Laurel Avenue  
Tillamook, OR 97141

RE: Petition No. 566 – Petition for Improvement of That Certain Public Road  
Known as Ridge Road filed in our office February 25, 2022.

Enclosed is a certified copy of Petition No. 566 for for Improvement of That Certain  
Public Road Known as Ridge Road

Certification from the Assessor's Office was received on March 1, 2022, that the  
petitioners are landowners in the proposed annexation. Assessor's letter is attached for  
your reference.

Thank you in advance for your assistance in this matter.

Sincerely,

Christy Biggs  
Chief Deputy County Clerk

Enclosure

Tillamook County  
Department of Assessment and Taxation  
201 Laurel Avenue  
Tillamook, Oregon 97141

**FILED**  
**MAR 01 2022**  
**TASSI O'NEIL**  
**COUNTY CLERK**

March 1<sup>st</sup>, 2022

Tassi O'Neil  
Tillamook County Clerk  
201 Laurel Avenue  
Tillamook, Oregon 97141

RE: Petition No. 566 for Improvement of That Certain Public Road Known as Ridge Road filed in the Tillamook County Clerk's Office on February 25<sup>th</sup>, 2022.

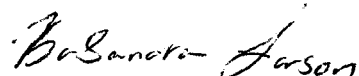
I have researched our records and certify the following.

The petitioners: William D Thomason & Anne Tomason are **NOT** the landowners of record of Tax Lot 3900 as described in Exhibit "F" in the proposed petition in accordance with ORS 198.765(2).

The parcels of property described in Exhibit "F" are known by Tillamook County Assessment Records as (Map / Tax Lot / Tax ID / Owner of Record):

| MAP      | TAXLOT | TAX ID | OWNER OF RECORD  |
|----------|--------|--------|--|
| 4S1113D0 | 03500  | 243123 | HIGHSTORM RIDGE LLC  |
| 4S1113D0 | 03501  | 411654 | HIGHSTORM RIDGE LLC  |
| 4S1113D0 | 03600  | 243141 | RODGER B. & RUTH ANNE LANCE  |
| 4S1113D0 | 03700  | 243169 | KEITH A ENGEL TRUST & SHARON L ENGEL TRUST<br>KIETH A ENGEL & SHARON L ENGEL |
| 4S1113D0 | 03800  | 243187 | DIANNE & LARRY PARENT  |
| 4S1113D0 | 03801  | 391689 | GEORGE DOMUROT & DAVID S BEANLAND  |
| 4S1113D0 | 03900  | 243203 | TOM S THOMASON & LORI S THOMASON   |

Respectfully,



KaSandra Larson  
Chief Deputy Assessor/Tax Collector

#566

FILED

FEB 25 2022

TASSI O'NEIL  
COUNTY CLERK

IN THE BOARD OF COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

IN THE MATTER OF IMPROVEMENT )  
OF THAT CERTAIN PUBLIC ROAD ) PETITION FOR IMPROVEMENT OF  
KNOWN AS Ridge Road ) PUBLIC ROAD

(I). (We). Highstorm Ridge, LLC, Tom and Stephanie Thomason,  
George Dumurot and David S. Beanland, Larry and Dianne Parent,  
Rodger and RuthAnne Lance, Keith and Sharon Engel

hereby petition the Board of County Commissioners for an order and all other acts and  
proceeding, for the improvement of that certain public road located in Tillamook County,  
Oregon, known as Ridge Road and more particularly  
described as follows:

*Beginning at the end of the current paved surface and extending  
to the north side of the last private lot adjacent to this right of way.*

In support of this petition, we represent and allege:

- (1) That said road lies entirely in the unincorporated area of Tillamook County.
- (2) That said road is a platted street or is a dedicated public road. Recorded as  
Ridge Road, Tillamook County Record of town plats or deeds.
- (3) That the signers of this petition constitute not less than 60 percent of the owners of  
property abutting on said road, within the limits of the proposed improvement; and that  
their ownership collectively represents not less than 60 percent of said property.
- (4) That this petition is made pursuant to Chapter 371.605 to 371.660, inclusive, Oregon  
Revised Statutes (copy attached) and each owner of petition agrees to comply with and be  
bound by all provisions, terms and conditions of said Chapter, consents to the assessment  
against his or her respective property and ownership, subject to the right to make timely  
objections to such assessment as may be fixed by the Director of Public Works; and, after  
final determination of the amount of such assessment against each parcel of property and  
certification thereof to the County Treasurer, does agree that each assessment shall be a  
valid and enforceable lien against the representative properties whether or not said  
Chapter be hereafter held invalid in whole or in part, by an Court, or whether same be  
repealed by subsequent act of the State Legislature.

Note: The petitioner is urged to thoroughly understand the importance of this petition before signing, and, if he or she intends to sign the petition, is further urged to fill out completely and accurately all the information requested. The signing of this petition means that, if the improvement is authorized, the work will be done. The cost will be assessed and may be paid in a lump sum after completion of the work or semi-annually, in accordance with the statutes.

We desire the improvement to be constructed to the County Road Standard (see attached).

Highstorm Ridge, LLC

I, Ben Gates, Authorized Representative, certify that I circulated this petition and attached signature sheet(s), and verify to the best of my knowledge that all information and signatures obtained are true and correct.

Signature



Address 2326 SE Morrison Ave, Suite A

City, State, Zip Portland, OR 97214

Phone (503) 893-2031

Attachments: Oregon Revised Statutes Chapter 371.605 to 371.660  
County Road Standard  
Signature Sheet(s)

## Signature Sheet

| Owner(s) Names  | Owner=s Address  | Check appropriate line /   |
|---|--|--|
| <b>Highstorm Ridge, LLC</b><br><small>(Print Name)</small><br><br><small>(Print Name)</small>   | <b>5300 Memorial Drive</b><br><small>Address</small><br><b>Suite 1000</b><br><b>Houston, TX 77007</b><br><small>City, State, Zip</small> | Husband & Wife<br>Sole Owner<br>Partnership<br><small>(Indicate % of ownership of partnership)</small> |
| Signature of Legal Owner:      (see attached signature sheet on local improvement district letter of intent)<br><br>Signature of Legal Owner: |  |  |

| Owner(s) Names  | Owner=s Address   | Check appropriate line /   |
|---|---|--|
| <b>Tom Thomason</b><br><small>(Print Name)</small><br><br><b>Stephanie Thomason</b><br><small>(Print Name)</small>                            | <b>505 SW Mill View Way, #100</b><br><small>Address</small><br><br><b>Bend, OR 97702</b><br><small>City, State, Zip</small> | Husband & Wife<br>Sole Owner<br>Partnership<br><small>(Indicate % of ownership of partnership)</small> |
| Signature of Legal Owner:      (see attached signature sheet on local improvement district letter of intent)<br><br>Signature of Legal Owner: |   |  |

| Owner(s) Names  | Owner's Address  | Check appropriate line /   |
|---|--|--|
| <b>George Dumurot</b><br><small>(Print Name)</small><br><br><b>David S. Beanland</b><br><small>(Print Name)</small>                           | <b>603 SE 54th Ave</b><br><small>Address</small><br><br><b>Portland, OR 97215</b><br><small>City, State, Zip</small> | Husband & Wife<br>Sole Owner<br>Partnership ✓<br><small>(Indicate % of ownership of partnership)</small> |
| Signature of Legal Owner:      (see attached signature sheet on local improvement district letter of intent)<br><br>Signature of Legal Owner: |  |  |

## Signature Sheet

| Owner(s) Names  | Owner=s Address  | Check appropriate line /   |
|---|--|--|
| Larry Parent<br><small>(Print Name)</small>   | 28808 SE Geneva Loop<br><small>Address</small>           | Husband & Wife ✓   |
| Dianne Parent<br><small>(Print Name)</small>  | Wilsonville, OR 97070<br><small>City, State, Zip</small> | Sole Owner<br>Partnership<br><small>(Indicate % of ownership of partnership)</small> |
| <p>Signature of Legal Owner: (see attached signature sheet on local improvement district letter of intent)</p> <p>Signature of Legal Owner:</p> |  |  |

| Owner(s) Names  | Owner=s Address  | Check appropriate line /   |
|---|--|--|
| Rodger Lance<br><small>(Print Name)</small>   | 8309 NE 152nd Ave<br><small>Address</small>            | Husband & Wife ✓   |
| RuthAnne Lance<br><small>(Print Name)</small>   | Vancouver, WA 98682<br><small>City, State, Zip</small> | Sole Owner<br>Partnership<br><small>(Indicate % of ownership of partnership)</small> |
| <p>Signature of Legal Owner: (see attached signature sheet on local improvement district letter of intent)</p> <p>Signature of Legal Owner:</p> |  |  |

| Owner(s) Names  | Owner's Address                                       | Check appropriate line /   |
|---|---|--|
| Keith Engel<br><small>(Print Name)</small>  | 21173 N Mariposa Grove Ln<br><small>Address</small>   | Husband & Wife ✓   |
| Sharon Engel<br><small>(Print Name)</small>   | Surprise, AZ 85387<br><small>City, State, Zip</small> | Sole Owner<br>Partnership<br><small>(Indicate % of ownership of partnership)</small> |
| <p>Signature of Legal Owner: (see attached signature sheet on local improvement district letter of intent)</p> <p>Signature of Legal Owner:</p> |   |  |

IMPROVEMENT OF STREETS  
AND ROADS IN  
UNINCORPORATED AREAS

371.605 Definitions for ORS 371.605 to 371.660.:RF10. As used in ORS 371.605 to 371.660, unless the context requires otherwise:

(1) <<Owner>> means a vendee under a recorded land contract or if there is no such contract, the holder of the record title, which vendee or holder has a present interest equal to or greater than a life estate.

(2) <<Engineer>> means the county engineer, roadmaster, surveyor or other engineer selected by the county governing body.

(3) <<Improvement>> includes:

(a) The grading, graveling, paving or other surfacing of any road, or opening, laying out, widening, extending, altering, changing the grade of or constructing any road.

(b) The construction or reconstruction of sidewalks.

(c) The installation of ornamental street lights.

(d) The reconstruction or repair of any road improvement mentioned in this subsection.

(e) The acquisition, establishment, construction or reconstruction of any off-road motor vehicle parking facility.

(f) Installing, constructing, reconstructing, improving, extending or repairing lateral sewers, street mains, sewage disposal systems or similar facilities, and other facilities incidental thereto, within the right of way of a county road or public road.

(4) <<Road,>> <<county road>> and <<public road>> have the meanings given those terms in ORS 368.001.

[Amended by 1955 c.773 :S.1; 1973 c.461 :S.1; 1975 c.738 :S.2; 1983 c.305 :S.1]

371.610 Application of ORS 371.605 to 371.660; authority of county to supersede statutes.:RF10. (1) ORS 371.605 to 371.660 do not apply to any state highway.

(2) The county governing body may designate any public road improved under ORS 371.605 to 371.660 as a county road without invalidating the assessments levied for the purpose of the improvements.

(3) Except as otherwise provided in this section, a county may supersede any provision in ORS 371.605 to 371.660 by enacting an ordinance under ORS 203.030 to 203.065 authorizing the use of assessments to finance local improvements, as defined in ORS 223.001, and providing a procedure for levying such assessments.

[Amended by 1955 c.773 :S.2; 1959 c.656 :S.1; 1983 c.305 :S.2; 1987 c.615 :S.3; 1991 c.902 :S.111]

371.615 Petition or resolution for improvement of roads in unincorporated areas.:RF10. Proceedings to cause any improvement to be made or constructed in an unincorporated area may be initiated by the county governing body by resolution or by a petition signed by not less than 60 percent of the owners of the land representing not less than 60 percent of the land abutting on the proposed improvement and presented to the county governing body asking for the improvement. The resolution or petition shall indicate where the improvement shall be made and describe the nature of the improvement desired.

