



LAUSA

TILLAMOOK COUNTY BOARD OF COMMISSIONERS NOTICE OF MEETING AGENDAS

BOARD OF COMMISSIONERS

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

Mary Faith Bell, Vice-Chair
mfbell@co.tillamook.or.us

David Yamamoto, Commissioner
dyamamoto@co.tillamook.or.us

CONTACT

Tillamook County Courthouse
201 Laurel Avenue
Tillamook, Oregon 97141
503.842.3403
www.co.tillamook.or.us

COMMUNITY UPDATE MEETING

Tuesday, November 21, 2023 at 8:00 a.m.
Teleconference and KTIL-FM at 95.9

BOARD MEETING

Wednesday, November 22, 2023 at 9:00 a.m.
Board of Commissioners' Meeting Room 106
County Courthouse, Teleconference, and Live Video at tctvonline.com

AGENDAS

COMMUNITY UPDATE – 2023-11-21 COMMUNITY UPDATE AUDIO.MP4

CALL TO ORDER: Tuesday, November 21, 2023 8:00 a.m.

1. 00:25 Welcome and Board of Commissioners' Roll Call
2. 00:42 Coastal Caucus
3. 23:36 Nehalem Bay Health Center & Pharmacy
4. 25:53 Tillamook Family Counseling Center
5. 28:49 Sheriff's Office
6. 30:05 Emergency Management
7. 31:36 Board of Commissioners
8. Cities
 - 52:29 Manzanita
 - 55:51 Rockaway Beach
 - 1:01:41 Garibaldi
 - 1:02:49 Bay City
 - 1:04:28 Tillamook
 - 1:12:40 South County

ADJOURN – 9:15 a.m.

MEETING – 2023-11-22 BOCC MEETING AUDIO LOG.MP4

CALL TO ORDER: Wednesday, November 22, 2023 9:00 a.m.

1. 02:02 Welcome & Request to Sign Guest List
2. 02:11 Pledge of Allegiance
3. ----- Public Comment: There were none.
4. 02:46 Non-Agenda Items:
Unscheduled Agenda Item/Commissioner Erin Skaar

LEGISLATIVE – ADMINISTRATIVE

5. 02:53 Discussion and Consideration of a Grant Application for a State of Oregon Department of Justice 2023-2025 Children’s Advocacy Center Fund/Matt Kelly, Undersheriff, Sheriff’s Office

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Board approved the grant application.
6. 06:56 Discussion and Consideration of a Memorandum of Agreement with the Emergency Volunteer Corps of Nehalem Bay for Emergency Preparedness/Randy Thorpe, Director, Emergency Management

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Board signed the agreement.
7. 13:04 Discussion and Consideration of an Oregon Department of Emergency Management Homeland Security Grant Program Agreement CFDA #97.067, Grant Number 23-218 for a State Homeland Security Program/Randy Thorpe, Director, Emergency Management

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Chair signed the agreement.
8. 18:00 Discussion and Consideration of Personal Services Agreement 23/24-016 with Rede Group for Rural Health Development Network Planning/Marlene Putman, Administrator, Health and Human Services

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

9. 22:31 Discussion and Consideration of Modification #1 to Professional Services Agreement #6398 with McKinstry Essention LLC for the Comprehensive Facility and Energy Assessment and Space Planning Project/Marlene Putman, Administrator, Health and Human Services
- A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Board signed the modification.
10. 26:41 Discussion and Consideration of Change Order #2 to Contract for General Services #5045 with Northwest Control, Inc. for the Facilities Mechanical Services Contract/Kevin Jolly, Supervisor, Facilities
- A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Board signed the change order.
11. 28:07 Discussion and Consideration of Change Order #1 to Prevailing Wage Contract #6429 with K & B Quality Excavating, LLC for the Fairview Road Hughey Creek Culvert Construction Project/Chris Laity, Director, Public Works
- A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Board signed the change order.
- 31:00 **UNSCHEDULED:** Discussion and Consideration of an Oregon Department of Environmental Quality Contractor Agreement No. 089-23 with Community Action Team, Inc. of Columbia County Oregon for American Rescue Plan Statewide Assistance for Septic Owners Program to Provide Funding for Septic Repair and Replacement/Chris Chiola, Environmental Program Manager, Department of Community Development
- A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Chair signed the agreement.
12. 38:39 Discussion and Consideration of a Line Extension Agreement with Tillamook People's Utility District for Construction and Maintenance of Underground Electrical Service to Property Located at 33100 Cape Kiwanda Drive, Pacific City/Rachel Hagerty, Chief of Staff
- A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Chair signed the line extension agreement.
13. 41:26 Discussion and Consideration of a Letter of Approval for Tillamook People's Utility District's Request for Easement to Construct a Utility Easement Over the Southern Flow Corridor Project/Rachel Hagerty, Chief of Staff
- A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Board signed the letter of approval.
14. 47:51 Board Concerns:
Strategic Plan/Commissioner Erin Skaar

