

## December 4, 2018 Agenda Item

To: Linn County Board of Commissioners  
From: Mark Volmert, Special/Rural Transportation Coordinator  
Subject: Application for Federal Section 5311 Funds  
Linn Shuttle-Sweet Home Senior Center

**Recommendation: Authorize the Special/Rural Transportation Coordinator to submit an application to ODOT for FTA Section 5311 Rural Transportation Program 2019-2021 funds related to the Linn Shuttle**

### **Background:**

The Federal Transit Administration Section 5311 program allocates, through state transportation agencies, funds for transportation programs serving small cities and rural areas. Three programs in Linn County receive Section 5311 money: Linn Shuttle, Sweet Home Dial-A-Bus and Lebanon Dial-A-Bus. With the designation of the Albany urbanized area and the subsequent receipt of Section 5307 urban area funds, Albany Transit and the Linn-Benton Loop are no longer eligible for Section 5311 funding.

ODOT allocates Section 5311 funds for the Linn Shuttle and the Sweet Home Dial-A-Bus, operated by the Senior Citizens of Sweet Home. Since the Senior Citizens of Sweet Home is a non-profit agency, the federal government and ODOT require that a public agency serve as the recipient of the Section 5311 funds, with a sub-recipient agreement with the non-profit agency. Linn County serves as the recipient of the federal money for the Linn Shuttle, with a sub-recipient agreement between the county and the Senior Citizens of Sweet Home. In a similar manner, the City of Sweet Home serves as the recipient of federal Section 5311 funds for the Sweet Home Dial-A-Bus program, with a sub-recipient agreement between the city and the Senior Citizens of Sweet Home.

### **ODOT Allocation:**

In 2015 ODOT started to allocate Section 5311 funds on a biennial, rather than an annual, basis. The allocation is determined by a formula which includes a base amount of \$50,000 plus the number of rides (40%) and the vehicle service miles (60%). The ODOT 2019-2021 allocation for the Linn Shuttle is \$288,000, 10% more than the 2017-2019 allocation.

### **Local match:**

As previously reported, several years ago the Linn Shuttle did not draw down all of its federal allocation, primarily due to a lack of local match funds. In 2010 additional match funds were allocated from the Special Transportation Operations program, approved by the Legislative Assembly in 2009, which were distributed over a three year cycle (2010-2011, 2011-2012 and 2012-2013) and

additional contributions from Linn-Benton Community College. This enabled the Linn Shuttle to access its total Section 5311 allocation.

In 2013 I reviewed Federal Transit Administration circulars related to MAP-21, the federal surface transportation bill, and found that a lower match rate now applies to certain expenses of Section 5311-funded programs. I reviewed this with ODOT which agreed that administrative and other non-operational expenses have a 10% local match rate (the same as capital expenses) rather than the 44% local match rate for operational expenses. For the Linn Shuttle, this reduces the required match by about \$27,000 which assists the Sweet Home Senior Center in meeting the local match requirements of other capital and operational programs.

This lower local match rate also applies to the Sweet Home Dial-A-Bus and the Lebanon Dial-A-Bus.

### **Service changes/increased ridership:**

As often reported, the additional funding in recent years has enabled the Linn Shuttle to increase its daily runs from 4 to 7, resulting in significantly better service for Linn County residents and a substantial increase in ridership. To address increased ridership, as well as the development of the medical campus in Lebanon including the new LBCC health services education facility, the Linn Shuttle added an "Lebanon Express Bus" service, with five round trips a day between Lebanon and Albany.

The long-standing Section 5311-funded Linn Shuttle service provides the foundation for the enhanced linkage with the Linn-Benton Loop. The Lebanon-LBCC-Corvallis connecting service was established in September 2013. This long discussed coordinated and connecting service improves access to Linn-Benton Community College and provides limited, cost effective service between Lebanon and Corvallis with the use of a bus transfer at LBCC. This enhanced connecting service is funded through Section 5310 funds allocated by Linn County using the "purchase service" provisions of federal law.

As a part of this new connecting service the Linn Shuttle changed its route a few years ago (doubling back to LBCC and Highway 34 on its return trip to Lebanon/Sweet Home) and now stops at LBCC 19 times a day instead of 6 times a day.