[Amended by 1955 c.773 :S.3; 1961 c.432 :S.1; 1971 c.327 :S.1; 1983 c.305 :S.3]

371.620 Signers of petition and objection in event of cotenancies.:RF10. In case of tenants by the entirety, joint tenants or tenants in common the parcel of land is considered as having one owner, which owner shall be deemed to have signed the petition provided for in ORS 371.615 or the objection provided for in ORS 371.630 only if every cotenant of the parcel has signed.

371.625 Investigation and estimation of cost of improvement by engineer.:RF10. When the resolution is adopted or the petition is filed with it, the county court shall refer the resolution or petition to the engineer, who shall investigate the proposed improvement. If in the judgment of the engineer the improvement is feasible, the engineer shall make an estimate of the cost of the improvement and report the same to the county court. If the improvement is to be paid for in whole or in part by special assessments against property benefited by the improvement, the engineer shall include in the report:

- (1) A recommendation as to the method of assessment to be used to arrive at a fair apportionment of the whole or any portion of the cost of the improvement to the properties specially benefited;
- (2) The description and assessed value of each lot, parcel of land or portion thereof, to be specially benefited by the improvement, with the names of the record owners thereof; and
- (3) Where the improvement petitioned for includes the construction and installation of lateral sewers, street mains or similar facilities, a separate statement of the estimated cost of the construction and installation of lateral sewers, street mains or similar facilities.

[Amended by 1971 c.327 :S.2; 1973 c.461 :S.2]

371.630 Notice to owner of engineer's report: filing objections.:RF10. (1) If the engineer makes a favorable report on the proposed improvement, the county court shall mail to the owner of each parcel of land to be assessed for the proposed improvement a written notice of the favorable report, the estimated cost of the improvement and the estimated amount of the assessment against the land of the owner. The notice shall require the owner to file with the county court within 20 days after the mailing of the notice, a written objection, if any, to the further prosecution of the improvement.

(2) If objections are received by the county court signed by more than 50 percent of the owners of land representing more than 50 percent of the total amount of the assessment for the proposed improvement, the proposed improvement shall, by order of the court, be declared abandoned and no new petition may be filed and no new resolution may be adopted for the improvement within a period of one year after the date of the order.

[Amended by 1955 c.773 :S.4; 1971 c.327 :S.3]

371.635 Court order for improvement; recording; vacation of order and removal of lien.:RF10. (1) If the number of objections mentioned in ORS 371.630 is not received, the county court may, by order describing the land to be assessed, direct the improvement to be made by contract, or by force account. If by contract, it shall be awarded in the same manner as provided for other contracted county road improvement.

(2) The county court shall record the order for the improvement with the county clerk. The recorded order is notice that the land described in the order is subject to a lien of an assessment for the cost of the improvement, in an amount to be determined later by an order of the county court. The county clerk shall indorse upon the order the date of the filing thereof, and shall record and index the same in a lien docket in the office of the county clerk.

(3) If the proposed improvement described in the order of the county court is not commenced within two years after the order for the improvement is recorded, the county court may by a new order vacate its former order for the proposed improvement. The county court shall record with the county clerk the order vacating the former order for the proposed improvement. Thereupon the land described shall be free of such lien and the effect of the former order. The county clerk shall indorse upon the new order the date of the filing thereof, and shall record and index the same in the lien docket referred to in subsection (2) of this section.

[Amended by 1955 c.549 :S.1; 1955 c.773 :S.5; 1971 c.327 :S.4]

371.640 Engineer to compile improvement cost; source of payment; reimbursement of source; additional work.:RF10. (1) After the improvement has been made, inspected by the engineer and accepted by the county court, the engineer shall compile the total cost of the improvement. When compiling the total cost of the improvement, the engineer may add the actual and estimated future costs for engineering and administration.

Where the improvement includes the construction and installation of lateral sewers, street mains or similar facilities, the engineer shall separately compile the total cost of those improvements.

(2) Payment of the cost of the improvement other than for the construction and installation of lateral sewers and street mains or similar facilities shall be made from the general road funds or from any funds available for the construction or improvement of county roads. Payment of the cost of the construction and installation of lateral sewers and street mains or similar facilities shall be made from any funds available to the county for such improvements.

(3) The funds expended for the improvement shall be reimbursed or the improvement warrants shall be retired to the extent of the proceeds of an assessment against the land benefited by the improvement, but no assessment shall be made against any operating railroad right of way without the consent of the owner thereof. Each landowner shall be assessed a portion of the cost of the improvement corresponding to the relative benefit to the land of the landowner from the improvement.

(4) All of the cost of improvements within intersections connected with any improvement under ORS 371.605 to 371.660 may be borne by the county.

(5) Unless notified to the contrary by the owner prior to the acceptance of bids for improvements under ORS 371.605 to 371.660, an existing driveway shall be reconstructed to the property line to conform with the new grade. Additional driveways or other road connections, including retaining walls, may be constructed simultaneously with the improvements, when a written request is filed with the county court prior to the acceptance of bids by the affected abutting landowners. The cost of the driveway and all requested work shall be charged to the abutting owner and added to the assessment against the land of the owner.

[Amended by 1953 c.573 :S.2; 1955 c.773 :S.6; 1961 c.432 :S.2; 1971 c.327 :S.5; 1973 c.461 :S.3; 1987 c.615 :S.4]

371.642 Allocation of costs of sidewalk or curb construction and other improvements.:RF10. Notwithstanding any provision to the contrary in ORS 371.605 to 371.660, the cost of construction of sidewalks under those sections shall be assessed in proportion to the front footage of the land or otherwise, as provided in those sections, to the owners of land abutting on the side of the street or road on which the sidewalks are constructed and fronting on such sidewalks. The cost of construction of all other improvements under those sections shall be assessed, in the manner provided in those sections, to the owners of land benefited by the improvement.

[1955 c.773 :S.12; 1971 c.327 :S.6]

371.645 Engineer to ascertain assessment; hearing on objections; court order.:RF10. (1) The engineer shall ascertain the amount of the assessment against each parcel of land assessed for the improvement and report the same to the county court.

(2) The county court by order shall thereupon set the time, not less than 10 days after the filing of the report, and place for a hearing of objections to the assessments as fixed in the report of the engineer.

(3) Not less than five days prior to the date of the hearing, the county court shall mail to the owner of each parcel of land proposed to be assessed, at the address of the owner as shown on the petition or on the latest tax roll of the county, a written notice of the time and place for the hearing of objections and of the amount of the proposed assessment against the land of the owner.

(4) After hearing objections, the county court shall by order find and determine from the evidence submitted the amount of assessment against each individual parcel of land.

[Amended by 1955 c.773 :S.7; 1971 c.327 :S.7]

371.650 Certification of assessment; recording order; lien.:RF10. (1) The county court shall certify a list and description of the ownership, stating the amount of assessment against each individual parcel of land, and shall record the order with the county clerk, who shall indorse thereon the date of the filing thereof and record and index it in the lien docket referred to in ORS 371.635 (2).

(2) The assessments and interest are a lien upon the land against which the same are assessed from the date of the filing with the county clerk of the order of parcel of land is deemed to be benefited by the improvement to the full amount of the assessment levied thereon. No transfer, sale or division of any such parcel, or change in the legal description thereof, in any way divests the lien from the original parcel and the whole thereof. Failing to enter the name of the owner or a mistake in the name of the owner does not in any way render void any assessment and does not in any way affect the lien on the land described. The lien has priority over all other liens and encumbrances whatsoever, except tax liens.

(3) Upon payment of the assessment in full, the county court shall satisfy the same by a notation in the lien docket referred to in ORS 371.635 (2), and the parcel of land charged with such assessment is thereby discharged from the lien.

[Amended by 1955 c.773 :S.8; 1959 c.656 :S.2]

371.655 When assessment due, payable and delinquent; application of other statutes.:RF10. (1) Except as provided in subsection (2) of this section, 30 days after the assessment is certified, the entire amount against each parcel of land shall be due and payable at the office designated by the governing body of the county and, if not so paid, shall be delinquent from that date and shall bear interest at a rate established by the governing body of the county.

(2) The owner of property assessed under ORS 371.605 to 371.660 shall have the right to apply for installment payment of the assessment as provided in ORS 223.210.

(3) The provisions of ORS 223.205 and 223.210 to 223.295 (Bancroft Bonding Act) and 223.770 relating to the assessment of property benefited by public improvements and to the issuance of bonds and other obligations for the cost of the improvements shall apply in so far as practicable and applicable in relation to the assessment by counties of the cost or any portion of the cost of improvements against the property benefited in accordance with ORS 371.605 to 371.660 and to the issuance of bonds and other obligations by the county. However, notwithstanding the provisions of ORS 223.295, in issuing bonds and other obligations under the provisions of this section, a county may incur indebtedness to an amount not exceeding .0375 of the latest real market valuation of the county.

(4) Where, in ORS 223.205 to 223.295 and 223.770, officials of governmental units are referred to, the corresponding officials of counties where applicable and unless otherwise designated by charter shall perform the required functions.

[Amended by 1955 c.773 :S.9; 1959 c.656 :S.3; 1961 c.432 :S.3; 1963 c.545 :S.1; 1965 c.227 :S.1; 1971 c.325 :S.3; 1981 c.322 :S.8; 1991 c.459 :S.391; 1991 c.902 :S.112; 1995 c.333 :S.17]

371.660 Delinquent list; execution and sale.:RF10. (1) One year from the date an assessment for improvements under ORS 371.605 to 371.660 is delinquent, or, in case the assessment has been spread in semiannual installments, one year from the date any semiannual installment of the assessment is delinquent, the county court shall prepare a delinquent list of all assessments not wholly paid. The list shall contain a description of the land, the name of the person to whom assessed and the amount of the assessment and interest due.

(2) The county court shall transmit the list to the county clerk, who shall issue a writ of execution thereon, directed to the county court.

(3) The county court shall proceed to collect the unpaid assessments named in the list by advertising and selling each parcel of land in the manner provided by law for the sale of real property on execution, but no parcel shall be sold for a sum less than the amount of the unpaid assessment plus interest thereon and the cost of advertising and sale.

[Amended by 1955 c.773 :S.10; 1959 c.656 :S.4; 1961 c.432 :S.4]

October 6, 2021

Attn: Highstorm Ridge, LLC  
2321 NW Thurman St  
Portland, OR 97210

RE: Ridge Road Local Improvement District

Dear Jake,

We at Urban Patterns recently assigned the purchase of the two lots at the northern-most end of Ridge Road to you and are pleased to be working as your owner's representative and architect on the project. The northern section of Ridge Road along seven lots is unimproved. We intend to collaborate with Tillamook County and the five other property owners to bring the road up to County standards on your behalf.

Forming a Local Improvement District (LID) among the six owners of vacant lots on Ridge Road may be our best opportunity to improve our property cost-effectively. Improvements would bring the road up to County standards, add a fire truck turn-around and bring utilities to our properties to support our homes. The LID is a way to share the costs and benefits of improvements to Ridge Road.

This letter of intent allows us to gauge interest in the LID. We have completed a road concept design and preliminary budget to help us all consider this option. We are hoping you can join us for a video call with the County Public Works Department on September 30<sup>th</sup> at 8:30 am to talk through questions regarding this process. Please reply by email if you would like to join the meeting. You can reach me at [ben@urbanpatterns.com](mailto:ben@urbanpatterns.com). You are also invited to review, sign, and return this letter of intent to express your interest by mail or email regardless of whether you attend the meeting. I am also available by phone if you would like to call me at (503) 866-8888. We look forward to hearing from you.

**Project Description:** The project will improve Ridge Road to County standards for the benefit of seven lots. The road will include a fire truck turnaround and underground utilities stubbed to each lot. A new road comprised of subgrade and final gravel grade will be built, requiring structural piles and retaining walls in some areas. Utility service lines will include underground electrical, water, sewer, and communications.

