



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

1:00 PM

MONDAY February 13, 2023

Barnes Sawyer Rooms
Live Streamed Video

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

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 DeBone called the meeting to order at 1:00 p.m. and noted the excused absence of Commissioner Chang, who was travelling from Washington, D.C.

CITIZEN INPUT:

Commissioner DeBone reported the receipt of emails from Lynne Connelley, Michele McKay, Jenny Greene, Louis Capozzi, Devra O’Gara, Erik Ling and Dorinne Tye on various subjects.

CONSENT AGENDA: None

ACTION ITEMS:

1. Preparation for Public Hearing: Amateur/HAM Radio Facility Amendments

Nicole Mardell, Senior Planner, briefed the Board on an upcoming public hearing concerning legislative amendments to streamline and clarify the review process for Amateur (HAM) Radio facilities. The changes center on simplifying the

establishment of facilities under 70 feet in height, while still maintaining regulations for larger-scale facilities. Mardell reported the proposed changes went before the Planning Commission, which unanimously recommends their approval by the Board.

Commissioner Adair inquired about the 200-foot height maximum. Mardell explained this would avoid triggering additional requirements and regulations. Will Groves, Planning Manager, added that the AT&T tower has a limit of 150 feet; above that height, State and federal regulations apply.

Chair DeBone stated that each person speaking at the public hearing will be allowed three minutes to provide testimony.

2. Preparation for Public Hearing—2023 Housekeeping Amendments to Deschutes County Code

Kyle Collins, Associate Planner, said Deschutes County Code and the Comprehensive Plan are regularly amended to correct minor errors identified by staff, other County departments, and the public. This process, commonly referred to as “housekeeping,” also incorporates updates from rulemaking at the state level through amendments to Oregon Revised Statutes and Oregon Administrative Rules, and allows for less substantive code changes to continue efficient County operations.

An upcoming public hearing will take comment on the proposed amendments, which have been reviewed by the Planning Commission.

Commissioner DeBone asked about the terminology switch from a “landfill” or a “sanitary landfill” to a “land disposal site.” Collins said a number of different terms have been used over time, with the result that some terms ended up mismatched with language in other Code sections.

Chair DeBone stated that each person speaking at the public hearing will be allowed three minutes to provide testimony.

3. Briefing on a request to terminate an Improvement Agreement specific to a neighboring property of the Windhaven Park Phase 1 subdivision in Redmond

Nathaniel Miller, Associate Planner, provided the background of a request to terminate an Improvement Agreement specific to 1920 NE 2nd St. in the Windhaven Park Phase 1 subdivision in Redmond. Miller explained that at the

time the subdivision was approved in 1996, the properties were within Deschutes County jurisdiction. The property is now within the City of Redmond.

When the subdivision was developed, it included an Improvement Agreement for infrastructure development. The improvements were completed and the improvement bond was released on June 27, 2019; however, the Improvement Agreement continues to encumber the property because there was no termination clause embedded within the contract. The owner seeks the termination of the Improvement Agreement to lawfully remove this encumbrance from the title of the property.

OTHER ITEMS:

- Jen Patterson, Strategic Initiatives Manager, distributed draft letters regarding various bills under consideration by the State legislature. Whitney Hale, Deputy County Administrator, said staff seeks feedback on these drafts.

ADAIR: Move Board signature of the letter supporting HB 2574
DEBONE: Second

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

Hale said staff will attempt to reach Commissioner Chang to ask if he will authorize the use of his electronic signature on this letter.

ADAIR: Move Board signature of the letter supporting SB 5505
DEBONE: Second

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

Hale reviewed a proposed letter of support for HB 3205, which would modify the definition of compensation. Advocates are requesting that the County add its logo to that of others in support.

Commissioner Adair said she would support this bill if the County's Human Resources Department does not object. Commissioner DeBone concurred.

- County Administrator Nick Lelack reminded that the Board will present next week at the La Pine/Sunriver Chamber of Commerce event.

Commissioner DeBone asked to have a slide deck of no more than four slides prepared focusing on investments, economic development efforts/EDCO, and the workforce consortium.

- Stephanie Robinson, Grants & Operations Specialist, said the Board will be allotted an hour to speak at the Leadership Redmond meeting in mid-March. The Board discussed focusing its talk on Redmond, including the 40-acre donation for affordable housing, the proposed DSL land swap and the safe parking program.
- Lelack reported that submittals for Congressional Directed Spending will open on February 15th and asked if the Board is interested to submit one or more requests.
- Commissioner DeBone spoke at Ag Team Summit last Friday where topics discussed included Project Wildfire, FireFree and defensible space.
- Commissioner Adair reported the presence of an elk herd on either side of Highway 26 yesterday.
- Commissioner DeBone said a meeting of the Eastern Oregon County Association will happen at 2:00 today.
- Commissioner Adair shared that last week, she submitted letters in support of HB 2510 (funding for fairgrounds) and 2089 (marijuana revenues).

EXECUTIVE SESSION: None

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 1:42 p.m.

DATED this 2nd Day of March 2023 for the Deschutes County Board of Commissioners.



ANTHONY DEBONE, CHAIR

ATTEST:



PATTI ADAIR, VICE CHAIR



RECORDING SECRETARY



PHIL CHANG, COMMISSIONER