

14 MAY 15 P3:00

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Application for an Outdoor Mass Gathering Permit by All-Terrain Events; Approving a Special Permit for the "Race-the-Reaper" Sporting Event to be held July 19, 2014.)
) BOARD ORDER 14-270
)
)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session in Room 32 of the Courthouse, on May 15, 2014, Commissioners Mary Stern, Allen Springer, and Kathy George being present.

THE BOARD MAKES THE FOLLOWING FINDINGS.

A Yamhill County Ordinance 580 and ORS 433.735 to 433.770 allow the Board to issue a permit for an "outdoor mass gathering" under circumstances described in the ordinance and the statutes. The ordinance and the statutes require a public hearing to be held prior to approval of an application for a permit.

B. All-Terrain Events, LLC, an Oregon limited liability company, located in Portland, Oregon ("Applicant") has applied for a permit to host an event known as the "Race-the-Reaper" Sporting Event to be held at Flying-M-Ranch, Tax Lot 302, 23029 NW Flying "M" Road, Yamhill, Oregon on July 19, 2014. Between 1000 and 3,000 persons are reasonably expected to attend the event. The applicant seeks permission to use property owned by Bryce and Barbara Mitchell for the event. A copy of the application and the plans to maintain safety and security is attached and incorporated into this Board Order as Exhibit "A."

C. A duly noticed public hearing on the application was advertised for May 8, 2014 to be held at the Yamhill County Courthouse. Legal notice of the public hearing was published in the News Register, a newspaper of general circulation in Yamhill County, on April 29, 2014. At the public hearing the Board accepted testimony, the request was tentatively approved with findings scheduled for adoption on May 15, 2014.

D. The Board finds that the application should be allowed as permitted by this Board Order. NOW, THEREFORE,

IT IS HEREBY ORDERED BY THE BOARD that Applicant All-Terrain Events is granted an outdoor mass gathering permit to conduct the one-day event known as the "Race-the-Reaper" Sporting Event, 2014 (the "Event") on July 19, 2014 at the Flying "M" Ranch property owned by

Bryce and Barbara Mitchell. The outdoor mass gathering permit is valid upon issuance of final approval by county legal counsel as provided in numbered paragraph 8, below, and is subject to the following conditions:

1. **TIMES FOR EVENT.** The County understands that the Event may be open to the public continuously, beginning at noon on Friday, July 18, 2014 and ending at noon on Monday, July 21, 2014. The applicants request overnight camping privileges for Friday, July 18, Saturday, July 19, and Sunday, July 20, 2014 for participants and spectators. Any understandings and arrangements regarding continuous public access to the private property during the event, including but not limited to overnight camping for participants, vendors and spectators, will need to be arranged between the landowner and the Applicant.

2. **NOTICE TO PUBLIC.** The Applicant is responsible for providing notice to the public of the Event. All costs of notice will be borne by the Applicant. Notices must be in accordance with any requirements imposed by the Yamhill County Sheriff's Office.

SIGNAGE. Signage plans are to be submitted to County and the Yamhill County Sheriff's Office no later than thirty days prior to the date of the Event.

3. **SAFETY AND SECURITY.** The Applicant is responsible for providing a plan to maintain safety and security during the Event. The safety and security plan should be submitted for approval to the Yamhill County Sheriff's office no later than June 20, 2014. The applicant is also responsible for providing on-site security. All expenses for on-site security services shall be borne by the Applicant.

4. **TRAFFIC CONTROL AND PARKING.** The Applicant must obtain approval from the Yamhill County sheriff for a plan to manage traffic access and egress from Flying-M-Road to the Event, as well as parking and traffic control at the Event site. Once the plan is approved, the Applicant will comply with the approved plan during the Event.

5. **FIRE CONTROL.** The Applicant must obtain approval from the McMinnville Fire District, for a plan for fire control at the Event. Once the plan is approved, the Applicant will comply with the approved plan during the Event.

6. **TEMPORARY RESTROOM FACILITIES.** The Applicant is responsible for furnishing all temporary restroom facilities required for this event as required by OAR 333-039-0025(3)(a) (at least seven chemical toilets for every 800 persons or fraction thereof anticipated to attend).

7. **LIABILITY INSURANCE.**

a. **INSURANCE REQUIRED; AMOUNT. COUNTY AS NAMED INSURED.** The Applicant shall obtain comprehensive general liability insurance in an amount not less than \$1,000,000 for each day of the Event. The insurance policy shall provide coverage against

liability for death, injury or disability of any person or for damage to property arising from or related to event. The County has to be named as an "also insured".

b. PROOF OF INSURANCE. Evidence of insurance meeting this paragraph shall be submitted to county counsel not less than one week before the Event. County legal counsel is authorized to determine whether the proof of insurance meets the requirements of this paragraph.

8. FINAL APPROVAL OF PERMIT. The Event may not proceed until final approval for the permit is issued in written form by county legal counsel. County legal counsel will issue final approval after receipt of the following materials:

- a. SAFETY AND SECURITY PLAN APPROVAL from the Yamhill County Sheriff as provided in paragraph 3.
- b. TRAFFIC CONTROL PLAN APPROVAL from the Yamhill County Sheriff as provided in numbered paragraph 4.
- b. FIRE CONTROL PLAN APPROVAL from the McMinnville Fire District Fire Marshall, c/o McMinnville Fire Department as provided in numbered paragraph 5.
- c. PROOF OF INSURANCE as provided in numbered paragraph 7.

