

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Allowing Audio Amplification       )  
for the Wapato Valley Church Event at Big Eddy       )  
Park on July 19-21, 2013                                )

**ORDER NO. 35- 2013**

WHEREAS, the Columbia County Forest, Parks and Recreation Rules and Regulations prohibit the use of audio amplification in any County Park, including Big Eddy, without the express permission of the Board of County Commissioners; and

WHEREAS, the Wapato Valley Church has reserved all of the camp sites at Big Eddy Park for July 19-21, 2013, as shown on their Facility Use Application and Agreement, attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the Wapato Valley Church has requested a waiver of the Parks rule prohibiting audio amplification in order to amplify music and guest speakers on the evenings of July 19<sup>th</sup> and 20<sup>th</sup> and speakers and worship services on the morning of July 21<sup>st</sup>, as described in Exhibit B, attached hereto and incorporated herein by this reference; and

WHEREAS, the Columbia County Parks Department recommends that the Board grant a waiver of the no-amplification rule provided that all amplified sound be directed toward Highway 47, away from neighboring residences, and that amplification not be allowed after sundown.

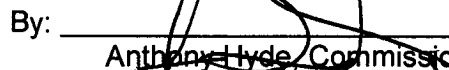
NOW, THEREFORE, IT IS HEREBY ORDERED that the Wapato Valley Church is granted permission to use audio amplification for their event at Big Eddy Park on July 19-21, 2013, as described in Exhibits A and B, subject to the following conditions:

- 1) Audio amplification shall be directed toward Highway 47, away from neighboring residences; and
- 2) Audio amplification shall not be permitted after sundown.

DATED this 10<sup>th</sup> day of July, 2013.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:  \_\_\_\_\_  
Henry Heimuller, Chair

By:  \_\_\_\_\_  
Anthony Hyde, Commissioner

By:  \_\_\_\_\_  
Earl Fisher, Commissioner

Approved as to form

By:  \_\_\_\_\_  
Office of County Counsel

HHART man@wapatovalley.org

## COLUMBIA COUNTY FORESTS, PARKS AND RECREATION

## FACILITY USE APPLICATION &amp; AGREEMENT

Return to: Columbia County Forests, Parks and Recreation, 1054 Oregon Street, St. Helens, OR 97051

APPLICATION & PERMIT FOR FACILITY USE	
Full Name: <u>Michelle Caswell</u>	Organization: <u>Wapato Valley Church</u>
Address: <u>PO BOX 570</u>	Phone (h): <u>(c): 503-857-5086</u> (w): <u>503-985-3351</u>
City: <u>Gaston</u> State: <u>OR</u> Zip Code: <u>97119</u>	E-mail: <u>mpotesta@wapatavalley.org</u>
EVENT INFORMATION	
Type (wedding, organized group camp, etc.): <u>Church Campout</u>	Estimated Attendance: <u>100 - 150</u>
Arrival Date and Time: <u>July 19, 2013 @ 2:00 pm or later</u>	Departure Date and Time: <u>July 21, 2013 by noon</u>
Do you plan to serve alcohol? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Do you plan to sell alcohol? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, when (date and time)?  <small>NOTE: Alcohol is not allowed at park facilities without prior approval. To serve alcohol, you must sign the following Rental Conditions Agreement and submit proof of the required insurance which is accepted/approved by County Counsel.</small>	Contact Person (day/s of event): <u>Michelle</u> Contact Person Phone #: <u>503-857-5086</u>
REQUESTED PARK OR FACILITY: <u>Big Eddy Park</u>	Requested Area(s) Reserved: Sites #1, #3-7, #10-12, #21-29, #33-34

COT to follow

I certify that the above information is true and accurate.

Applicant Signature: Michelle CaswellDate: 2-5, 2013RENTAL CONDITIONS AGREEMENT

In consideration of permission to use the park facility, the applicant agrees to the following terms and conditions:

1. General
  - a) Reservations will be accepted on a first-come, first-served basis.
  - b) A reservation request will not be accepted and processed without a thoroughly completed application.
  - c) Reservations will be confirmed only after County staff have approved the application.
2. Rental Fee
  - a) Refer to "Facility Reservation Rates" sheet for fees or contact Columbia County Parks for fee information.
  - b) Rental fee is due at the time of reservation.
  - c) Cancellation Terms: The Applicant must notify Columbia County Parks of any reservation cancellation no later than 30 days prior to the rental date in order to be refunded the full rental fee (NOTE: a \$10.00 cancellation fee will be deducted from all refunds.) For cancellation notices that are less than 30 days prior to the rental date, the rental fee for the first day will not be refunded.
3. Insurance Requirement – The Applicant must have liability insurance for the entire event and must provide proof of insurance satisfactory to the County as described in the attached "Insurance Requirements - Frequently Asked Questions."
4. Activities Requiring Board of Commission Approval
  - a) Proposed activities deemed hazardous by Columbia County park staff will require the approval of the Columbia County Board of Commissioners before being allowed in the requested park site.

RECEIVED FEB 07 2013

5. Compliance With Columbia County Park Rules
- Columbia County reserves the right to establish rules for the use and occupancy of park sites and facilities covered by this application.
  - The Applicant agrees to comply with the established park rules and insure that guests/invitees are made aware of and also comply with the park rules.
6. Hold Harmless Agreement
- "I, the undersigned applicant, agree to release, defend, indemnify and hold harmless Columbia County, its officers, agents, and employees, successors and assigns from all claims, suits, actions, liability, damage, loss, cost or expense, including but not limited to attorney fees, that Columbia County, its officers, agents, and employees, successors and assigns may sustain or incur on account of: 1) any damage to or destruction of any property that Columbia County may own or in which it may have an interest; 2) any damage to or destruction of any property belonging to any other person, firm or corporation; and 3) injury to or death of any person or persons as a result of any errors or omissions or other negligent, reckless or intentionally wrongful acts of Applicant, its officers, agents, and employees, members and/or invited guests arising in any manner out of Applicant's use of such facilities."