15. 49:04 Board Announcements

Chair Skaar recessed the meeting at 9:57 a.m. to go into executive session pursuant to ORS 192.660(2)(d).

Chair Skaar reconvened the meeting at 10:42 a.m. – 2023-11-22 BOCC MEETING AUDIO PART II.MP4

ADJOURN - 10:42 a.m.

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.

- **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: Board of Commissioners' Meeting Room 106, 201 Laurel Avenue, Tillamook
 - Teleconference: Dial 971-254-3149, Conference ID: 736 023 979#
 - Live Video: tctvonline.com

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.

PUBLIC COMMENT

- 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 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.
- 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.

AGENDAS

COMMUNITY UPDATE

CALL TO ORDER: Tuesday, November 21, 2023 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. Tillamook
 - h. South County

ADJOURN

MEETING

CALL TO ORDER: Wednesday, November 22, 2023 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 Grant Application for a State of Oregon Department of Justice 2023-2025 Children's Advocacy Center Fund/Matt Kelly, Undersheriff, Sheriff's Office
6. Discussion and Consideration of a Memorandum of Agreement with Emergency Volunteer Corps of Nehalem Bay for Emergency Preparedness/Randy Thorpe, Director, Emergency Management
7. Discussion and Consideration of an Oregon Department of Emergency Management Homeland Security Grant Program Agreement CFDA #97.067, Grant Number 23-218 for a State Homeland Security Program/Randy Thorpe, Director, Emergency Management
8. Discussion and Consideration of Personal Services Agreement 23/24-016 with Rede Group for Rural Health Development Network Planning/Marlene Putman, Administrator, Health and Human Services
9. Discussion and Consideration of Modification #1 to Professional Services Agreement #6398 with McKinstry Essention LLC for the Comprehensive Facility and Energy Assessment and Space Planning Project/Marlene Putman, Administrator, Health and Human Services
10. Discussion and Consideration of Change Order #2 to Contract for General Services #5045 with Northwest Control, Inc. for the Facilities Mechanical Services Contract/Kevin Jolly, Supervisor, Facilities
11. Discussion and Consideration of Change Order #1 to Prevailing Wage Contract #6429 with K & B Quality Excavating, LLC for the Fairview Road Hughey Creek Culvert Construction Project/Chris Laity, Director, Public Works
12. Discussion and Consideration of a Line Extension Agreement with Tillamook People's Utility District for Construction and Maintenance of Underground Electrical Service to Property Located at 33100 Cape Kiwanda Drive, Pacific City/Rachel Hagerty, Chief of Staff
13. Discussion and Consideration of a Letter of Approval for Tillamook People's Utility District's Request for Easement to Construct a Utility Easement Over the Southern Flow Corridor Project/Rachel Hagerty, Chief of Staff
14. Board Concerns

15. Board Announcements

ADJOURN

OTHER MEETINGS AND ANNOUNCEMENTS

The Commissioners will hold an executive session pursuant to ORS 192.660(2)(d), to conduct deliberations with persons designated by the governing body to carry on labor negotiations. The executive session will be held on **Thursday, November 16, 2023** at **9:00 a.m.** at the Graduate Hotel, 66 E. 6th Street, Eugene, Oregon 97401. The executive session is not open to the public.

