



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY September 6, 2023

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Patti Adair and Phil Chang. Also present were County Administrator Nick Lelack; Assistant County Counsel Kim Riley; and BOCC Executive Assistant Brenda Fritsvold.

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: Vice Chair Adair called the meeting to order at 9:00 am and noted the excused absence of Commissioner DeBone.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT:

- Carl Shoemaker relayed his support of the proposal to allow RVs to be designated as residences.

CONSENT AGENDA: Before the Board was Consideration of the Consent Agenda.

1. Approval of Board Order No. 2023-017, vacating a portion of Schibel Road
2. Approval of Document No. 2023-821, a Right of Way Dedication Deed for a Portion of Schibel Road

3. Consideration of Board Signature on letters thanking Art Sharkey and appointing Amy Varner and Eva Wild for service on the Four Rivers Vector Control District Board
4. Consideration of Board Signature on letter appointing Jennifer Letz to the Bicycle and Pedestrian Advisory Committee
5. Consideration of Board Signature on letters thanking Ann Marland and Scott Morgan for their service on the Bicycle and Pedestrian Advisory Committee
6. Approval of minutes of the BOCC July 26 and August 7, 2023 meetings

CHANG: Move approval of the Consent Agenda as presented
 ADAIR: Second

VOTE: CHANG: Yes
 ADAIR: Vice Chair votes yes. Motion Carried 2 - 0

ACTION ITEMS:

7. Contract with Bend-La Pine School District and Mosaic Community Health for the School-Based Health Center at Bend High School

Jessica Jacks, Prevention and Health Promotion Program Manager, explained the purpose of school-based health centers, which are clinics in schools that offer affordable, convenient health care to students and their families. The health center at Bend High School is a collaboration of three partners: the County, the Bend-La Pine School District, and Mosaic Community Health.

Responding to Commissioner Chang, Jacks said the school-based health centers are paid for with State funds which are passed through to the program partners.

Commissioner Chang commended the leadership of the County's Health Services Department for making these services available to youth in the community.

CHANG: Move approval of Board signature of Document No. 2023-563, a contract with Bend-La Pine Schools and Mosaic Community Health for a school-based health center at Bend High School
 ADAIR: Second

VOTE: CHANG: Yes
 ADAIR: Vice Chair votes yes. Motion Carried 2 - 0

8. Contract with Bend-La Pine School District and Mosaic Community Health for the School-Based Health Center at Mountain View High School

Jessica Jacks, Prevention and Health Promotion Program Manager, said the school-based health center at Mountain View was relocated from Ainsworth Elementary last May towards the end of the school year.

Commissioner Chang asked if this clinic is accessible to students from other schools. Jacks confirmed that any student can receive services at any school-based site.

Jacks credited Mosaic Community Health for its successful fundraising campaign to secure the needed modular building for this clinic.

CHANG: Move approval of Board signature of Document No. 2023-566, a contract with Bend-La Pine School District and Mosaic Community Health for the School-Based Health Center at Mountain View High School

ADAIR: Second

VOTE: CHANG: Yes
 ADAIR: Vice Chair votes yes. Motion Carried 2 - 0

9. Presentation: Deschutes County Broadband Needs Assessment Report

Tania Mahood, IT Director, introduced representatives from Central Oregon Intergovernmental Council (COIC) and consultants from Magellan Broadband who assisted in developing the Deschutes County Broadband Needs Assessment Report over the past year in partnership with the Deschutes County Broadband Action Team (BAT).

Shelby Knight, COIC Resilience Planner, explained that federal funding has been made available to address the lack of available and affordable internet in many areas, which impacts access to healthcare, education and job opportunities.

Greg Laudeman, a consultant with Magellan Broadband, said the goals of the needs assessment were to determine existing needs, identify possible projects to address those, and assess the feasibility of the projects in terms of funding availability, public-private investment opportunities, and ability to meet current and anticipated future standards. Laudeman reviewed the inventory of

infrastructure and services now available and shared maps showing current upload and download speeds according to geographic locations, noting some areas with zero service.

Laudeman said extensive stakeholder input gathered from various entities and sectors resulted in the identification of service gaps and priority projects. These include extending fiber to serve the Crooked River Ranch and Terrebonne areas as well as places north of Sisters and south of La Pine. Other possible projects are a redundant fiber route from Bend to Salem and wireless broadband solutions for remote, rural areas. Laudeman shared the evaluations conducted of each identified priority project in terms of technical requirements and costs and other considerations.