The ridership doubled between 2011 and 2015, with a new annual ridership of 67,000 in 2014-2015. With lower fuel prices, a stronger economy and fewer students enrolled at LBCC the ridership, similar to almost every transit program in the nation, decreased by 15% in 2015-2016 and by another 12% in 2016-2017. The ridership in 2017-2018, however, increased by 12%. The ridership of other transit programs in the region decreased between 2%-8% in 2017-2018. The general public ridership has increased by a larger percentage than the LBCC ridership in the past several years and is now more than 50% of the total ridership.

In simple terms, the Section 5311 and the Section 5310 funding programs are linked together to provide this enhanced service. Under the provisions of the federal FAST Act and its authorized funding levels the Section 5311 program is considered to be financially sustainable for 2019-2021.

Additionally, as reported to the Board of Commissioners, HB 2017/Statewide Transportation Improvement Funds (STIF) will provide substantial resources for improvements to the Linn Shuttle service as well as other public transportation programs serving Linn County residents.

**Application/next steps:**

As in previous years, an application for the Section 5311 funds must be prepared and submitted to ODOT.

After ODOT processes the application, as in previous years, the Board will be asked to approve an agreement between ODOT and Linn County, and a sub-recipient agreement between Linn County and the Senior Citizens of Sweet Home, transferring the money, obligations and responsibilities of the ODOT-Linn County agreement to the Senior Citizens of Sweet Home.

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*In accordance with the Linn County Special/Rural Transportation Title VI/Non-Discrimination Plan, Linn County requires each grant recipient to ensure it shall not discriminate on the basis of race, color or national origin in the performance of federal grant funded projects.*

## December 4, 2018 Agenda Item

To: Board of Commissioners  
From: Linn County Transportation Advisory Committee/  
Mark Volmert, Special/Rural Transportation Coordinator  
Subject: Amendments to Bylaws of Linn County Transportation Advisory  
Committee

### Recommendation:

The Linn County Transportation Advisory Committee recommends that the Board of Commissioners:

Approve Resolution and Order No. 2018-362 Amending the Bylaws of the Linn County Transportation Advisory Committee

### Background

HB 2017 includes a substantial increase in public transportation funds through the creation of a one-tenth of one percent tax on employees.

HB 2017 requires the establishment of an "Advisory Committee" to assist the "Qualified Entity" (transit district/county/Native American Tribe) in carrying out the requirements of HB 2017.

From the start of the rule development process I suggested that districts/counties/tribes be given the OPTION to use their current STF Advisory Committee (or other local committee) rather than create another local advisory committee. It seems illogical, for some entities, to have one committee handle STF, Section 5310 and other transportation funds and another committee handle HB 2017 funds. Since local transit programs in Linn County will access a combination of STF, Section 5310, HB 2017 and other funds the allocation efforts would be better coordinated with the assistance of a single local advisory committee. The ODOT HB 2017 Rules Advisory Committee agreed with this suggestion and the Oregon Administrative Rules developed for HB 2017 allow Qualified Entities to use an existing Advisory Committee as their HB 2017 local advisory committee.

The Linn County Transportation Advisory Committee reviewed this matter on April 10 and recommended that the existing Transportation Advisory Committee fulfill the requirements of Linn County's HB 2017-required local advisory committee.

The Board of Commissioners, on April 24, reviewed this recommendation and agreed that the existing Transportation Advisory Committee should serve as the "local advisory committee" for HB 2017-related requirements.

The Board of Commissioners directed the Transportation Advisory Committee to make recommendations regarding amendments to its bylaws that address the HB 2017 local advisory committee requirements.

### **Current Item**

The TAC subsequently forwarded its recommendations, consistent with the requirements of Oregon Administrative Rules adopted to implement HB 2017, to the County Attorney's Office,

The draft amended bylaws were reviewed by ODOT staff to ensure they meet the requirements of HB 2017.

The County Attorney's Office has prepared amended bylaws.

The amendments:

- Clarify that geographic area of responsibility is the geographic area within the county's jurisdictional boundaries; but notes that the TAC shall work with other jurisdictions on public transportation matters of mutual interest. (Article II)
- Expand the objectives of the TAC "to assist the Board of Commissioners in carrying out Linn County's role as the local Statewide Transportation Improvement Fund's Qualified Agency including the planning, allocation and administration of Statewide Transportation Improvement Formula Funds and the oversight of STIF-funded public transit services provided by local programs". (Article II)
- Define "low income individuals" and "low income households", consistent with the requirements of HB 2017. (Article III)
- Expand the membership composition. The existing bylaws, consistent with the current (and more limited) requirements of OARs, limit membership to seniors, people with disabilities, people who represent seniors and people with disabilities, and providers of transportation services to seniors and people with disabilities. HB 2017 OARs provide significantly expanded membership options. (Article III).