By signing this application I certify that I have read and understand the terms and conditions of this agreement.

Applicant Signature: M. Michelle Curwell Date: 2-5, 2013

Columbia County  
Forests, Parks and Recreation Director: [Signature] Date: 02/08, 2013

**Notice pursuant to ORS 105.688:**

Any fee paid as part of this application is for the reservation of the specific area, at the specific time, and for the specific recreational use identified in this application. Pursuant to ORS 105.682 and ORS 105.688(4), Columbia County, its officers, agents, and employees are not liable in contract or tort for any personal injury, death or property damage that arises out of the use of the park for any other recreational purposes, during any other time, or in any other area of the park.

**OFFICE USE ONLY**

Rental Fee: \$ \_\_\_\_\_ Deposit Received: \$ \_\_\_\_\_ Date: \_\_\_\_\_, 20\_\_

Use Approved: A Use Denied: \_\_\_\_\_ By: GC Date: 02/08, 2013

Proof of insurance received and accepted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Office of County Counsel

Updated 2/22/12

<b>ACORD - CERTIFICATE OF LIABILITY INSURANCE</b>		DATE(M/D/YYYY) 2/14/2013
<b>PRODUCER</b> James Reed & Assoc. Insurance 915 Lancaster Dr. SE Salem, OR 97301 (503) 588-8229		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
<b>INSURED</b> Wapato Valley Church ✓ PO Box 570 Gaston, OR 97119-0570		<b>INSURERS AFFORDING COVERAGE</b> INSURER A: <b>Brotherhood Mutual</b> INSURER B: INSURER C: INSURER D: INSURER E:

COVERAGES						
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
PROD. LINE	APPL. CODE	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE(M/D/YYYY)	POLICY EXPIRATION DATE(M/D/YYYY)	LIMITS
A	X	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMSMADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT(AFFORDABLE): <input type="checkbox"/> POLICY <input type="checkbox"/> PRO. <input type="checkbox"/> LOC.	36M5A0354727	09/16/12	09/16/15	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES(Ea occurrence) \$ 300,000 MED EXP(Any one person) \$ 5,000 PERSONAL AND/FAMILY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMSMADE  DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROHIBITION ON FURTHER EXCLUSIVE EMPLOYMENT EXCLUSION If yes, describe under SPECIAL PROVISIONS below				WC STATUS: <input type="checkbox"/> TORY LIMITS <input type="checkbox"/> OTH ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Use of Big Eddy Park for Family Camp-Out: July 19th - 21st, 2013

Columbia County, its officers, agents and employees are named as Additional Insured per attached BGL-150 endorsement.

<b>CERTIFICATE HOLDER</b>	<b>CANCELLATION</b>
Columbia County 1054 Oregon St. St. Helens, OR. 97051  Fax: 503-397-7215	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE: <i>Toby Heep</i>

36M5A0354727

This Schedule is an attachment to the Commercial Liability Coverage Provision Modification - Designated Additional Insured(s) endorsement(BGL-150). This schedule contains identifying and specifying information only, and does not grant, change or modify any coverage of the policy unless attached to the Commercial Liability Coverage Provision Modification - Designated Additional Insured(s) endorsement(BGL-150). This endorsement is attached to and made part of the Commercial Liability Coverage Provision Modification Designated Additional Insured(s) endorsement(BGL-150).

## COMMERCIAL LIABILITY COVERAGE PROVISION MODIFICATION

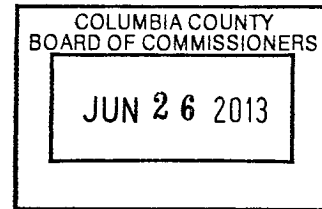
### DESIGNATED ADDITIONAL INSURED(S)

#### SCHEDULE

(The information required below may be shown on a separate schedule and/or supplemental declarations)

<b>Named Insured:</b>	WAPATO VALLEY CHURCH	<b>Policy Number:</b>	36M5A0354727
<b>Additional Insured:</b>	COLUMBIA COUNTY, ITS OFFICERS, AGENTS AND EMPLOYEES 1054 OREGON ST SAINT HELENS, OR 97051 FAMILY CAMP OUT/BIG EDDY PARK		
<b>Applicable Coverage(s) and Limit(s):</b>	Coverage L (Bodily Injury & Property Damage) 1,000,000		
<b>Coverage Begins:</b>	07/19/2013	<b>Coverage Ends:</b>	07/22/2013

**From:** Susan Dixon <sdixon@wapatovalley.org>  
**To:** Teresa Golson <Teresa.Golson@co.columbia.or.us>  
**Date:** 6/25/2013 11:07 AM  
**Subject:** Re: Wapato Valley Church Campout - July 19-21



Dear Columbia County Parks,

Wapato Valley Church requests the use of amplification during our visit to Big Eddy Park on July 19-21, 2013.

We wish to set up near site #23 as recommended, since it is near a play area and most of our tent campers are right there. We wish to use it for about an hour early Friday evening for a time of music and welcome, again on Saturday evening for about 1 1/2 hours (before dark) for a guest speaker after dinner, and finally on Sunday morning after breakfast for a speaker/worship service (1 1/2 hours).

We would keep the volume at an appropriate level so as not to disturb any other campers in the area. We appreciate your consideration.

Thank you,  
Susan Dixon