Tillamook County Public Works department will manage the Ridge Road Local Improvement District. Urban Patterns with our background in architecture and project management intends to provide Owner's representation. Schwabe has been retained to provide legal services and prepare the Local Improvement District agreements for your and Tillamook County approval. Harper Houf Peterson Righellis Inc has completed the concept plan for the road which has received preliminary Tillamook County approval and sign off by the fire marshal and the public works director. Cove Built Construction and their subconsultants have provided a detailed cost estimate, (Exhibit D).

**Local Improvement District Definition:** A Local Improvement District (LID) is a method by which a group of property owners can share the cost of infrastructure improvements, most commonly for roads and utilities. According to State of Oregon statute:

*"Local improvement" means a capital construction project, or part thereof, undertaken by a local government, pursuant to ORS 223.387 (Description of real property) to 223.399 (Powers of local government concerning assessments for local improvements), or pursuant to a local ordinance or resolution prescribing the procedure to be followed in making local assessments for benefits from a local improvement upon the lots that have been benefited by all or a part of the improvement:*

- (A) That provides a special benefit only to specific properties or rectifies a problem caused by specific properties;*
- (B) The costs of which are assessed against those properties in a single assessment upon the completion of the project; and*
- (C) For which the property owner may elect to make payment of the assessment plus appropriate interest over a period of at least 10 years.*

Local Improvement District as defined by Tillamook County memo, (Exhibit E):

*"Formal process regulated by Oregon Revised Statutes (271.605 and 371.660) for the establishment of an improvement district for specified road related work. Final cost for the LID are distributed by liens or assessment on properties. This process is generally used with larger projects over \$50,000."*

**Project Budget:** The project budget is initially estimated at approximately \$700,000, comprised of \$500,000 of construction cost including contingency and \$175,000 of soft costs including professional and legal services, permitting, system development charges, and contingency. The road improvements would serve seven lots. A preliminary estimate of the cost per lot is approximately \$96,400. The initial construction cost estimate was provided by Cove Built Construction and their subconsultants, (Exhibit D). Note this is an initial estimate. A final estimate would be completed as part of the LID process.

**Project Financing:** Financing may be offered by the County for up to 20 years, with the first payment coming due only after the project is complete. Each property owner within the LID can separately select their financing terms. Tillamook County would secure a low interest rate loan for the improvements and property owners would each decide the terms of repayment in individual agreements with the County. Interest on the loan would be passed through to property owners. Details of financing are to be confirmed with Tillamook County and may be adjusted according to their requirements.

**Project Team:**

Local Improvement District: Tillamook County

Land Use Attorney: Schwabe, Williamson & Wyatt

Engineer: Harper Houf Peterson Righellis Inc (HHPRI)

Project Manager: Tillamook County Public Works

Property Owner's Representative: Urban Patterns

Contractor: Pending confirmation of bidding process

**Property Owner Responsibilities:**

- Understand and enter into a Local Improvement Agreement
- Provide information as needed to County and Owner's Representative to facilitate project.
- Allow property access to facilitate road construction, which may require that you enter into a temporary construction easement or other access agreement.
- Payment of a pro-rata share of road improvements costs upon completion or as financed.

**Contingencies; Further Assurances:** The establishment of the LID is subject to receipt of all applicable governmental approvals and, if such approvals are received, will be subject to certain conditions imposed by the County. By agreeing to enter into the LID, each property owner will be required to submit and execute such documentation necessary to apply for and obtain the LID, and will be required to reasonably cooperate with the County and other property owners to allow construction of improvements to be completed.

The primary purpose of this Letter of Intent is to set forth basic terms and conditions of entering into the LID. As such, this Letter of Intent contains the parties' nonbinding expression of interest in pursuing an LID and entering into one or more Local Improvement Agreements consistent with this Letter of Intent. This Letter of Intent may be executed in any number of counterparts, provided each of the parties wishing to join the LID executes at least one counterpart, and all counterparts together will constitute one Letter of Intent.

We look forward to your response. If the LID project is of interest, please sign, and return this letter of intent by mail or email to:

Ben Gates  
Urban Patterns  
2326 SE Morrison St, Suite A  
Portland, OR 97214  
[ben@urbanpatterns.com](mailto:ben@urbanpatterns.com)

Please call me at (503) 866-8888 with any questions.

Sincerely,



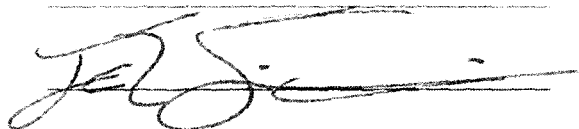
Ben Gates, Urban Patterns

Ridge Road Local Improvement District Letter Of Intent, dated September 21,  
Agreed to and Accepted by:

Name:

Jake Silverstein

By (signature):



Date:

2/8/22

Name (if second owner):

\_\_\_\_\_

By (signature):

\_\_\_\_\_

Date:

\_\_\_\_\_

September 21, 2021

Attn: Stephanie and Tom Thomason  
PO Box 5244  
Bend, OR 97708  
CC: Stephanie and Tom Thomason  
18615 Pinehurst Rd  
Bend, OR 97701

RE: Ridge Road Local Improvement District

Dear Stephanie and Tom,

We at Urban Patterns, are under contract to purchase the two lots at the northern-most end of Ridge Road. We are a design firm that works on place-based projects across Oregon. Our intention is to invite a homeowner in to design and build a home for them. The northern section of Ridge Road along seven lots is unimproved. We are interested in collaborating with you and Tillamook County to bring the road up to County standards.

We can't build the road alone. Forming a Local Improvement District (LID) among the six of us who own vacant lots on Ridge Road may be our best opportunity to improve our property cost-effectively. Improvements would bring the road up to County standards, add a fire truck turn-around and bring utilities to our properties to support our homes. The LID is a way to share the costs and benefits of improvements to Ridge Road.

This letter of intent allows us to gauge interest in the LID. We have completed a road concept design and preliminary budget to help us all consider this option. We are hoping you can join us for a video call with the County Public Works Department on September 30<sup>th</sup> at 8:30 am to talk through questions regarding this process. Please reply by email if you would like to join the meeting. You can reach me at [ben@urbanpatterns.com](mailto:ben@urbanpatterns.com). You are also invited to review, sign, and return this letter of intent to express your interest by mail or email regardless of whether you attend the meeting. I am also available by phone if you would like to call me at (503) 866-8888. We look forward to hearing from you.

**Project Description:** The project will improve Ridge Road to County standards for the benefit of seven lots. The road will include a fire truck turnaround and underground utilities stubbed to each lot. A new road comprised of subgrade and final gravel grade will be built, requiring structural piles and retaining walls in some areas. Utility service lines will include underground electrical, water, sewer, and communications.

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Local Improvement District: Tillamook County

Land Use Attorney: Schwabe, Williamson & Wyatt

Engineer: Harper Houf Peterson Righellis Inc (HHPR)

Project Manager: Tillamook County Public Works

Property Owner's Representative: Urban Patterns

Contractor: Pending confirmation of bidding process

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We look forward to your response. If the LID project is of interest, please sign, and return this letter of intent by mail or email to:

Ben Gates  
Urban Patterns  
2326 SE Morrison St, Suite A  
Portland, OR 97214  
[ben@urbanpatterns.com](mailto:ben@urbanpatterns.com)

Please call me at (503) 866-8888 with any questions.

Sincerely,



Ben Gates, Urban Patterns

Ridge Road Local Improvement District Letter Of Intent, dated September 21,  
Agreed to and Accepted by:

Name:

Stephanie M. Thomason

By (signature):

Step M. Thomason

Date:

02/15/22

Name (if second owner):

Tom S. Thomason

By (signature):

Tom S. Thomason

Date:

02/15/22

September 21, 2021

Attn: George Domurot and David S Beanland  
603 SE 54th Ave  
Portland, OR 97215

RE: Ridge Road Local Improvement District

Dear George and David,

We at Urban Patterns, are under contract to purchase the two lots at the northern-most end of Ridge Road. We are a design firm that works on place-based projects across Oregon. Our intention is to invite a homeowner in to design and build a home for them. The northern section of Ridge Road along seven lots is unimproved. We are interested in collaborating with you and Tillamook County to bring the road up to County standards.

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**Project Team:**

Local Improvement District: Tillamook County

Land Use Attorney: Schwabe, Williamson & Wyatt

Engineer: Harper Houf Peterson Righellis Inc (HHPRI)

Project Manager: Tillamook County Public Works

Property Owner's Representative: Urban Patterns

Contractor: Pending confirmation of bidding process

**Property Owner Responsibilities:**

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We look forward to your response. If the LID project is of interest, please sign, and return this Letter of Intent by mail or email to:

Ben Gates  
Urban Patterns  
2326 SE Morrison St, Suite A  
Portland, OR 97214  
[ben@urbanpatterns.com](mailto:ben@urbanpatterns.com)

Please call me at (503) 866-8888 with any questions.

Sincerely,



Ben Gates, Urban Patterns

Ridge Road Local Improvement District Letter Of Intent, dated September 21,  
Agreed to and Accepted by:

Name:

George Donnell

By (signature):

[Signature]

Date:

12/29/2021

Name (if second owner):

DAVID S. BEAULANT

By (signature):

[Signature]

Date:

12/29/2021

September 21, 2021

Attn: Larry and Dianne Parent, dlparent@comcast.net  
4986 Kinsington St SE  
Salem, OR 97302

RE: Ridge Road Local Improvement District

Dear Larry and Dianne,

We at Urban Patterns, are under contract to purchase the two lots at the northern-most end of Ridge Road. We are a design firm that works on place-based projects across Oregon. Our intention is to invite a homeowner in to design and build a home for them. The northern section of Ridge Road along seven lots is unimproved. We are interested in collaborating with you and Tillamook County to bring the road up to County standards.

We can't build the road alone. Forming a Local Improvement District (LID) among the six of us who own vacant lots on Ridge Road may be our best opportunity to improve our property cost-effectively. Improvements would bring the road up to County standards, add a fire truck turn-around and bring utilities to our properties to support our homes. The LID is a way to share the costs and benefits of improvements to Ridge Road.

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**Project Team:**

Local Improvement District: Tillamook County

Land Use Attorney: Schwabe, Williamson & Wyatt

Engineer: Harper Houf Peterson Righellis Inc (HHPRI)

Project Manager: Tillamook County Public Works

Property Owner's Representative: Urban Patterns

Contractor: Pending confirmation of bidding process

**Property Owner Responsibilities:**

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Portland, OR 97214  
[ben@urbanpatterns.com](mailto:ben@urbanpatterns.com)

Please call me at (503) 866-8888 with any questions.

Sincerely,



Ben Gates, Urban Patterns

Ridge Road Local Improvement District Letter Of Intent, dated September 21,  
Agreed to and Accepted by:

Name:

Lagay Parent

By (signature):

[Handwritten Signature]

Date:

2/17/2022

Name (if second owner):

Dianne Parent

By (signature):

[Handwritten Signature]

Date:

2/17/2022

September 21, 2021

Attn: Keith and Sharon Engel  
21173 N Mariposa Grove Ln  
Surprise, AZ 85387  
CC: (Keith A Engel Trust and Sharon L Engel Trust)  
PO Box 3694  
Sunriver, OR 97707

RE: Ridge Road Local Improvement District

Dear Keith and Sharon,

We at Urban Patterns, are under contract to purchase the two lots at the northern-most end of Ridge Road. We are a design firm that works on place-based projects across Oregon. Our intention is to invite a homeowner in to design and build a home for them. The northern section of Ridge Road along seven lots is unimproved. We are interested in collaborating with you and Tillamook County to bring the road up to County standards.