The Local Public Safety Coordinating Council (LPSCC) teleconference will be held on **Monday, November 20, 2023** at **12:00 p.m.** The meeting will be held in the Board of Commissioners' Meeting Room 106 in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon. The teleconference number is 1-971-254-3149, Conference ID: 155 859 952#.

The Commissioners will hold a Board Briefing on **Wednesday, November 22, 2023** at **2:00 p.m.** to discuss weekly Commissioner updates. The meeting will be held in the Board of Commissioners' Meeting Room 106 in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon. The teleconference number is 1-971-254-3149, Conference ID: 736 023 979#.

Thanksgiving Day is an observed holiday for the County and the Oregon State Circuit Court. All the County offices in the Tillamook County Courthouse and the Tillamook County Library, administrative offices in the Jail and Justice facility, Public Works Department, Department of Community Development, Surveyor's Office, and the Health and Human Services Department and clinics will be **CLOSED** on **Thursday, November 23, 2023** and **Friday, November 24, 2023**.

The Commissioners will attend a Tillamook Lightwave Meeting on **Tuesday, November 28, 2023** at **9:30 a.m.** The teleconference number is 1-253-215-8782, Conference ID: 899 5732 9678#

BOARD OF COMMISSIONERS' BOARD MEETING

Wednesday, November 22, 2023

	Present	Absent		Present	Absent
Erin Skaar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rachel Hagerty	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Faith Bell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bill Sargent	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Yamamoto	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

PLEASE PRINT

<u>Name</u>	<u>Email or Address</u>	<u>Item of Interest</u>
Matt Kelly		CAC grant
Chris Chaska	cchaska@co.franklin.ny.us	Brand item
JAKE Cox		.
KC Fagen	kcfagen@tpud.org	Facement
Murja Bateman		
Jannah Dentel	jannahdentel@gmail.com	EAC grant

(Please use reverse if necessary)

TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING

WEDNESDAY, NOVEMBER 22, 2023

PUBLIC COMMENT SIGN-IN SHEET

PLEASE PRINT

NAME	AREA OF RESIDENCE	NAME OF ORGANIZATION (IF ANY)	AGENDA ITEM
<i>there were no sign-ups</i>			

GRANT WORKSHEET

FY 2022/2023 BUDGET

Please check here if no salaries are funded by this grant. If the grant is funding all or part of an employees salary: COMPLETE PAGE 2 OF THIS WORKSHEET

Funding Source Code **015233094740**
For Accounting Department use only

County Fund & Dept Receiving Grant
Sheriff's Office

Award Period:
Begin: 7/1/2023

GRANT Common Name CAC <i>Everyday name used within your department</i>	GRANT Formal Name 2023-2025 Children's Advocacy Center Fund State Grant <i>Complete formal name given to grant by funding source</i>
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PLEASE ATTACH COPY OF GRANT AWARD

Source of Funds

Where did the funding come from?

Did the funds come directly to the county from the federal government?

Did the funds pass through the State of Oregon or another organization before arriving at the county?

Grant Number:

If Federal Grant: CFDA Number

If State Grant: Number assigned by state funding source

- Direct, federal government, dept of _____ CFDA: _____
- ARRA, federal "Stimulus" _____ CFDA: _____
- Indirect, federal government, dept of _____ CFDA: _____
and State of Oregon, dept/division of _____
- Indirect, federal government, dept of _____ CFDA: _____
and another entity or organization _____
- Direct, State of Oregon, dept/division of Department of Justice _____
- Indirect, State of Oregon, dept/division of _____
via another entity or organization _____
- Other _____

Total Amount of Award: \$ 172,000.00

Is this a new grant? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Match Requirement Amount <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No How Much: \$ <input type="checkbox"/> Hard Dollar Match <input type="checkbox"/> In-Kind (IDENTIFY below)	Is this a multiyear grant? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Payment Method: <input checked="" type="checkbox"/> Advance <input type="checkbox"/> Reimbursement		IF Yes: Amount Applicable to Current Budget Year: \$ 86,000
Reporting Cycle <input type="checkbox"/> Monthly <input checked="" type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input type="checkbox"/> Annual	Grant Administrator: Matt Kelly Accounting Contact: Karen Kronoff	