Additionally, references in the existing bylaws to "President" and "Vice President" were replaced by "Chair" and "Vice Chair". When the bylaws were amended in 2011 the previous County Attorney insisted that the terms "Chair" and "Vice Chair" be replaced with the terms "President" and "Vice President".

**COPY**

**BYLAWS**  
**Linn County Transportation Advisory Committee**

**Article I. Name**

The name of this body shall be the Linn County Transportation Advisory Committee, hereinafter also referred to as the “TAC.”

**Article II. Purpose, Objectives, and Authority**

**Section 1. Purpose:** The purpose of the TAC is to advise the Linn County Board of Commissioners regarding public transportation activities, programs, policies and allocation of funds. This includes transportation services provided by public agencies as well as non-profit organizations which receive public funds for transportation operations and capital.

The specific area of responsibility is the geographic area within the county’s jurisdictional boundaries but the TAC shall work with other jurisdictions on public transportation matters of mutual interest.

**Section 2. Objectives. The TAC shall, at a minimum:**

- a. Provide assistance to local transportation programs in the delivery of services. This includes the review and evaluation of transportation needs and the delivery of transportation services.
- b. Assist the Board of Commissioners in the development and implementation of the state-required Coordinated Public Transit-Human Services Transportation Plan. Assist in the review and evaluation of transportation services to ensure consistency with the Coordinated Plan.
- c. Develop recommendations to the Board of Commissioners regarding the allocation of Special Transportation Fund (STF) money, ODOT Public Transit Division discretionary grant funds and other state and federal grants as required by ODOT Public Transit Division. To assist in monitoring the programs funded through these grants to ensure an informed lay and professional citizen perspective of program administration, quality of service and prioritization of service delivery or service needs.

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d. Assist the Board of Commissioners in carrying out Linn County's role as the local Statewide Transportation Improvement Fund's Qualified Agency including the planning, allocation and administration of Statewide Transportation Improvement Formula Funds and the oversight of STIF-funded public transit services provided by local programs. This shall include: (1) reviewing and advising staff on the development of the local STIF Plan, consistent with the guidelines promulgated by State of Oregon administering agencies; (2) reviewing all projects proposed for inclusion in the STIP Plan and prioritizing the approved projects including the funding level for each project to be included in the STIF Plan; (3) developing a process for monitoring and evaluating projects to ensure that public transportation providers that have received funds are applying the funds in accordance with and the purposes described within their project proposal; and (4) if requested, and in the manner directed by the Commissioners, reviewing and providing advice regarding the methodology for the allocation of STIF Formula Program funds allocated to Linn County.

e. Encourage volunteer support of transportation programs and services.

f. Promote public awareness, information and education regarding the transportation needs of county residents and the services available to address them; and foster public engagement outlined in a public participation plan.

**Section 3. Authority.** The TAC is established by the Board pursuant to ORS 391.820, ORS 184.758(1)(b), ORS 184.761, OAR Chapter 732 Division 005 and OAR Chapter 732 Divisions 040 and 044.

### **Article III. Membership of the TAC**

**Section 1. Number.** The TAC shall consist of nine (9) persons.

In accordance with provisions of OAR Chapter 732 Division 005 and OAR Chapter 732 Division 040 to be qualified to serve on the TAC individuals will be knowledgeable about the public transportation needs of residents or employees located within or traveling to and or from the county.

At least one member from each of the following groups shall be appointed to the TAC:

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- a. A person with low income, or a person from a low income household or a representative of low income persons or households.

For all purposes of the Statewide Transportation Improvement Fund Linn County defines “low income individuals” to mean individuals with an income at or below 200% of the current Federal Poverty Level, also known as the Federal Poverty Guideline, updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of U.S.C 9902(2). “Low income households” means a household with a total income which does not exceed 200% of the federal poverty guidelines.