DONE at McMinnville, Oregon on May 15, 2014

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

BRIAN VANBERGEN
County Clerk

Chair

MARY P. STERN

By Anne Britt
Deputy ANNE BRITT

Commissioner

ALLEN SPRINGER

FORM APPROVED BY:

Christian Boenisch
CHRISTIAN BOENISCH
Yamhill County Legal Counsel

Commissioner

KATHY GEORGE

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APR 17 2014

YAMHILL COUNTY COUNSEL

May 14, 2014

Yamhill County Board of Commissioners
Yamhill County Courthouse
535 E 5th Street
McMinnville, Oregon 97128-4523
RE: 2014 Race the Reaper – Obstacle Course Race

Dear Commissioners:

All-Terrain Events is sponsoring the 2014 Race the Reaper. This one day event will be sanctioned and insured by All-Terrain Events and will be held July 19th, 2014, at the Flying-M-Ranch in Yamhill, Oregon. We are requesting permission from the Yamhill County Board of commissioners to honor our request to allow this event.

Race the Reaper will be benefiting America's Fund. America's Fund gives back to local injured military members and their families. Please visit our website: www.racethereaper.org and click on the charity button for more information regarding America's Fund.

List below are items in need of your approval:

1. We request exclusive use of the Flying-M-Ranch Tax Lot 302 at 8:30am on Saturday, July 19th, 2014
2. We request the Mass Gathering up to 3000 event participants and event spectators.
3. We request permission on tax lot 302 to construct a temporary safety with in a 5,000 square area for participant beer garden in order to comply with safety standards required by our insurance and county permits.
4. We request permission for Race the Reaper participants and spectators to have overnight camping privileges on Friday, July 18th, Saturday, July 19th, and Sunday, July 20th, 2014
5. We request authorization to deny access to outside concessions and solicitors at our race site.
6. We request that the permit fee be waived or reduced based on the support of America's Fund. If a fee applies, we request that the application fee be paid directly after the public hearing date.

These requests are in need of your written permission and are required to be in our possession at our Race the Reaper event.

Thank you for your time and consideration.

Sincerely,

All-Terrain Events, LLC
Jenn Chesney
Owner/CEO
1730 SW Skyline Blvd #124
Portland, Oregon 97221
Phone: 503-753-4839
Email: jenn@all-terrinevents.com

B.O. 14-270
Exhibit "A"
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Yamhill County, Oregon

Application for Outdoor Mass Gathering Permit (Ord. 580)

Board of Commissioners, Yamhill County Courthouse, 535 E. 5th Street McMinnville, OR 97128 Tel: 503-434-7501 • Fax: 503-434-7553

Docket _____
Date _____
Rec'd By _____
Receipt # _____
Fee \$ _____

APPLICANT			LEGAL OWNER (IF DIFFERENT)		
<u>All-Terrain Events LLC</u>			<u>Chesney Jennifer</u>		<u>D</u>
Last Name	First	MI	Last Name	First	MI
<u>1730 SW Skyline Blvd Suite 124</u>			<u>1730 SW Skyline Blvd Suite 124</u>		
Mailing Address (Street or PO Box)			Mailing Address (Street or PO Box)		
<u>Portland</u>	<u>OR</u>	<u>97221</u>	<u>Portland</u>	<u>OR</u>	<u>97221</u>
City	State	Zip	City	State	Zip
<u>503-753-4839</u>			<u>503-753-4839</u>		
Telephone			Telephone		

If the applicant is not the legal owner, state applicant's interest in property:

PROPERTY INFORMATION

Tax Lot(s) 302 Zone AF 80

Address of property 23029 NW Flying "M" Rd Yamhill OR

(Fill out application form completely. Attach additional pages if necessary.)

Type of Event: Sporting Persons expected to attend per event: 3,000 Max

Date or dates (5 max.): July 19th 2014

Present use of the property: Camping, Horse back riding

Please list the type of buildings that are currently on the property (i.e. residence (type), pole building, agricultural barn or other outbuildings, etc.):

Pole building

Is there a septic system on the property? Yes _____ No X

How will water be provided for event? Well X City _____ Other _____

How is the property accessed? Flying "M" Rd

Proposed plan for offstreet parking (attach diagram if appropriate). Proposed plan for traffic control for egress and ingress and parking control (attach additional sheets if necessary):

Staff, Spectator and Volunteer parking will be provided by Flying "M" Ranch

Exhibit "A"
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Application for Outdoor Mass Gathering Permit
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Proposed fire control: McMinnville Fire Dept Proposed medical standby: Metro West
Proposed restroom facilities, including number: 30 Porta Potties
Proposed crowd control or security: 10-15 Security on site

THE APPLICANT MUST SUBMIT:

1. Completed application form, signed by the applicant and property owner (if different). The property owner's signature must be notarized.
2. Site plan drawn to approximate scale showing property lines, location and size of all existing buildings, existing and proposed access roads, and location and size of any proposed temporary structures, including restroom facilities, for use in the Event.
3. Filing fee (make check payable to Yamhill County).

NOTE: Fees are not transferrable or refundable.

I hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that the above information is true and correct to the best of my knowledge. I understand that issuance of a permit based on this application will not excuse me from complying with other effective ordinances and laws, including those regulating the use of the land and buildings.

I understand that Oregon law and county ordinances require the Board to refer the application to the county sheriff, county health officer, fire chief and state or local road authorities for their recommended permit conditions. I understand that the Board can impose reasonable conditions in its Order granting the Outdoor Mass Gathering Permit.

I hereby grant permission for and consent to Yamhill County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.

[Signature] 4-7-14
Applicant's printed name and signature

[Signature]
Property owner's printed name and signature (if different from applicant)

BARBARA J. MITCHELL

State of _____)
) ss
County of _____)

Subscribed and sworn to before me on this _____ day of _____, 19____ by
_____ (applicant) and _____ (property owner, if different from applicant).

Notary Public for Oregon
My Commission expires _____

Exhibit "A"
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