GRANT PAYROLL WORKSHEET	
FUND:	
DEPARTMENT:	

FY 2022/2023 BUDGET

Salary & Benefit Allocation Information

TOTAL GRANT AMOUNT:	GRANT AMOUNT ALLOCATED FOR SALARY & BENEFITS:
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Funding Source Code

*To assist with payroll distribution setup:
If the grant is funding all or part of an employee's salary, please specify the desired allocation below:*

EMPLOYEE	POSITION	DEPARTMENT	ANNUAL SALARY AND BENEFITS	* % SALARY & BENEFITS FUNDED BY GRANT	% S&B CHARGED TO GRANT
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%
				0.00%	0.00%

*SALARY AND BENEFITS FUNDED BY GRANT (COLUMN E) IS ANNUAL SALARY & BENEFITS (COLUMN D) DIVIDED BY GRANT AMOUNT ALLOCATED FOR SALARY AND BENEFITS

GRANT PAYROLL WORKSHEET	FUND: 010/General	"EXAMPLE"
FY 2021/2022 BUDGET	DEPARTMENT: 01533/Sheriff	
Salary & Benefit Allocation Information		

GRANT NAME: Marine	TOTAL GRANT AMOUNT: \$227,000	GRANT AMOUNT ALLOCATED FOR SALARY & BENEFITS: \$202,000
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Funding Source Code

To assist with payroll distribution setup:
 If the grant is funding all or part of an employee's salary, please specify the desired allocation below:

EMPLOYEE	POSITION	DEPARTMENT	ANNUAL SALARY AND BENEFITS	* % SALARY & BENEFITS FUNDED BY GRANT	% S&B CHARGED TO GRANT
John Smith	Marine Deputy	SO/Marine	96,000.00	48%	100%
Jim Jones	Marine Deputy	SO/Marine	88,000.00	44%	100%
Jane Johnson	Marine Deputy	SO/Marine	89,500.00	44%	100%

*SALARY AND BENEFITS FUNDED BY GRANT (COLUMN E) IS ANNUAL SALARY & BENEFITS (COLUMN D) DIVIDED BY GRANT AMOUNT ALLOCATED FOR SALARY AND BENEFITS



Tillamook County Board of Commissioners

201 Laurel Avenue, Tillamook, OR 97141

Phone: 503-842-3403

TTY Oregon Relay Service

Erin D. Skaar, Chair

Mary Faith Bell, Vice-Chair

David Yamamoto, Commissioner

November 22, 2023

Miriam Forney, Land Acquisitions Coordinator
Oregon Watershed Enhancement Board
775 Summer Street NE, Suite 360
Salem, Oregon 97301-1290

Transmitted via email to: miriam.forney@oweb.oregon.gov

Dear Miriam,

On August 2, 2023, Tillamook County received the Oregon Watershed Enhancement Board's ('OWEB') acceptance of the Tillamook People's Utility District's ('PUD') third revision of the Request for Easement ('Proposal'), dated July 2023 to construct a utility easement over the Southern Flow Corridor Project ('SFC') area as part of PUD's Tillamook to Oceanside Transmission Line Project.

As the landowner and sub-recipient of the US Fish and Wildlife Service Coastal Wetlands Program funding for SFC implementation, the county has reviewed the information provided by PUD regarding its project and has determined the Proposal is consistent with the SFC conservation easement (Instrument #2016-002688 in the Tillamook County Clerk Deed Records) and the Coastal Wetlands Notice of Federal Participation (Instrument #2016-002687 in the Tillamook County Clerk Deed Records).

The county hereby approves PUD's Proposal and submits the Proposal to OWEB for approval to grant PUD a utility easement over the SFC area.

Attached is the draft utility easement for review by OWEB and the US Fish and Wildlife Service.

Please contact Rachel Hagerty, Chief of Staff, at rachel.hagerty@tillamookcounty.gov or 503-842-3404 to with any questions.

Sincerely,

BOARD OF COMMISSIONERS FOR TILLAMOOK COUNTY, OREGON

Handwritten signature of Erin D. Skaar in black ink.