Pursuant to OAR 732-040-0030(4)(a), it shall be the responsibility of the TAC to gather data, to seek public input and to make a determination as to the areas of Linn County in which there exist high percentages of low income individuals/low income households, and to publish said determination in the TAC minutes and printed public materials.

- b. A person who is a senior or elderly individual or a person with a disability and uses transportation services in Linn County or a representative of seniors or people with disabilities. “Senior” or “elderly” shall mean persons sixty (60) years of age or older. “Person with disabilities” shall mean individuals with disabilities which limit or constrain any aspect of their daily life and may include, but is not necessarily limited to, physical, intellectual, cognitive, developmental and/or emotional disabilities.

- c. A public transportation service provider or an individual from a non-profit entity which provides public transportation services within Linn County.

The other six (6) members shall be representatives from any of the following groups:

- d. local governments, including land use planners;
- e. public and non-profit entities which provide public transportation services;
- f. neighboring Public Transportation Service Providers

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- g. employers;
- h. public health, social and human service providers;
- i. transit users who depend on transit for accomplishing daily activities;
- j. individuals age 60 or older;
- k. people with disabilities;
- l. low-income individuals;
- m. social equity advocates;
- n. environmental advocates;
- o. bicycle and pedestrian advocates;
- p. people with limited English proficiency;
- q. educational institutions; or,
- r. major destinations for users of public transit.

No more than four (4) members shall represent public transportation service providers.

Additionally, two (2) non-voting members may be appointed by the Board.

**Section 2. Appointment.** The members of the TAC shall be appointed by the Board of County Commissioners. The TAC may make recommendations for appointments to the Board and the Board may consider these recommendations in making appointments to the TAC. The members of the TAC serve at the pleasure of the Board.

**Section 3. Member recommendations.** The names and qualifications of persons recommended to serve on the TAC shall be submitted in writing to the Board.

**Section 4. Resignation.** Any member may resign membership by submitting such resignation in writing to the chair of the TAC and shall set forth the effective date of the resignation.

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**Section 5. Terms of office.** When the members of the TAC are appointed under these Bylaws, the terms of each member shall be as follows.

- a. Five (5) members shall have a three-year term that expires on December 31, 2021;
- b. Four (4) members shall have a three-year term that expires on December 31, 2020;
- c. The two (2) non-voting members shall have a two-year term that expires on December 31 two years following appointment.

**Section 6. Term limits.** There is no limit as to the number of terms that a member may be appointed to serve on the TAC.

**Section 7. Vacancies in membership.** The Linn County Special/Rural Coordinator shall notify the Board of vacancies in membership and shall submit to the Board any recommendations made by the TAC to fill such vacancies. The Minutes of the TAC should reflect such notification and recommendations.

**Section 8. Removal of members from the TAC**

- a. The Linn County Special/Rural Transportation Coordinator shall notify the Board of any recommendations to remove a member from membership in the TAC and the reasons therefore.
- b. Upon failure of any member to attend five (5) regular meetings in a term or more than (3) consecutive regular meetings, when such absences are not excused, the Chair, in consultation with the TAC, may recommend termination of that member to the Board. Upon confirmation of such recommendation by the Board, the position is vacant. The Board shall make necessary appointments to fill vacancies in accordance with these Bylaws. Such appointments shall be for the remainder of the term. The Special/Rural Transportation Coordinator shall inform the Chair at, and set forth in the minutes of, each regular meeting the names of the persons who have been absent, without excuse for five (5) regular meetings in a term or for more than three (3) consecutive regular meetings.

**Article IV. Officers and Terms of Office**

**Section 1. Officers.** The officers of this TAC shall consist of a Chair and a Vice-Chair.

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**Section 2. Appointed officers; terms thereof.** At the first meeting after January 1 of each year the TAC shall appoint one member to be the Chair and another member to be Vice-Chair. The Chair and Vice-Chair may be reappointed. The Chair and the Vice-Chair shall continue to serve until their successors have been duly appointed and qualified.