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**Project Team:**

Local Improvement District: Tillamook County

~~Land Use Attorney: Schwabe, Williamson & Wyatt~~ *BS*

Engineer: Harper Houf Peterson Righellis Inc (HHPRI)

Project Manager: Tillamook County Public Works

Property Owner's Representative: Urban Patterns (if the County or Owners wish to engage an Owner's Rep)

Contractor: Pending confirmation of bidding process *BS*

**Property Owner Responsibilities:**

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**Contingencies; Further Assurances:** The establishment of the LID is subject to receipt of all applicable governmental approvals and, if such approvals are received, will be subject to certain conditions imposed by the County. By agreeing to enter into the LID, each property owner will be required to submit and execute such documentation necessary to apply for and obtain the LID, and will be required to reasonably cooperate with the County and other property owners to allow construction of improvements to be completed.

We understand that the County will divide the road cost among the seven lots (see Exhibit F) that will benefit from Ridge road either based on assessed value or per lot. *BS*

The primary purpose of this Letter of Intent is to set forth basic terms and conditions of entering into the LID. As such, this Letter of Intent contains the parties' nonbinding expression of interest in pursuing an LID and entering into one or more Local Improvement Agreements consistent with this Letter of Intent. This Letter of Intent may be executed in any number of counterparts, provided each of the parties wishing to join the LID executes at least one counterpart, and all counterparts together will constitute one Letter of Intent.

We look forward to your response. If the LID project is of interest, please sign, and return this letter of intent by mail or email to:

Ben Gates  
Urban Patterns  
2326 SE Morrison St, Suite A  
Portland, OR 97214  
[ben@urbanpatterns.com](mailto:ben@urbanpatterns.com)

Please call me at (503) 866-8888 with any questions.

Sincerely,



Ben Gates, Urban Patterns

**Ridge Road Local Improvement District Letter Of Intent, dated September 21,  
Agreed to and Accepted by:**

Name:

Keith Engel

By (signature):

Keith Engel

Date:

1-03-22

Name (if second owner):

Simon Engel

By (signature):

Simon Engel

Date:

1-03-22

September 21, 2021

Attn: Rodger B & Ruth Anne Lance  
8309 NE 152nd Ave  
Vancouver, WA 98682

RE: Ridge Road Local Improvement District

Dear Rodger and Ruth Anne,

We at Urban Patterns, are under contract to purchase the two lots at the northern-most end of Ridge Road. We are a design firm that works on place-based projects across Oregon. Our intention is to invite a homeowner in to design and build a home for them. The northern section of Ridge Road along seven lots is unimproved. We are interested in collaborating with you and Tillamook County to bring the road up to County standards.

We can't build the road alone. Forming a Local Improvement District (LID) among the six of us who own vacant lots on Ridge Road may be our best opportunity to improve our property cost-effectively. Improvements would bring the road up to County standards, add a fire truck turn-around and bring utilities to our properties to support our homes. The LID is a way to share the costs and benefits of improvements to Ridge Road.

This letter of intent allows us to gauge interest in the LID. We have completed a road concept design and preliminary budget to help us all consider this option. We are hoping you can join us for a video call with the County Public Works Department on September 30<sup>th</sup> at 8:30 am to talk through questions regarding this process. Please reply by email if you would like to join the meeting. You can reach me at [ben@urbanpatterns.com](mailto:ben@urbanpatterns.com). You are also invited to review, sign, and return this letter of intent to express your interest by mail or email regardless of whether you attend the meeting. I am also available by phone if you would like to call me at (503) 866-8888. We look forward to hearing from you.

**Project Description:** The project will improve Ridge Road to County standards for the benefit of seven lots. The road will include a fire truck turnaround and underground utilities stubbed to each lot. A new road comprised of subgrade and final gravel grade will be built, requiring structural piles and retaining walls in some areas. Utility service lines will include underground electrical, water, sewer, and communications.

Tillamook County Public Works department will manage the Ridge Road Local Improvement District. Urban Patterns with our background in architecture and project management intends to provide Owner's representation. Schwabe has been retained to provide legal services and prepare the Local Improvement District agreements for your and Tillamook County approval. Harper Houf Peterson Righellis Inc has completed the concept plan for the road which has received preliminary Tillamook County approval and sign off by the fire marshal and the public works director. Cove Built Construction and their subconsultants have provided a detailed cost estimate, (Exhibit D).

**Local Improvement District Definition:** A Local Improvement District (LID) is a method by which a group of property owners can share the cost of infrastructure improvements, most commonly for roads and utilities. According to State of Oregon statute:

*"Local improvement" means a capital construction project, or part thereof, undertaken by a local government, pursuant to ORS 223.387 (Description of real property) to 223.399 (Powers of local government concerning assessments for local improvements), or pursuant to a local ordinance or resolution prescribing the procedure to be followed in making local assessments for benefits from a local improvement upon the lots that have been benefited by all or a part of the improvement:*

- (A) That provides a special benefit only to specific properties or rectifies a problem caused by specific properties;*
- (B) The costs of which are assessed against those properties in a single assessment upon the completion of the project; and*
- (C) For which the property owner may elect to make payment of the assessment plus appropriate interest over a period of at least 10 years.*

Local Improvement District as defined by Tillamook County memo, (Exhibit E):

*"Formal process regulated by Oregon Revised Statutes (271.605 and 371.660) for the establishment of an improvement district for specified road related work. Final cost for the LID are distributed by liens or assessment on properties. This process is generally used with larger projects over \$50,000."*

**Project Budget:** The project budget is initially estimated at approximately \$700,000, comprised of \$500,000 of construction cost including contingency and \$175,000 of soft costs including professional and legal services, permitting, system development charges, and contingency. The road improvements would serve seven lots. A preliminary estimate of the cost per lot is approximately \$96,400. The initial construction cost estimate was provided by Cove Built Construction and their subconsultants, (Exhibit D). Note this is an initial estimate. A final estimate would be completed as part of the LID process.

**Project Financing:** Financing may be offered by the County for up to 20 years, with the first payment coming due only after the project is complete. Each property owner within the LID can separately select their financing terms. Tillamook County would secure a low interest rate loan for the improvements and property owners would each decide the terms of repayment in individual agreements with the County. Interest on the loan would be passed through to property owners. Details of financing are to be confirmed with Tillamook County and may be adjusted according to their requirements.

**Project Team:**

Local Improvement District: Tillamook County

~~Land Use Attorney: Schwabe, Williamson & Wyatt~~ *BD*

Engineer: Harper Houf Peterson Righellis Inc (HHPRI)

Project Manager: Tillamook County, Public Works

Property Owner's Representative: Urban Patterns (if the County or Owners wish to engage an Owner's Rep)

Contractor: Pending confirmation of bidding process *BD*

**Property Owner Responsibilities:**

- Understand and enter into a Local Improvement Agreement
- Provide information as needed to County and Owner's Representative to facilitate project.
- Allow property access to facilitate road construction, which may require that you enter into a temporary construction easement or other access agreement.
- Payment of a pro-rata share of road improvements costs upon completion or as financed.

**Contingencies; Further Assurances:** The establishment of the LID is subject to receipt of all applicable governmental approvals and, if such approvals are received, will be subject to certain conditions imposed by the County. By agreeing to enter into the LID, each property owner will be required to submit and execute such documentation necessary to apply for and obtain the LID, and will be required to reasonably cooperate with the County and other property owners to allow construction of improvements to be completed.

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We look forward to your response. If the LID project is of interest, please sign, and return this letter of intent by mail or email to:

Ben Gates

Urban Patterns

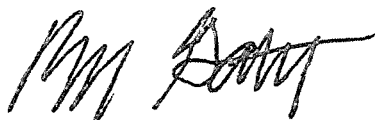
2326 SE Morrison St, Suite A

Portland, OR 97214

[ben@urbanpatterns.com](mailto:ben@urbanpatterns.com)

Please call me at (503) 866-8888 with any questions.

Sincerely,



Ben Gates, Urban Patterns

**Ridge Road Local Improvement District Letter Of Intent, dated September 21,  
Agreed to and Accepted by:**

Name:

Jedger B. Lance

By (signature):

[Signature]

Date:

1-3-2022

Name (if second owner):

Ruth Anne Lance

By (signature):

[Signature]

Date:

January 3, 2022

# Exhibit A: Vicinity Map

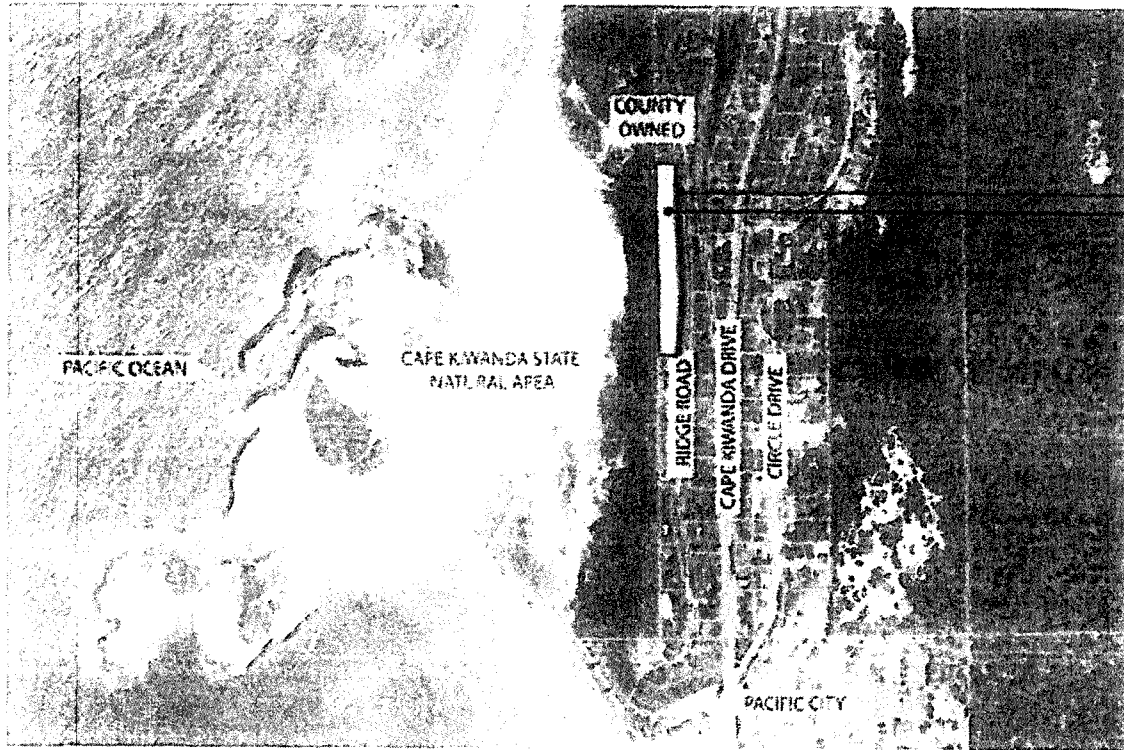


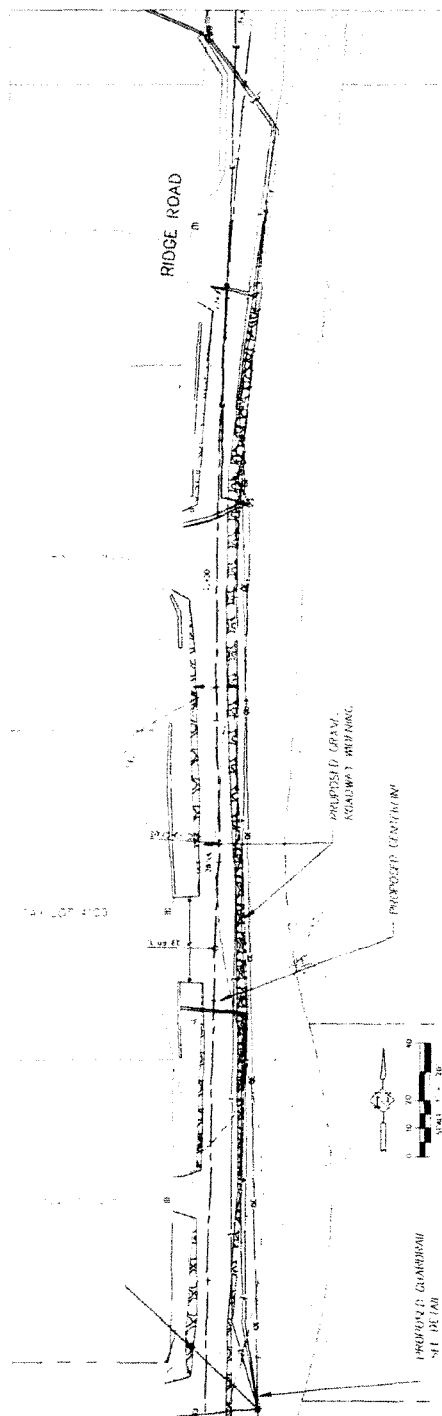
Exhibit B: Road Concept Plan  
(see attached 8 pages)