Erin D. Skaar, Chair

Handwritten signature of Mary Faith Bell in black ink.

Mary Faith Bell, Vice-Chair

Handwritten signature of David Yamamoto in black ink.

David Yamamoto, Commissioner

Attachments:

Draft Utility Easement

Tillamook PUD's third revision of the Request for Easement ('Proposal'), dated July 2023

AFTER RECORDING RETURN TO:

Tillamook People's Utility District
P. O. Box 433
Tillamook, OR 97141

UNTIL A CHANGE IS REQUESTED
SEND TAX STATEMENTS TO:

No change in tax statements

ELECTRIC UTILITY EASEMENT

This Utility Easement ("Easement") is entered into as of the Effective Date defined below, by and between Tillamook County ("Grantor") and the Tillamook People's Utility District, an Oregon people's utility district ("Grantee").

For good and valuable consideration [MONETARY CONSIDERATION TO BE INSERTED FOLLOWING APPRAISAL], the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee agree as follows:

- 1. Grant of Permanent Easement.** Grantor hereby grants to Grantee, its licensees, successors, and assigns, a non-exclusive easement over a portion of the real property in Tillamook County identified as Tax Lot 1S1000003200 ("Property"). Grantee shall have the perpetual, non-exclusive right to aurally cross the portion of real property described and depicted on Exhibit 1 as the "100' Wide Easement" (the "Permanent Easement Area") for the transmission of electrical power, all communication lines reasonably necessary for the operation of Grantee's electric system, and associated service facilities (collectively, "Electric Facilities"). Subject to Section 3, Grantee's rights under this Easement shall include the right to manage vegetation within the Permanent Easement Area to prevent interference with the safe operation of the Electric Facilities.
- 2. Term.** Grantee's right to enter upon and use the Permanent Easement Area shall commence upon the Effective Date and shall be perpetual.
- 3. Restrictions on Grantee.**
 - 3.1.** Except in the case of an emergency, Grantee shall not conduct any vegetation management within the Permanent Easement Area without first obtaining consent from Grantor, which consent shall not be unreasonably withheld.
 - 3.2.** Grantee shall not construct roads or pathways within the Permanent Easement Area or cause any other surface alterations.
 - 3.3.** Following initial construction of the Electric Facilities, Grantee shall obtain Grantor's consent before making any modifications to the Electric Facilities within the Permanent Easement Area, which consent will not be unreasonably withheld.

Any and all modification shall be consistent with existing land use requirements and prudent utility practices.

4. Grantor's Rights and Restrictions.

4.1. Grantor's Rights. Unless otherwise prohibited by this Easement, Grantor retains the right to use the Permanent Easement Area, including for conservation and flood control, provided that such use does not interfere with Grantee's rights under this Easement or endanger Grantee's Electric Facilities. Grantor shall also have the right: (i) to require Grantee to implement an alternative chemical free noxious weed control plan as part of Grantee's construction and operation practices; and (ii) to require Grantee to clean and disinfect vehicles and equipment prior to entering the Permanent Easement Area, and to use clean, disinfected footwear and/or disposable footwear covering.

4.2. Prohibitions on Grantor's Use.

4.2.1. Grantor shall not store any hazardous materials, fuel, oil, and chemicals on, over, under, or in, the Permanent Easement Area.

4.2.2. Grantor shall not store personal property, including, but not limited to, derelict personal property such as refuse piles, equipment, or machinery, in the Permanent Easement Area.

4.2.3. Grantor shall not plant trees or vegetation within the Permanent Easement Area that would interfere with the safe operation and maintenance of the Electric Facilities.

4.2.4. Grantor shall not obstruct access to Grantee's Electric Facilities.

4.2.5. Grantor shall not change the grade or drainage patterns within the Permanent Easement Area by adding more than twelve inches (12") of fill.

4.2.6. Except after consultation with and approval by Grantee, Grantor shall not install or permit others to install any other utilities within the Permanent Easement Area.

4.2.7. Grantor shall not permit third parties to use any portion of the Permanent Easement Area in violation of the express terms of this Easement.