**Section 3. Duties of Officers**

- a. The duties of the officers shall be those customarily performed by such officers together with those responsibilities prescribed by these Bylaws of the TAC, and such other duties as may be assigned by the Board.
- b. The duties of the Chair are:
  - (1) to vote on all motions (brought before the full TAC);
  - (2) to preside as chair at all meeting of the TAC;
  - (3) to appoint all committees authorized by the bylaws and appoint chairs and members to serve on such committees;
  - (4) to ensure the presentation to the TAC all reports out of committees;
  - (5) to be responsible for general management of the TAC;
  - (6) to see that all directives of the Board are carried out; and
  - (7) to be an *ex-officio* member of all committees, except that the Chair shall not be a member of a nominating committee.
- c. The duties of the Vice-Chair are to assume the duties of the Chair in the absence of the Chair, during which time the Vice-Chair has the duties, powers, and responsibilities of the Chair.

**Section 4. Vacancies in office**

- a. In the event of a vacancy in the position of Chair, the Vice-Chair shall assume, on an acting basis, the duties of Chair until the TAC elects a person from among its membership to serve as Chair. In the event of a vacancy in the position of Vice-Chair, the office will remain vacant until the TAC elects a person from among its own membership to serve as Vice-Chair.
- b. Following notice of vacancy of any office, an election shall be held at the next regular meeting, provided that written notice of such vacancy is provided to all members of the TAC ten (10) days in advance of that next meeting.

**Section 5. Removal of an officer.** Any officer of this TAC may be removed from office by affirmative vote of two-third's of the voting members attending a regular or special meeting. Following removal, the TAC, as its first item of business, shall elect a person from among its membership to be recommended for appointment to the Board to fill the office.

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## Article V. Meetings

**Section 1. Regular business meetings.** The TAC shall meet as needed and at the call of the Chair unless such meeting date is set at the previous meeting.

**Section 2. Meeting times.** Pursuant to these Bylaws, the TAC shall conduct regular business meetings at a minimum of two times each year, in accordance with Oregon Administrative Rules.

**Section 3. Meeting location.** In order to promote public participation meetings shall be held at ADA-accessible locations throughout Linn County. All meetings shall be conducted in Linn County unless the TAC holds a joint meeting with an advisory committee of another county.

### Section 4. Special meetings

a. Special meetings for any purpose may be scheduled by majority vote or called by call of the Chair.

b. Notice of a special meetings called by the Chair shall contain, in addition to the date, time, and place of the meeting, a list of the agenda items to be considered at the meeting. Such notice shall be provided to each member personally, by mail and/or by email, reasonably calculated to be received at least seven (7) days prior to such meeting.

### Section 5. Quorum and voting requirements.

a. **Quorum.** The *minimum* number of voting members that must be present to have a valid meeting is 51% of the currently appointed voting members.

b. **Concurring votes to do business:** At a regular or properly called meeting at which a quorum is present, a majority of the voting membership present must concur on actions.

c. Nonvoting members of the TAC shall not be counted in determining whether a quorum exists.

**Section 6. Public Meeting Law.** All meetings of the TAC shall comply with ORS 192.610 to 192.690 (Public Meeting Law).

Exhibit 1

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**Section 7. Voting.**

- a. Each member of the TAC shall be entitled to one vote on matters before the TAC.
- b. No vote shall be made by a proxy.
- c. Votes shall be cast by voice or the showing of hands. Verification of a vote may be by showing the hands or a rising vote.
- d. If there is an emergency and it is not feasible to hold a meeting of the TAC, a vote otherwise in compliance with these Bylaws, may be taken by conference phone in the hearing of the quorum present in the meeting at which the matter is being considered so long as:
  - (1) a reasonable attempt, if practicable, has been made to notify the press and persons known to be interested in the matter or who have so requested in writing; and
  - (2) minutes complying with ORS 192.610 to 192.690 of the conference phone are made.

**Section 8. Notice.** The Chair shall cause notice of a meeting's date, time, location, and proposed agenda to be provided in accordance with these Bylaws and this section.

- a. Notice of a regular and special meetings shall be provided not less than seven calendar days prior to such meeting.
- b. Notice of an emergency meeting shall be provided as practical under the circumstances.
- c. Notice shall be given to the following:
  - (1) Each member of the TAC;
  - (2) the Board, if the member representing the Board is absent when such meeting is scheduled;
  - (3) *Albany Democrat Herald*;
  - (4) Any other person who has asked in writing to be notified of such meeting; and
  - (5) Any person known to have an interest in a particular agenda item.
- d. Notice of regular meetings shall include an opportunity for public comment.
- e. The proposed agenda of the TAC shall include a list of the principle subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of the TAC to consider additional subjects.