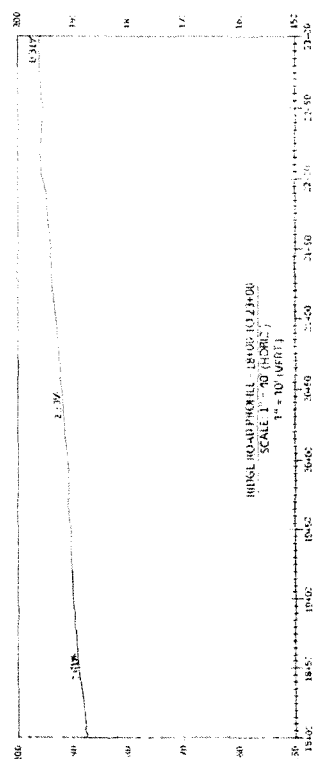


PACIFIC CITY, OREGON

**Harper**  
**Harper Louf Peterson**  
**Righelits Inc.**

[illegible]

BRIDGE ROAD PLAN -- JB+00 TO 23+00



# RIDGE ROAD PLAN AND PROFILE PACIFIC CITY, OREGON

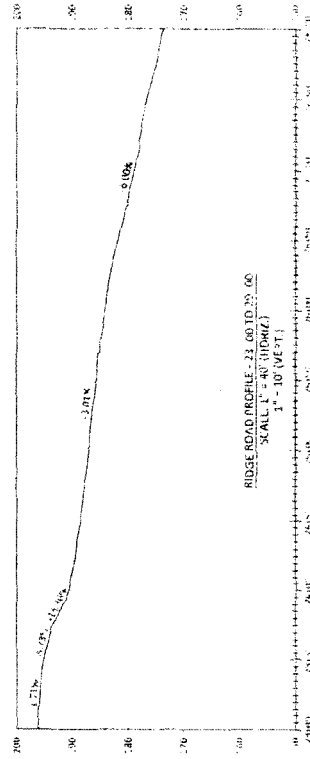
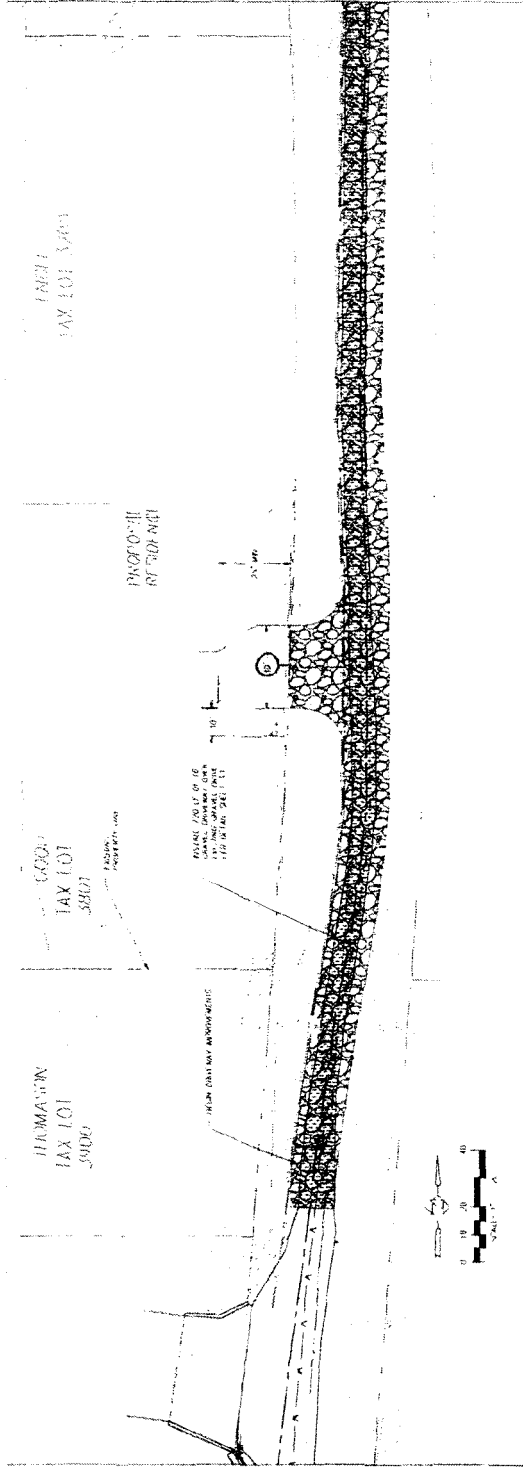
Harper  
Llewellyn Peterson  
Rigbells Inc.

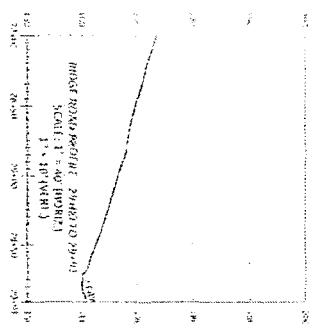
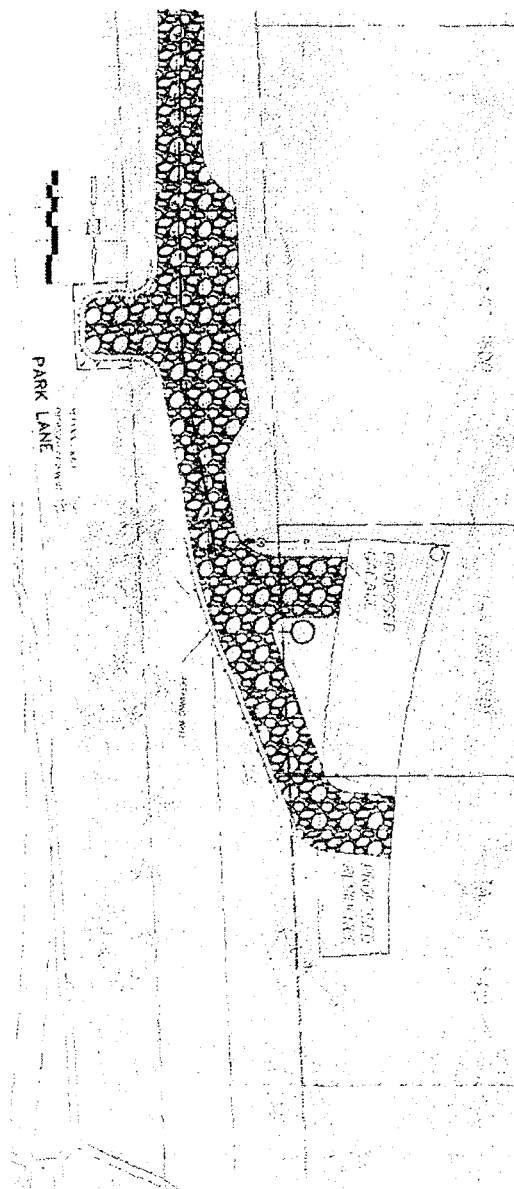


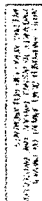
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|------------|-----|------|-------|
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| 12/15/2010 | JLW |      |       |
| 12/15/2010 | JLW |      |       |
| 12/15/2010 | JLW |      |       |
| 12/15/2010 | JLW |      |       |
| 12/15/2010 | JLW |      |       |
| 12/15/2010 | JLW |      |       |
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| 12/15/2010 | JLW |      |       |

2.2

DATE: 12/15/2010

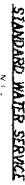
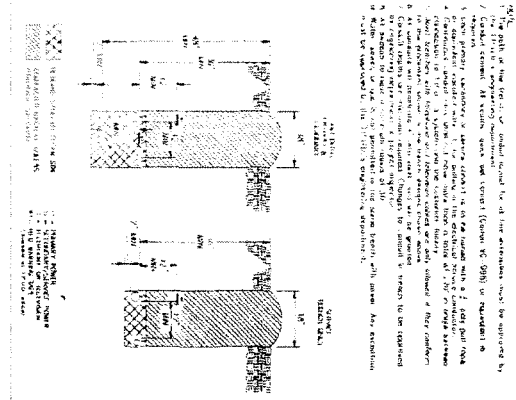
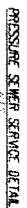
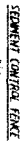


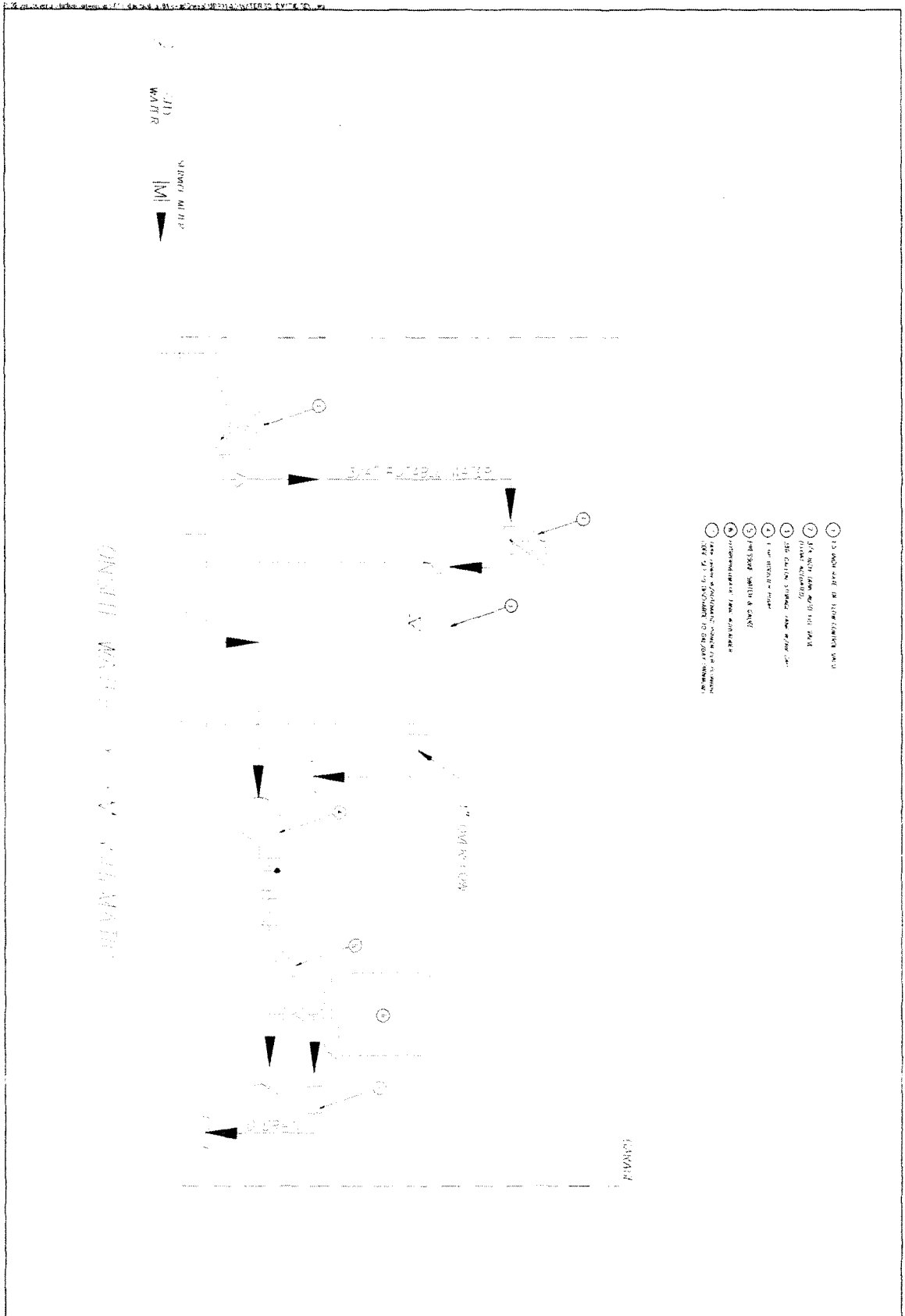


[illegible]

1. *Chlorophyll a* and *Chlorophyll b* were determined spectrophotometrically using the method of Lichtenthaler and Whistler (1973). *Chlorophyll a* and *Chlorophyll b* were determined spectrophotometrically using the method of Lichtenthaler and Whistler (1973).