5. Binding Effect. This Easement runs with the land and is binding upon, inures to the benefit of, and may be enforced by the Parties and their respective successors and assigns. Grantee may assign or transfer its interests without consent of Grantor. Grantee may use agents, employees, contractors, and other authorized persons for the purposes of exercising Grantee's rights and obligations under this Easement, provided no third-party beneficiary rights are created by this Easement and provided that

Grantee is liable for the actions of such parties. This Easement shall be construed in accordance with Oregon law.

6. **Amendment.** This Easement may be amended only by an instrument in writing signed by both Grantor and Grantee. All approvals required hereunder shall be in writing.
7. **Effective Date.** The Effective Date of this Easement is the date of the last party to sign, or the date of any valid court order.

[Signatures and acknowledgements on following pages]

GRANTOR:

Tillamook County

Signature

Name: Erin D. Skaar

Title: Chair, Board of Commissioners

Date: November 22, 2023

STATE OF OREGON)
) ss.
County of Tillamook)

This instrument was acknowledged before me on _____, 20__, by
_____ as _____ of the
Tillamook County Board of Commissioners.

NOTARY PUBLIC for Oregon
My Commission Expires:

GRANTEE:

Tillamook People's Utility District, an Oregon special district

Signature

Name: _____

Title: _____

Date: _____

STATE OF OREGON)
) ss.
County of Tillamook)

This instrument was acknowledged before me on _____, 20____, by
_____ as _____ of
Tillamook People's Utility District, an Oregon special district.

NOTARY PUBLIC for Oregon
My Commission Expires:



CHASE, JONES & ASSOCIATES INC.

FORMERLY BOOTH & WRIGHT

LAND SURVEYORS & ENGINEERS SINCE 1885

530 NE Couch St. | Portland | Oregon 97232
(503)-228-9844 | info@chasejonesinc.com

Date: December 30, 2021
Project #: 16063

100' Wide Easement (Tillamook County – Tax Lot 1S10000003200)

A 100.00 foot wide strip of land, being 50.00 feet on each side of the following described centerline, over a portion of that tract conveyed to Tillamook County as Tax ID No. (1S10000003200) Tillamook County Deed Records, and being situated in the Southeast Quarter of Section 23, Township 1 South, Range 10 West of the Willamette Meridian, County of Tillamook, State of Oregon, said centerline being described as follows:

COMMENCING at the Southeast corner of the Southeast Quarter of said Section 23; thence North 00°50'22" East along the East line of said Southeast Quarter a distance of 689.97 feet to the **TRUE POINT OF BEGINNING**; thence South 88°21'42" West a distance of 5388.64 feet, more or less, to the West line of the Southwest Quarter of said Section 23 and the **TERMINUS** thereof.

The sidelines of the above described centerline should be shortened or lengthened to the centerline of the Trask River and Haquarton Slough.

Containing 53,493 square feet, or 1.23 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

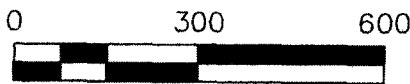
Eric D. Jones

OREGON
JULY 16, 1982
ERRIC D. JONES
1996

RENEWS: 6-30-23

CHASE, JONES & ASSOCIATES INC.
 530 N. E. COUCH ST. PORTLAND, OREGON 97232
 PHONE: (503) 228-9844
 PROJECT NO.: 16063 DATE: DECEMBER 23, 2021
 1/4 SECTION: N/A SCALE: 1" = 300'

EXHIBIT MAP
 FOR A 100' WIDE EASEMENT
 OVER
TAX LOT 1S10000003200
 (TILLAMOOK COUNTY)
 SITUATED IN THE
 SOUTHEAST 1/4 OF SECTION 23, T. 1 S., R. 10 W., W.M.
 COUNTY OF TILLAMOOK,
 STATE OF OREGON



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Eric D. Jones

OREGON
 JULY 16, 1982
 ERRIC D. JONES
 1996

RENEWS: 6-30-23

23 24
 FD BRASS DISC
 AT THE WEST
 1/4 CORNER OF
 SECTION 24