**Section 9. Minutes**

- a. The Linn County Special/Rural Transportation Coordinator shall keep minutes of all regular, special, and emergency meetings that comply with ORS 192.610 to 192.690. Exhibit 1

b. A copy of the minutes of regular, special, and emergency meetings shall be provided to the Board within two weeks of the meeting at which the minutes were taken, and if amended by the TAC, a copy of the amended minutes shall be given within one week of the meeting at which the amendment was approved.

c. The minutes of a regular, special, or emergency meetings shall contain, in addition to the members, the names and title, if any, of every other person who participates in the meeting.

d. The vote of each voting member on each item of business shall be recorded in the minutes by name including the result of that member's vote.

### **Section 10. Public Engagement**

The Committee shall strive to seek public engagement in all of its deliberative processes, particularly with regard to the selection of projects for inclusion and funding in the Linn County Statewide Transportation Improvement Fund Plan.

### **Section 11. Conflicts of Interest**

A potential or actual conflict of interest shall be declared by any members who has or may have a conflict of interest as defined by Oregon law (ORS 244.020), prior to taking any action on the matter causing conflict. No member shall vote upon any motion which requires declaration of an actual conflict of interest.

## **Article VI. Committees**

**Section 1. Definition.** For purposes of these bylaws, the term "committee" includes a special committee, a task force, and a working group. In order to carry out the work of the TAC, the TAC may create and refer by majority vote a matter to a committee. When a matter is referred to a committee by vote of the TAC, the Chair shall then also establish the number and appoint the members of the committee. Such appointments may be from members of the TAC membership or otherwise. The TAC shall charge each committee so created by providing such committee with a written description of the purpose and scope of activity to be accomplished. The written description may be in the form of the minutes if the minutes otherwise comply with the contents required by this section.

**Section 2. The Chair shall appoint a member of the committee to chair the committee.** The Linn County Special/Rural Transportation Coordinator may provide supporting staff to assist the committee which may include non-advisory board membership. Chairs of such committees shall provide written or oral reports of their activities to the Chair. Members appointed to a committee who are not members of the TAC may vote only at committee meetings.

Exhibit 1

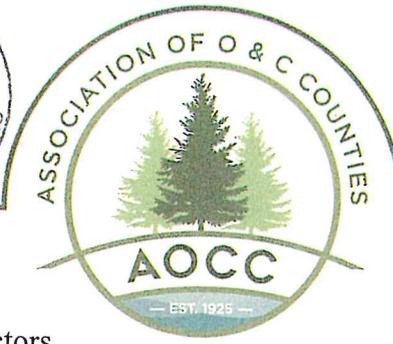
**Section 3.** A committee shall convene at such times as shall be designated by the chair of the committee and the committee shall report back to the TAC at the time designated by the Chair of the TAC.

**Section 4.** A committee is subject to the Bylaws and Rules of Order of the TAC, except as the context requires or demands otherwise.

**Article VII. Parliamentarian Authority**

**Section 1. Authority.** Except as otherwise provided by law and except where the TAC directs or acts to the contrary, the parliamentary process of the TAC shall be governed by the *Basic Parliamentarian Rules of Order for Linn County Governing Bodies* adopted by the Linn County Board of Commissioners, Order No. 2001-605, dated October 23, 2001, and as amended from time to time by the County Attorney, and any Special Rules that the TAC may adopt pursuant to those Rules of Order following review and approval by the County Attorney.

**Section 2. Notice of Special Rule adoption.** Notice of adoption of Special Rules of Order shall be provided in a timely manner to each member of the TAC, the Board, and the County Attorney.



Y-N-

	Read	Appr	Discuss	Copy
Roger				
Will	✓		N	
John				X ✓
Ralph				
File				

To: AOCC Member Counties  
 From: Association Board of Directors  
 Date: November 6, 2018  
 Re: Annual Meeting Notice, December 7, 2018  
 Valley River Inn, Eugene Oregon

At its October 19<sup>th</sup> meeting the Board of Directors took two actions for Member Counties to consider at the Association's annual meeting on December 7, 2018. First, the Board approved proposed amendments to the Association's Bylaws (redline enclosed) for referral to Member Counties, to be voted upon during the annual meeting. The most significant proposed change would expand the Board of Directors from the current eleven members to sixteen members (one from each Member County). **If the recommended changes to the Bylaws are approved, then each Member County will designate its own representative on the Board, to serve for a period of one year. Board members must be County Commissioners, and Member Counties will have until December 10, 2018, to communicate to the Association's staff their Commissioner representative for calendar year 2019.** If the Bylaw amendments are not approved, then the Board of Directors will remain at eleven members, selected by vote from candidates nominated at the annual meeting, as has been the practice in the past.