PROPOSED UTILITY PLAN  
RIDGE ROAD IMPROVEMENTS  
PACIFIC CITY, OREGON

[illegible][illegible]



## Exhibit C: Initial Project Budget

### Preliminary Project Budget

Ridge Road (Confidential, not for distribution)

updated: September 21, 2021

| <b>Soft (Development) Cost</b>                 | <b>Budget</b>     |
|--|-------------------|
| <b>Professional Services</b>                   |                   |
| Civil Engineering                              | \$ 40,000         |
| Geotechnical Engineering                       | \$ 10,000         |
| Structural Engineering                         | \$ 2,000          |
| <b>Permits, land use, fees</b>                 |                   |
| County Permits & Fees                          | \$ 1,200          |
| System Development Charges                     | \$ 28,211         |
| <b>Financing/Administrative Cost</b>           | \$ 30,000         |
| <b>Project Management &amp; Legal Services</b> |                   |
| Project Management                             | \$ 14,300         |
| Legal Fees                                     | \$ 20,000         |
| <b>Development Contingency (20%)</b>           | \$ 29,142         |
| <b>Total Soft (Development) Cost</b>           | <b>\$ 174,854</b> |
| <b>Hard (Construction) Cost</b>                |                   |
| (based on Cove Built 4/12/21 estimate)         |                   |
| Road Construction Cost                         | \$ 273,238        |
| Utility: Electrical                            | \$ 12,800         |
| Utility: Gas                                   | \$ 5,700          |
| Utility: Water & Sewer                         | \$ 15,500         |
| Utility: Low Voltage                           | \$ 5,900          |
| Overhead & Profit, Liability                   | \$ 28,433         |
| <b>Subtotal Construction Estimate</b>          | <b>\$ 341,571</b> |
| Utility Stubs to All Vacant Properties         | \$ 9,000          |
| Prevailing Wage (15%)                          | \$ 52,586         |
| Escalation (10%)                               | \$ 40,316         |
| Construction Contingency (15%)                 | \$ 66,521         |
| <b>Total Hard (Construction) Cost</b>          | <b>\$ 509,993</b> |
| <b>Total Uses (Total Project Cost)</b>         | <b>\$ 684,847</b> |

**Exhibit C: Detailed Preliminary Construction Budget**  
(see attached 4 pages)

OWNER: Urban Patterns  
 ADDRESS: 1035 SE 9th Ave, Suite 202  
 Portland, Or. 97214  
 PROJECT NAME: Ridge Road - Road, Utilities and Shoring  
 PROJECT ADDRESS: Ridge Road, Pacific City, Oregon  
 PROJECT #: 21-007  
 PHONE: 503-893-2031  
 E-MAIL: ben@urbanpatterns.com

  
**COVE BUILT**  
 79117 Tide Rd. Arch Cape, Or. 97102  
 503-872-3375  
 jason@covebuilt.com  
 CCB# 227572

4/12/21

| PHASE                                      | DESCRIPTION                       | SUB/SUPPLIER            | TOTAL BASE BID |
|--|-----------------------------------|-------------------------|----------------|
|  |                                   |                         |                |
|  |                                   |                         | \$ -           |
|  |                                   |                         | \$ -           |
|  |                                   |                         |                |
| <b>DIVISION-PERMITS/INSURANCE/OH&amp;P</b> |                                   |                         |                |
|  |                                   |                         | \$ -           |
| 00 41 26                                   | Permits                           |                         | \$ -           |
| 00 41 30                                   | Bonding                           |                         | \$ -           |
| 00 41 35                                   | Retention                         |                         | \$ -           |
| 00 41 40                                   | Insurance                         |                         | \$ -           |
|  |                                   |                         | \$ -           |
|  |                                   |                         | \$ -           |
| <b>DIVISION I - GENERAL CONDITIONS</b>     |                                   |                         |                |
| 01 00 01                                   | General Requirements              |                         | \$ -           |
|  | Below as a % of the cost of work  |                         | \$ -           |
| 01 14 00                                   | Work Restrictions                 |                         | \$ -           |
|  |                                   |                         | \$ -           |
| 01 14 16                                   | Access to Occupants               |                         | \$ -           |
|  |                                   |                         | \$ -           |
| 01 14 19                                   | Use of Site                       |                         | \$ -           |
|  |                                   |                         | \$ -           |
| 01 15 00                                   | Sub Bonds                         |                         | \$ -           |
|  |                                   |                         | \$ -           |
| 01 21 01                                   | Allowances                        |                         | \$ -           |
|  |                                   |                         | \$ -           |
|  |                                   |                         | \$ -           |
| 01 30 01                                   | Project Management                |                         | \$ -           |
|  |                                   |                         | \$ -           |
| 01 32 00                                   | Design & Consultants              |                         | \$ -           |
|  |                                   |                         | \$ -           |
| 01 32 23                                   | Survey and Layout                 |                         | \$ 2,000.00    |
|  |                                   |                         | \$ -           |
|  | Temporary Facilities              |                         | \$ -           |
| 01 51 13                                   | Temporary Electrical              | By Owner                | \$ -           |
| 01 51 13                                   | Power Bill                        | By Owner                | \$ -           |
| 01 51 13                                   | Generators and Fuel               | Needed if no temp power | \$ -           |
| 01 51 13                                   | Misc. Cords and Accessories       |                         | \$ -           |
| 01 51 13                                   | Spider Boxes                      |                         | \$ -           |
| 01 51 13                                   | Trailer and jobsite Extinguishers |                         | \$ -           |
| 01 51 13                                   | Temp Lighting                     |                         | \$ -           |
|  |                                   |                         | \$ -           |
| 01 51 23                                   | HVAC                              |                         | \$ -           |
| 01 51 23                                   | Dehumidification System           |                         | \$ -           |
| 01 51 23                                   | Temp Heat                         | Required for Dry out    | \$ -           |
| 01 51 23                                   | Gas Bill                          |                         | \$ -           |
| 01 51 23                                   | Propane Heaters                   |                         | \$ -           |
| 01 51 23                                   | Light stands                      |                         | \$ -           |
|  |                                   |                         | \$ -           |
| 01 51 33                                   | Telecommunications                |                         | \$ -           |
| 01 51 33                                   | Cell Phone/Bills                  |                         | \$ -           |

| PHASE      | DESCRIPTION                              | SUB/SUPPLIER | TOTAL BASE BID |
|------------|--|--------------|----------------|
| 01 51 33   | Trailer Phone                            |              | \$ -           |
| 01 51 33   | Phone Hook up                            |              | \$ -           |
| 01 51 33   | Internet Line                            |              | \$ -           |
|            |  |              | \$ -           |
|            | Temp Utilities                           |              | \$ -           |
| 01 51 36   | Temp Water                               |              | \$ -           |
| 01 51 36   | Hookup Fee                               | By Owner     | \$ -           |
| 01 51 36   | Fire Hydrant Meter                       | By Owner     | \$ -           |
| 01 51 36   | Water Bill                               | By Owner     | \$ -           |
|            |  |              | \$ -           |
| 01 52 001  | Construction Facilities                  |              | \$ -           |
| 01 52 001  | Connex/Storage                           |              | \$ -           |
| 01 52 001  | Relocation Costs                         |              | \$ -           |
| 01 52 001  | Dry Storage                              |              | \$ -           |
| 01 52 001  | Office Rent                              |              | \$ -           |
| 01 52 001  | Connex/Storage                           |              | \$ -           |
| 01 52 001  | Crew Trailers                            |              | \$ -           |
| 01 52 007  | Office Trailers                          |              | \$ -           |
|            |  |              | \$ -           |
| 01 52 16   | First Aid and Facilities                 |              | \$ -           |
| 01 52 16   | First Aid Kits                           |              | \$ -           |
| 01 52 16   | First Aid Replenishment                  |              | \$ -           |
| 01 52 16   | Crew/Visitor PPE                         |              | \$ -           |
|            |  |              | \$ -           |
| 01 52 19.1 | Port O Johns                             |              | \$ 450.00      |
|            |  |              | \$ -           |
| 01 52 25   | Field Office Equipment                   |              | \$ -           |
| 01 52 25   | Computers                                |              | \$ -           |
| 01 52 25   | Fax/Copier/Printer                       | In OH&P      | \$ -           |
| 01 52 25   | Copier Setup                             | In OH&P      | \$ -           |
| 01 52 25   | Digital Cameras                          | In OH&P      | \$ -           |
| 01 52 25   | Field Office Equipment - Office Supplies |              | \$ -           |
|            |  |              | \$ -           |
|            | Construction Equipment                   |              | \$ -           |
| 01 54 01   | Trucks/Cars                              |              | \$ -           |
| 01 54 01   | Material Pick Up Mileage                 |              | \$ -           |
| 01 54 02   | Project Fuel                             |              | \$ 500.00      |
| 01 54 04   | Fork Lifts                               |              | \$ -           |
| 01 54 06   | Scissor Lift                             |              | \$ -           |
|            |  |              | \$ -           |
| 01 54 20   | Scaffolding                              |              | \$ -           |
| 01 54 20   | Scaffolding                              |              | \$ -           |
|            |  |              | \$ -           |
| 01 55 19   | Parking Fee                              |              | \$ -           |
|            |  |              | \$ -           |
| 01 56 00   | Security Fencing                         |              | \$ -           |
|            |  |              | \$ -           |
| 01 57 00   | Temp Environmental Control               |              | \$ -           |
| 01 57 00   | Dust Control                             |              | \$ -           |
| 01 57 00   | Trash Wash Area                          |              | \$ -           |
| 01 57 00   | Spill Prevention Kit                     |              | \$ -           |
| 01 57 00   | Hazardous Material Storage               |              | \$ -           |
| 01 57 00   | Storm Repair/Cleanup                     |              | \$ -           |
| 01 57 00   | Erosion Control Maintenance              |              | \$ -           |
|            |  |              | \$ -           |
| 01 58 00   | Project Signage                          |              | \$ -           |
| 01 58 00   | Project Signage                          |              | \$ -           |
| 01 58 00   | Interior Signage                         |              | \$ -           |
| 01 58 00   | Safety Signs                             |              | \$ -           |
|            |  |              | \$ -           |
|            | Cleaning and Waste Management            |              | \$ -           |
| 01 74 13   | Progress Clean                           |              | \$ -           |

