



BOARD OF COMMISSIONERS

1300 NW Wall Street, Bend, Oregon
(541) 388-6570

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

1:00 PM

MONDAY August 8, 2022

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Patti Adair, Anthony DeBone, and Phil Chang. Also present were Nick Lelack, County Administrator; David Doyle, County Counsel; and Sharon Keith, BOCC Executive Assistant (via Zoom conference call).

This meeting was audio and video recorded and can be accessed at the Deschutes County Meeting Portal website www.deschutes.org/meetings

CALL TO ORDER: Chair Adair called the meeting to order at 1:00 p.m.

PLEDGE OF ALLEGIANCE

ACTION ITEMS:

- 1. SECOND READING: Ordinance No. 2022-009, Prohibiting the Establishment of Psilocybin Product Manufacturers and Psilocybin Service Center Operators within Unincorporated Deschutes County; Referral to the Electors**

County Counsel Dave Doyle presented the Ordinance for second reading. Commissioner Chang would prefer a language change to last WHEREAS clause in the ordinance. Discussion held on the nature of the proposed revisions.

DEBONE: Move approval of Second reading of Ordinance No. 2022-009 with revisions as read, by title only.

ADAIR: Second

Discussion: Commissioner Chang feels the measure vote in November will not be any different than the 2020 vote on M109, and therefore is unnecessary. Commissioner Adair pointed out the votes of rural Deschutes County electors shows the rural residents voted against M109.

VOTE: DEBONE: Yes

CHANG: No

ADAIR: Chair votes yes. Motion Carried

Commissioner Adair read the Ordinance into the record by title only.

DEBONE: Move adoption of Ordinance No. 2022-009

ADAIR: Second

VOTE: DEBONE: Yes

CHANG: No

ADAIR: Chair votes yes. Motion Carried

Commissioner Chang requested a copy of the measure language for review before submitting to the County Clerk. Language review of the measure will take place during the Wednesday BOCC meeting.

2. Measure 109 / Psilocybin Concepts / Preferred Alternative

Senior Planner Tanya Saltzman presented concepts for time, place, and manner regulations. CDD Director Peter Gutowsky noted challenges on the allowances for the industry and the regulations which are not in place in any state. Planning Manager Will Groves commented on zoning. Commissioner Chang feels zoning is not as important of an issue as scale of operations. Mr. Gutowsky spoke on the unknowns of this industry. This discussion will be continued during the Wednesday BOCC meeting.

3. Preparation for Public Hearing: LBNW LLC Plan Amendment and Zone Change

Associate Planner Tarik Rawlings presented the discussion in preparation of a future public hearing on a proposal affecting three tax lots in consideration of a plan amendment and zone change. A public hearing will be scheduled for September 7, 2022.

4. Senate Bill 391 – Rural Accessory Dwelling Unit (ADU) Legislative Amendments

Planning Manager Will Groves presented the discussion and announced that the fire protection maps have been withdrawn for the time being by the Oregon Department of Forestry. Due to this withdrawal it is unclear on next steps for the rural accessory dwelling units. The Board supported the department to proceed with planning for ADU opportunities following legislation. Mr. Groves presented options for County draft language for interpretation. Mr. Gutowsky noted clear and objective criteria is needed for the standards.

5. State Legislative Representation and Lobbying Services

Deputy County Administrator Whitney Hale presented the discussion for consideration. Interviews with three firms were held on July 27, 2022. Ms. Hale presented options for proceeding. Based on the ranking scores received from the Commissioners the top firm was found to be NW Policy Advocates. The Board supported the County Administrator's signature on a Notice of Intent to Award.

CHANG: Move to authorize County Administrator's signature to issue a Notice of Intent to Award to NW Policy Advocates

DEBONE: Second

VOTE: CHANG: Yes

DEBONE: Yes

ADAIR: Chair votes yes. Motion Carried

6. State of the County 2022

Ms. Hale presented a draft presentation for review. The Bend Chamber State of the County address is scheduled for Tuesday, August 16th.

Recommendations were made for revisions to the presentation. Ms. Hale will present an updated draft to the Commissioners on Wednesday.

OTHER ITEMS:

- Commissioner DeBone commented on the positive experience with the Deschutes County Fair last week. Commissioner Adair commented on the positive outcome of the 4H animal auction and the success of the rodeo.

RECESS: At the time of 3:28 p.m., the Board went into recess and reconvened the meeting at 3:32 p.m.

EXECUTIVE SESSION:

At the time of 3:32 p.m. the Board went into Executive Session under ORS 192.660 (2) (e) Real Property Negotiations. The Board came out of Executive Session at 4:07 p.m. for the following motions:

CHANG: Move sale of the Simpson Avenue property to KOR Community Land Trust and Housing Works for the combined purchase price of \$500,000

ADAIR: Second

VOTE: CHANG Yes

DEBONE: No

ADAIR: Chair votes yes. Motion Carried

CHANG: Move to authorize the Property Manager to execute the documents relative to this transaction.

DEBONE: Second

VOTE: CHANG: Yes
 DEBONE: Yes
 ADAIR: Chair votes yes. Motion Carried

At the time of 4:08 p.m. the Board went into Executive Session under ORS 192.660 (2) (e) Real Property Negotiations. The Board came out of Executive Session at 4:26 p.m. to direct staff to proceed as directed.

ADJOURN: Being no further items to come before the Board, the meeting was adjourned at 4:27 p.m.

DATED this 31 Day of August 2022 for the Deschutes County Board of Commissioners.



PATTI ADAIR, CHAIR



ANTHONY DEBONE, VICE CHAIR

ATTEST:



RECORDING SECRETARY



PHIL CHANG, COMMISSIONER