Second, the Board unanimously approved a two-year operating budget for the period July 1, 2019 through June 30, 2021. The budget is enclosed with this memorandum for the Membership's consideration at the annual meeting. The dues to fund the budget are proportionate to the percentage each county receives from O&C shared timber receipts, as established in federal law.

The Association has a unique and essential advocacy role in all issues concerning the O&C lands whether legislative, administrative, legal or political, to assure the O&C Counties' voice is heard. The Association constantly reminds Congress and the federal agencies that O&C lands have a statutory mandate to be managed for the economic benefit of the O&C Counties. The Association works closely with Congress and the Department of the Interior providing databases, fact sheets and recommended solutions regarding all matters related to the O&C lands. The Association also closely monitors the performance of the relevant federal agencies and weighs in to correct any errors it discovers---correction of such errors added several million dollars to payments to the O&C Counties over the last year alone. A full listing of the Association's activities and recent successes will be provided at the annual meeting.

With Member County support the Association will continue to advocate for the interests of the O&C Counties in the productive and historic O&C lands. We look forward to seeing you at the annual meeting. If you have questions feel free to contact members of the Board of Directors:

Tim Freeman, President  
 Douglas County  
 541-440-4201

Simon Hare, Vice Pres.  
 Josephine County  
 541-447-5211

Craig Pope, Sec. Treas.  
 Polk County  
 503-623-8173

Sam Brentano  
Marion County  
503-588-5212

Bob Main  
Coos County  
541-396-7541

Henry Heimuller  
Columbia County  
503-397-4322

Court Boice  
Curry County  
541-247-3296

Colleen Roberts  
Jackson County  
541-774-6116

Sid Leiken  
Lane County  
541-682-4203

Tim Josi  
Tillamook County  
503-842-3403

Derrick DeGroot  
Klamath County  
541-883-5144



# APPLICATION FOR BUSINESS CERTIFICATE

AS A DISMANTLER OF MOTOR VEHICLES OR  
SALVAGE POOL OPERATOR

DEPARTMENT OF TRANSPORTATION  
DRIVER AND MOTOR VEHICLE SERVICES  
1005 LAHA AVENUE, SALEM OREGON 97314

CERTIFICATE NUMBER  
**WR3366**

EFFECTIVE DATE

EXPIRATION DATE

**FEE: \$800**

- PLEASE TYPE OR PRINT LEGIBLY WITH INK.
- SEE PAGE 4 FOR INSTRUCTIONS FOR COMPLETING A DISMANTLER APPLICATION.
- ANY ALTERATION OF LINE 3 VOIDS LOCATION APPROVAL.

ORIGINAL  RENEWAL

1 LEGAL NAME OF APPLICANT (OWNER, PARTNERSHIP, LLC OR CORPORATION NAME) <b>DAVID &amp; ALISON KINGSBERRY</b>		OREGON REGISTRY NUMBER (IF LLC OR CORPORATION)	
2 BUSINESS NAME OF APPLICANT (IF ASSUMED BUSINESS NAME OR TRADE NAME) <b>AEROSTAR TOWING &amp; AUTO WRECKING</b>		OREGON REGISTRY NUMBER (IF USING ASSUMED BUSINESS NAME OR TRADE NAME) <b>750193-81</b>	BUSINESS TELEPHONE ( ) (541) 258-3671
3 MAIN BUSINESS LOCATION (STREET AND NUMBER) <b>1046 F St.</b>		CITY <b>Lebanon</b>	ZIP CODE <b>OR</b>
4 MAILING ADDRESS <b>PO BOX 219</b>		CITY <b>LEBANON</b>	STATE <b>OR</b>
		ZIP CODE <b>97355</b>	COUNTY <b>LINN</b>

5 CHECK ORGANIZATION TYPE:

Individual  Partnership  LLC  Corporation: If corporation, list the state under whose law business is incorporated: \_\_\_\_\_

6 a) THE DIMENSIONS OF THE PROPERTY ON WHICH THE BUSINESS IS LOCATED ARE 208 ft. X 349 ft.  
 b) ORS 822.115(4) requires applicants to file a **description of the location** of the dismantling yard. Accordingly, please file a plat map or other description of the location of the premises.