| PHASE                                      | DESCRIPTION                | SUB/SUPPLIER                     | TOTAL BASE BID |
|--|----------------------------|----------------------------------|----------------|
| 01 74 23                                   | Final Clean                | By Owner                         | \$ -           |
| 01 74 25                                   | Dump Boxes                 |                                  | \$ -           |
| 01 74 25                                   | Dump Boxes - Runs          |                                  | \$ -           |
| 01 74 25                                   | Recycling                  |                                  | \$ -           |
| 01 74 25                                   | Exterior Window Wash       |                                  | \$ -           |
| 01 74 25                                   | Final Landscape Touch Up   |                                  | \$ -           |
| 01 74 25                                   | Street Sweeping            |                                  | \$ -           |
|  |                            |                                  | \$ -           |
| 01 78 00                                   | Close out and Submittal    |                                  | \$ -           |
| 01 78 00                                   | Punch Lists                |                                  | \$ -           |
| 01 78 00                                   | O&M Manuals                |                                  | \$ -           |
|  |                            |                                  | \$ -           |
| 01 80 00                                   | Travel and Subsistence     |                                  | \$ -           |
| 01 80 00                                   | Meals and Safety Incentive |                                  | \$ -           |
| 01 80 00                                   | Travel Expenses            |                                  | \$ -           |
| 01 80 00                                   | Subsistence s              |                                  | \$ -           |
|  |                            |                                  | \$ -           |
|  | Contract Documents         |                                  | \$ -           |
| 01 85 01                                   | Project Plan Prints        |                                  | \$ -           |
| 01 85 01                                   | Sub Plan Print             |                                  | \$ -           |
| 01 85 01                                   | FedEx/UPS                  |                                  | \$ -           |
| 01 85 01                                   | CD and Scanning            |                                  | \$ -           |
| 01 85 01                                   | Courier                    |                                  | \$ -           |
| 01 85 01                                   | Sub Plan Print             |                                  | \$ -           |
|  |                            |                                  | \$ -           |
| 01 90 01                                   | Mobilization               |                                  | \$ -           |
| 01 90 01                                   | Office/Conex Mob           |                                  | \$ -           |
| 01 90 01                                   | Equipment Relocations      |                                  | \$ -           |
| 01 90 01                                   | Flatbed Trailers           |                                  | \$ -           |
|  |                            |                                  | \$ -           |
| 01 95 00                                   | Project Misc.              |                                  | \$ -           |
| 01 95 00                                   | Drywall Repair             |                                  | \$ -           |
| 01 95 00                                   | Flooring Protection        |                                  | \$ -           |
| 01 95 00                                   | Reglazing                  |                                  | \$ -           |
| 01 95 00                                   | Theft                      |                                  | \$ -           |
| 01 95 00                                   | Vandalism                  |                                  | \$ -           |
|  |                            |                                  | \$ -           |
| 01 95 01                                   | Special Inspections        | By Owner - Stegner to coordinate | \$ -           |
|  |                            |                                  | \$ -           |
| 01 95 14                                   | Punch List                 |                                  | \$ -           |
|  |                            |                                  | \$ -           |
| <b>DIVISION 2 - EXISTING CONDITIONS</b>    |                            |                                  |                |
| <b>DIVISION 3 - CONCRETE</b>               |                            |                                  |                |
| <b>DIVISION 4 - MASONRY</b>                |                            |                                  |                |
| <b>DIVISION 5 - METALS</b>                 |                            |                                  |                |
| <b>DIVISION 6 - WOOD &amp; PLASTICS</b>    |                            |                                  |                |
| <b>DIVISION 7 - THERMAL &amp; MOISTURE</b> |                            |                                  |                |
| <b>DIVISION 8 - DOORS &amp; WINDOWS</b>    |                            |                                  |                |
| <b>DIVISION 9 - FINISHES</b>               |                            |                                  |                |
| <b>DIVISION 10 - SPECIALTIES</b>           |                            |                                  |                |
| <b>DIVISION 11 - EQUIPMENT</b>             |                            |                                  |                |
| <b>DIVISION 12 - FURNISHINGS</b>           |                            |                                  |                |
| <b>DIVISION 13 - SPECIAL CONSTRUCTION</b>  |                            |                                  |                |
| <b>DIVISION 14 - CONVEYING SYSTEMS</b>     |                            |                                  |                |
| <b>DIVISION 21 - FIRE SPRINKLERS</b>       |                            |                                  |                |
| <b>DIVISION 22 - PLUMBING</b>              |                            |                                  |                |
| <b>DIVISION 23 - MECHANICAL</b>            |                            |                                  |                |
| <b>DIVISION 26 - ELECTRICAL</b>            |                            |                                  |                |
| <b>DIVISION 27 - COMMUNICATIONS</b>        |                            |                                  |                |
| <b>DIVISION 28 - ELECTRONIC</b>            |                            |                                  |                |
| <b>DIVISION 31 - EARTHWORK</b>             |                            |                                  |                |

| PHASE                                    | DESCRIPTION  | SUB/SUPPLIER               | TOTAL BASE BID |
|--|--|----------------------------|----------------|
|  |  |                            | \$ -           |
| 31 00 01                                 | Earthwork  | RK Concrete and Excavation | \$ -           |
| 31 00 01                                 | Clean up existing edges  |                            | \$ 2,600.00    |
| 31 00 01                                 | Excavate to widen the road   |                            | \$ 7,440.00    |
| 31 00 01                                 | Rock Road, Grade, and Compact                                      |                            | \$ 24,650.00   |
| 31 00 01                                 | Move 5900 CY from existing garage site to fill for retaining walls |                            | \$ 49,000.00   |
| 31 00 01                                 | Sewer rough in   |                            | \$ 9,800.00    |
| 31 00 01                                 | Water rough in   |                            | \$ 5,700.00    |
| 31 00 01                                 | Electrical rough in  |                            | \$ 12,800.00   |
| 31 00 01                                 | Low Voltage rough in   |                            | \$ 5,900.00    |
| 31 00 01                                 |  |                            | \$ -           |
| 31 00 01                                 |  |                            | \$ -           |
|  |  |                            | \$ -           |
| 31 40 01                                 | Shoring- Road retaining walls (excludes house piles)               | Pacific Foundations        | \$ -           |
|  | Mobilization   |                            | \$ 44,551.40   |
|  | Shoring design   |                            | \$ 3,481.92    |
|  | Furnish Piles  |                            | \$ 42,983.75   |
|  | Install Piles  |                            | \$ 61,645.73   |
|  | Wood Lagging   |                            | \$ 39,635.07   |
|  |  |                            | \$ -           |
|  |  |                            |                |
| DIVISION 32 - SITE WORK                  |  |                            |                |
| DIVISION 33 - WATER UTILITIES            |  |                            |                |
| DIVISION 48 - ALTERNATIVE ENERGY SYSTEMS |  |                            |                |
|  |  | SUBTOTAL                   | \$ 313,137.87  |
|  | TOTAL HARD COST  |                            | \$ 313,137.87  |
|  | GENERAL CONDITIONS   | 0%                         | \$ -           |
|  | CONTINGENCY  | 0%                         | \$ -           |
|  | OVERHEAD AND PROFIT  | 8%                         | \$ 25,051.03   |
|  | TOTAL COST   |                            | \$ 338,188.90  |
|  | GENERAL LIABILITY  | 1%                         | \$ 3,381.89    |
|  | BUILDING PERMIT  |                            | BY OWNER       |
|  | TOTAL PROJECT COST   |                            | \$ 341,570.79  |

Exhibit D: Tillamook County LID Process Document  
(see attached 7 pages)



*Land of Cheese, Trees and Ocean Breeze*

TILLAMOOK COUNTY  
PUBLIC WORKS DEPARTMENT  
503 Marolf Loop, Tillamook, OR 97141

(503) 842-3419  
FAX: 842-6473

TDD-NONVOICE  
Oregon Relay Service

December 16, 2002

TO: Interested Parties

FROM: Aaron D. Suko, Director of Public Works, P.E.

RE: Funding Policy For County/Community Paving of Public Gravel Roads

This policy outlines County participation in match funding paving projects on residential public right of way streets.

County will participate in funding of Community Paving Agreements (CPA) as follows:

- Determination of County/Community funding split based on total project costs
- County share is 25% (citizen share is 75%).
- Total County contribution per project is limited to \$30,000.
- Total County expenditure per budget year is limited to \$60,000.

Procedures and construction standards for CPAs for Paving of Public Gravel Roads are addressed in a separate policy titled, Procedures and Standards for Community Involvement in Paving of Public Gravel Roads.

Local Improvement Districts cost are borne 100% of the applicant (i.e. no County fund match participation).

The above policy details are subject to available funds.

This policy is approved by the County Roads Advisory Committee and the County Board of Commissioners.

AN EQUAL OPPORTUNITY EMPLOYER



*Land of Cheese, Trees and Ocean Breeze*

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PUBLIC WORKS DEPARTMENT  
503 Marolf Loop, Tillamook, OR 97141

(503) 842-3419  
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TDD-NONVOICE  
Oregon Relay Service

December 16, 2002

TO: Interested Parties

FROM: Aaron D. Suko, Director of Public Works, P.E. *Aaron Suko*

RE: Procedures and Standards for County/Community Paving of Public Gravel Roads

This memorandum addresses the following topics:

- Definitions of terms used in this and other related policies
- General policies, procedures and standards regarding paving of public gravel roads
- Local Improvement Districts (LID)
- Community Paving Agreements (CPA)

This policy is approved by the County Roads Advisory Committee and the County Board of Commissioners.

County match funding for paving of public gravel roads is addressed in a separate policy titled, Funding Policy For County/Community Paving of Gravel Roads.

**DEFINITIONS**

Local Improvement District or "LID": Formal process regulated by Oregon Revised Statutes (371.605 to 371.660) for the establishment of an improvement district for specified road related work. Final costs for the LID are distributed by liens or assessment on properties. This process is generally used with larger projects over \$50,000.

Community Paving Agreement or "CPA": County agreement process where road improvements needed for and including paving of existing gravel roads are funded, at least in part, by citizen funds provided in bulk to the County Road Department. County does not participate in how or from what sources the citizen contributions are collected.

AASHTO Manual (A Policy on Geometric Design of Highways and Streets published by the American Association of State and Transportation Officials): These are the design standards for road improvements. The level of required improvements are usually based on topography and ADT. Other considerations may apply (such as grade and sight distance).

Average Daily Traffic or "ADT": Total traffic count on a roadway during a typical day. There are several different levels for measuring ADT:

- Existing ADT: traffic count based on current use. Typically for a no-outlet road, ADT is determined at 10 vehicle trips per residence
- Potential ADT: traffic count based on expected use. Typically measured by adding total acreage that would use a roadway divided by the existing land use density
- Through traffic ADT: For a through road carrying traffic beyond a road improvement in question, this traffic count is typically measured using traffic counter(s) or estimated, if possible.

Cost share or funding split: For a CPA, this is how the County/Citizen cost are split. The actual funding percentage is established in a separate policy from the procedures policy (this document). The funding split applies only to CPAs.

Preliminary Estimate: This estimate is the initial cost projection. It is typically used to determine if the project is eligible for match funding and to allow an applicant to determine if they are still interested in proceeding with the project. This estimate uses estimate material volumes and a series of general assumptions. It is further refined by the Project Budget Estimate.

Project Budget Estimate: After the Preliminary Estimate is reviewed and concurred with by the applicant, the Project Budget Estimate (PBE) is developed. The PBE represents the detailed estimate of project costs for the entire project including required engineering and administrative services. The Preliminary Estimate and PBE are not necessarily the same. Combining the PBE and the current County/Citizen cost share percentage determines commitment cost by the applicant. If the citizen match based on PBE and cost share are provided to the Road Dept, the Road Dept is committed to completing the proposed project work for that amount.