Laudeman presented the recommendations of the plan along with the proposed five-step action plan, as follows:

1. Organize a task force for each priority project;
2. Identify and fully engage stakeholders for priority areas;
3. Define priority project areas, outcomes, tasks, and work products;
4. Seek public funding; and
5. Maximize private investment.

In response to Commissioner Chang, Laudeman said federal and state funding sources exist for each of the identified priority projects with the possible exception of keeping local traffic local, which requires little to no funding. Laudeman added that for providers, the long-term return on investment of installing fiber infrastructure is very good.

Scott Aycok, COIC Community and Economic Development Director, confirmed that COIC will work with Deschutes County in addition to Crook County and Jefferson County to submit a regional application to the Broadband Assistance Program for grant funding.

Commissioner Adair asked about the deadline dates for submitting grants. Knight said timelines vary but in general, COIC anticipates submitting grants in 2024 and 2025.

Commissioner Chang said ODOT's Lower Bridge project in Terrebonne might pose an opportunity to coordinate the placement of fiber in the ground at a reduced cost if done in conjunction with already planned roadwork.

10. SB 1013 Overview / Residential Tenancies in RVs

Tanya Saltzman, Senior Planner, said Senate Bill (SB) 1013, which allows but does not obligate counties to permit the use of recreational vehicles as residential tenancies in rural residential areas, will take effect on January 1st. Saltzman provided an overview of SB 1013, noting no minimum acreage requirement applies.

Commissioner Adair asked if a property owner would have to require rent from the tenant. Saltzman said staff will explore whether rent must be paid, or if this could be a nominal charge to cover utility and other expenses.

Continuing, Saltzman said residential tenancy RVs would only be allowed on property that already has one single family dwelling. A residential tenancy RV cannot be utilized as a short-term rental, and the RV must be owned or leased by the tenant. The property owner must provide essential services such as electrical, water and sewage disposal. A lease agreement must be entered into and the County can require that the use be registered.

Saltzman noted variables in the State bill including "reasonable appearance" and whether an adequate snow load capability of the RV should be addressed and if so, how. Staff advises that the Board determine if any setbacks will be required and decide whether to impose a minimum acreage requirement.

Commissioner Adair asked if the RVs must be drivable. Saltzman confirmed they must be moveable and licensed.

Responding to Commissioner Chang, Will Groves, Planning Director, said if the RV is not itself motorized, at the least it must have a hitch and wheels (i.e., be able to be towed) and be titled as an RV.

Commissioner Chang asked about the wastewater disposal requirement and whether this could be satisfied by allowing a tenant the use of a shop bathroom, for example.

County Administrator Nick Lelack said the State has granted counties substantial discretion on this use, and the Board has leeway to decide how permissive or restrictive it wants to be insofar as allowing RVs as residences on private property. He said staff will get clarification from the Department of Environmental Quality whether contracted sewage disposal services (i.e., portapotties) are an option for this use.

Commissioner Chang supported crafting as simple and flexible of a process as possible while ensuring that public safety and health considerations are addressed.

Saltzman concluded that the Planning Commission will hold a public hearing on draft criteria for implementing this program on November 9th.

OTHER ITEMS:

- Commissioner Chang reported on a Public Health Advisory Board presentation yesterday on opioids and stimulants and suggested that Matt Christensen be invited to present this information to the Board.
- Commissioner Chang relayed his discussion last week with the Gales brothers regarding using their property for a shelter or transitional housing. He supported the County absorbing some of the costs to rezone that property in the interest of facilitating a highly beneficial public program.

Commissioner Adair added she talked with Craig Gales about whether a rezone would require a soil study and legal advice. She agreed this matter should be discussed further by the full Board.

EXECUTIVE SESSION:

At 11:30 a.m., the Board went into executive session under ORS 192.660 (2) (e) Real Property Negotiations. The Board moved out of executive session at 11:50 a.m. to direct staff to proceed as directed.

ADJOURN:

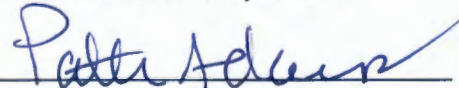
Being no further items to come before the Board, the meeting was adjourned at 11:50 pm.

DATED this 11th day of Oct. 2023 for the Deschutes County Board of Commissioners.



ANTHONY DEBONE, CHAIR

ATTEST:



PATTI ADAIR, VICE CHAIR



RECORDING SECRETARY



PHIL CHANG, COMMISSIONER