7 **By signing this application you are also certifying that:**

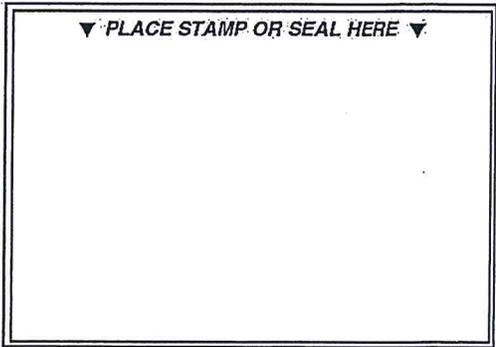
1. The right of way of any highway adjacent to the area proposed for approval to conduct the dismantling business is used for access to the premises and public parking;
2. You maintain a building or enclosure or other barrier at least six feet high for the purpose of conducting the dismantling business;
3. You will not store any vehicles or vehicle parts or conduct the dismantling business outside of the building, enclosure or barrier;
4. The business is hidden and adequately screened by the terrain or other natural objects or by plants, fences or other appropriate means so as not to be visible from the main traveled way or the highway except as permitted by ORS 822.135.

8 **LOCAL GOVERNMENT APPROVAL (CITY / COUNTY)**

By signing this application you are authorizing a dismantler business to be conducted at the location listed on Line 3 of this application. If a dismantler business cannot be conducted at that location, or if any of the conditions below are not met, do not sign this approval.

I CERTIFY THAT THE GOVERNING BODY OF THE  CITY OF Linn HAS:

- A) APPROVED THE APPLICANT AS BEING SUITABLE TO ESTABLISH, MAINTAIN OR OPERATE A MOTOR VEHICLE DISMANTLING BUSINESS (ORIGINAL APPLICATIONS ONLY).
- B) DETERMINED THAT THE LOCATION OR PROPOSED LOCATION MEETS THE REQUIREMENTS FOR THAT LOCATION UNDER ORS 822.110.
- C) DETERMINED THAT THE LOCATION DOES NOT VIOLATE ANY APPLICABLE PROVISION OF ORS 822.135.
- D) APPROVED THE LOCATION AND DETERMINED THAT THE LOCATION COMPLIES WITH ANY REGULATIONS ADOPTED BY THE JURISDICTION UNDER ORS 822.140.



I ALSO CERTIFY THAT I AM AUTHORIZED TO SIGN THIS APPLICATION AND AS EVIDENCE OF SUCH AUTHORITY DO AFFIX HEREON THE SEAL OR STAMP OF THE CITY OR COUNTY.

9 NAME <b>Roger Nyquist, Linn County Board of Commissioners</b>	TITLE <b>Chairman</b>	PHONE NUMBER <b>(541) 967.3825</b>
10 SIGNATURE <b>X</b>		DATE

**COPY**



# LINN COUNTY BOARD OF COMMISSIONERS

JOHN K. LINDSEY  
*Commissioner*

WILL TUCKER  
*Commissioner*

ROGER NYQUIST  
*Commissioner*

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Linn County Courthouse  
P.O. Box 100, Albany, Oregon 97321  
(541) 967-3825 FAX: (541) 926-8228

**RALPH E. WYATT**  
*Administrative Officer*

December 4, 2018

David & Alison Kingsberry  
Aerostar Towing & Auto Wrecking  
1046 F Street  
Lebanon OR 97355

RE: WRECKING LICENSE APPROVAL

Dear David & Alison Kingsberry:

We have approved your wrecking yard license application. This approval is made with the understanding that ALL MATERIALS MUST BE KEPT INSIDE AND BELOW THE HEIGHT OF THE FENCE. Your license is enclosed.

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

Sincerely,

LINN COUNTY BOARD OF COMMISSIONERS

---

Roger Nyquist, Chairman

---

John K. Lindsey, Commissioner

---

William C. Tucker, Commissioner

Enclosure

c: Jennifer Cepello, Planning & Building Department (w/o encl)