#### **GENERAL POLICIES REGARDING PAVING OF GRAVEL ROADS**

1. The projects must include the necessary improvements to make the road safe and easy to maintain. This may require some roadway widening and drainage improvements.
2. Citizens of a proposed project should be aware that each considered improvement project is unique. Specific details that apply to one project may not apply to another project.

There are two procedures used in Tillamook County for community involvement in the paving of public gravel roads:

The "Local Improvement District" process in accordance with ORS 371.605 through 371.660. This is a formal process generally used in larger projects.

OR

A "Community Paving Agreement". This process is a less formal agreement between the County and the citizens.

#### **LOCAL IMPROVEMENT DISTRICTS**

For road improvement projects over \$50,000, the County provides the administrative services of a Local Improvement District (LID). This needs to be only for larger districts because the administrative costs for a LID are close to \$5,000. This is due to the detailed records for costs, allocations and loan forms. The LID would be constructed by contract. An LID would require payment by all adjacent property owners if the district is wanted and approved by a majority of the owners.

The attached flow chart explains the initial LID process steps and then references the below LID steps.

#### STEP ONE: PETITION

An LID may be initiated by a petition signed by not less than 60% of the owners of the land representing not less than 60% of the land abutting the proposed improvements. The petition documents to start the process are to be prepared by the Public Works Department.

#### STEP TWO: ENGINEER'S REPORT

The County Engineer then prepares a report to recommend the method of assessment used to arrive at a fair apportionment of the improvements to the properties especially benefited. The report also includes an estimate of the amount to be assessed against each lot or parcel of land.

#### STEP THREE: NOTICE TO OWNER

If the Engineer's report is favorable, the County mails the owner of each parcel of land to be assessed for the proposed improvements, a notice of the proposed improvements and the estimated amount of the assessment against their land.

#### STEP FOUR: OBJECTION PERIOD

The notice mailed in Step Three requires the owner to file a written notice with the County within 20 days after the mailing of the notice, of any objections to the project. If written objections are received by the County by more than 50% of the owners of the land representing more than 50% of the land, the project is then abandoned.

#### STEP FIVE: IMPROVEMENTS MADE

If the LID is not abandoned in Step Four, the Tillamook County Board of Commissioners may order the improvements to be made.

#### STEP SIX: ASSESSMENT ESTABLISHED

After the improvements have been completed, the County Engineer compiles a report of all of the costs of the improvements and the amount proposed to be assessed against each property. The Board of Commissioners, upon receiving this report, sets a hearing for objections to the report. All property owners are notified of the proposed amount of the assessment and of the time of the hearing. After the hearing, the Board of Commissioners shall order the amount of assessment against each property.

#### STEP SEVEN: PAYMENT OF ASSESSMENT

After the Board of Commissioners orders the assessments, the payments can be made in full or the owner will be allowed to pay for the assessment over a period of time with interest due on the unpaid portion. The interest rate and time allowed for payment have not been established at this time.

#### STEP EIGHT: LIEN

Unpaid assessment becomes a lien against the property.

#### LID TIMELINE

Due to the formal nature of the LID process and required public meetings and hearings, from start to completion an LID process takes anywhere from 1 to 2 years or more for project completion.

#### **COMMUNITY PAVING AGREEMENTS**

The Community Paving Agreement (CPA) is a less formal improvement process consisting of the following features:

1. If serious interest in funding a project were shown, the County would develop a cost estimate of the work and provide it to the citizens. The estimate will include how much money would be required from the citizens for the County to do the project (in accordance with the County Policy titled, Funding Policy For County/Community Paving of Gravel Roads).
2. **The County would not be involved in the decision about who paid how much or who didn't pay at all.**
3. The citizens would have a deadline to deposit the entire share of their costs with the County. This deadline occurs in early Spring, so we can budget and schedule the project.
4. The homeowners may use any of the following methods of payment to the County:
  - a. Payment by regular checking account check(s). The County upon receipt will cash these. If the County decides not to do the

project, a refund in the amount of the checks collected is mailed.

b. Payment by bank cashier's check(s). The County does not cash these until after the work has been completed.

c. Payment into an escrow account with a bank or title company, whereby the funds would be held until the work is completed. This escrow account is created by and paid for by the homeowners.

(1) If the County decided to not do the project, the County would pay the escrow costs and then refund the money (plus interest) to the citizens.

(2) After the County does a project, the County receives all of the money in the escrow account (including interest). There is no attempt at a detailed accounting for an exact split of costs.

3. The projects may be constructed by County forces or by contract.

The attached flow chart explains the CPA cost estimate process more thoroughly.

#### CPA TIMELINE

Assuming the collection of neighborhood contribution funds in a timely manner, a typical CPA is started and finished within a year time frame. Typically the estimate is completed during the Winter and match funds collected during the Spring prior to a Summer overlay project.

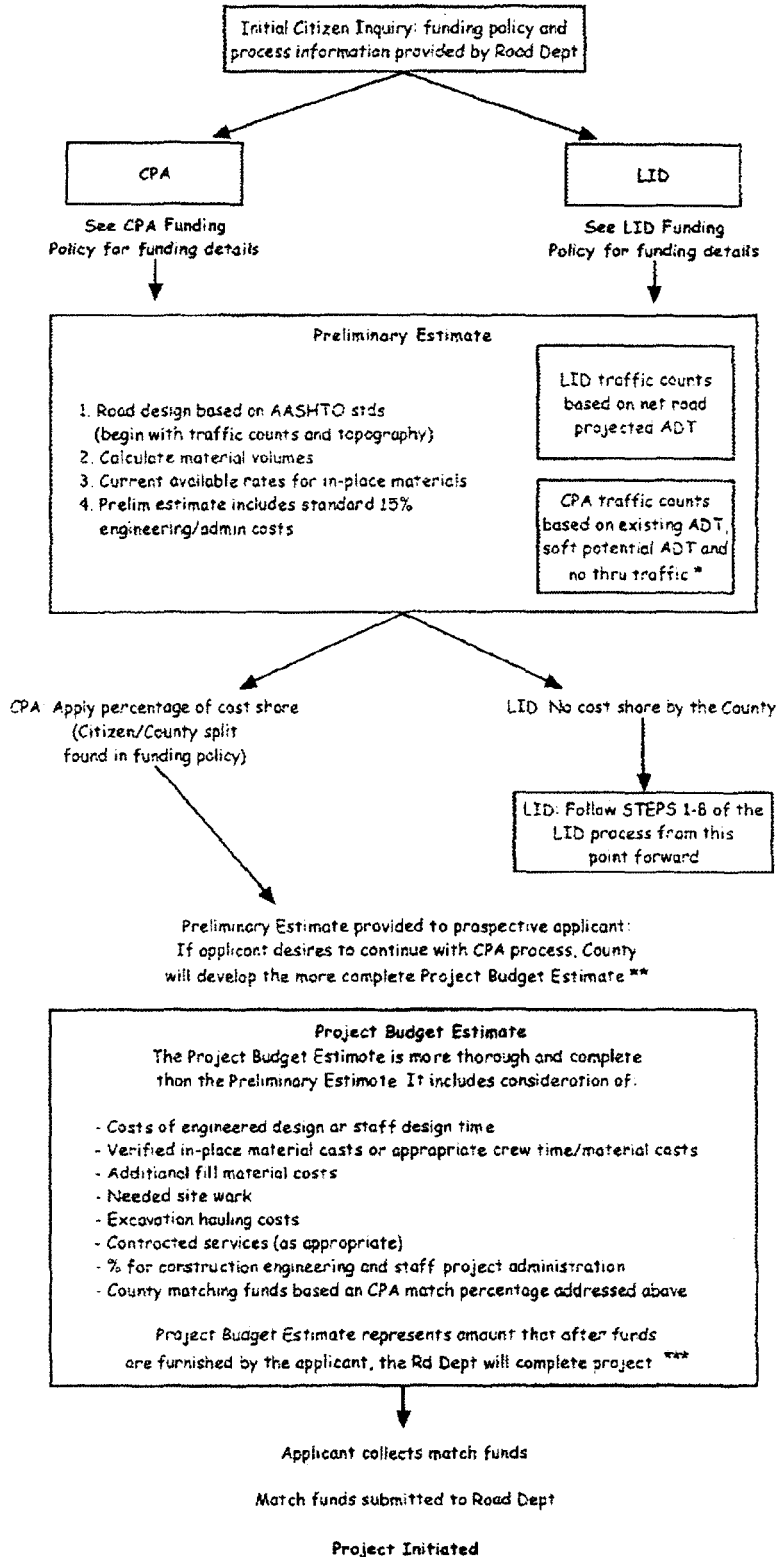
I hope this letter answers questions you may have regarding improvements to County Roads and the differences between Local Improvement Districts and Community Paving Agreements. If you have additional questions, please let me know.

Enclosure: LID/CPA Cost Estimates Flow Chart

cc: File

# LOCAL IMPROVEMENT DISTRICT / COMMUNITY PAVING AGREEMENT COST ESTIMATES

See policy for definition of terms



\* CPA traffic count determination subject to interpretation based on specifics of a project

\*\* Preliminary Estimate and Project Budget Estimate are not necessarily the same

\*\*\* Project Budget Estimate will be honored by the Road Dept for up to 3 months at the discretion of the Director prior to applicant submission of respective match funds

As of: 12/16/02

### Exhibit E: Initial Estimated Project Schedule

|  |                            |
|--|----------------------------|
| Road Concept Design Started                          | January 26 2021            |
| Road Concept Design Complete                         | March 10, 2021             |
| Invitation to Bid                                    | March 12, 2021             |
| Bidding Complete                                     | April 12, 2021             |
| Road Concept Approval                                | April 27, 2021             |
| Land Use Legal Counsel Engaged                       | August 23, 2021            |
| Letter of Intent Sent                                | September 21, 2021         |
| Ridge Road LID Informational Meeting w/ County       | September 30, 2021, 8:30am |
| Non-binding Letter of Intent Signature Requested by  | September 30, 2021         |
| Property Owner Kick-off Meeting                      | October 2021               |
| LID Agreement Drafted, Reviewed & Approved by County | March 2023                 |
| Road & Utility Plan Complete                         | May 2023                   |
| Final Bidding  | June - July 2023           |
| Contracting  | August 2023                |
| Construction Starts                                  | September 202              |

**Exhibit F: Property Owners:**

**Lot 3500**

Highstorm Ridge, LLC  
2321 NW Thurman St  
Portland, OR 97210

**Owner's Representative:**

Urban Patterns  
Attn: Ben Gates  
2326 SE Morrison St, Suite A  
Portland, OR 97214

**Lot 3501**

Highstorm Ridge, LLC  
2321 NW Thurman St  
Portland, OR 97210

**Owner's Representative:**

Urban Patterns  
Attn: Ben Gates  
2326 SE Morrison St, Suite A  
Portland, OR 97214

**Lot 3600**

Rodger B. & Ruth Anne Lance  
8309 NE 152nd Ave  
Vancouver, WA 98682

**Lot 3700**

Keith & Sharon Engel (Keith A. Engel Trust and Sharon L Engel Trust)  
PO Box 3694  
Sunriver, OR 97707

**Lot 3800**

Dianne & Larry Parent  
4986 Kinsington St SE  
Salem, OR 97302

**Lot 3801**

George Domurot & David S Beanland  
603 SE 54th Ave  
Portland, OR 97215

**Lot 3900**

William D Thomason, Anne Tomason, and Tom S. & Lori Thomason  
PO Box 5244  
Bend, OR 97708

CERTIFIED TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL  
TASSI O'NEIL

BY

*Christy Biggs* *Chief*  
DEPUTY

