



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

1:00 PM

MONDAY May 1, 2023

Allen Room
Live Streamed Video

Present were Commissioners Anthony DeBone, Patti Adair and Phil Chang. Also present were Nick Lelack, County Administrator; Erik Kropp, Deputy County Administrator; Whitney Hale, Deputy 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.

CITIZEN INPUT:

- Greg Bryant, a resident of Deschutes River Woods, questioned the change of makeup of the Planning Commission to switch one at-large position to a position representing the Tumalo area. Bryant said compared to Terrebonne, Deschutes River Woods and other areas, Tumalo has a smaller population.

Commissioner Chang agreed it is important to ensure that people have equal representation. County Administrator Nick Lelack suggested this issue be taken up during the Comprehensive Plan update process.

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

1. **Approval of minutes of the April 21, 2023 Legislative Update meeting**

ADAI: Move Board approval of the Consent Agenda

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

ACTION ITEMS:

2. Roundabout Art Proposal at US 20/OB Riley-Cook Avenue in Tumalo

Chris Doty, Public Works Director, explained the proposal from a group of residents to install art in the new roundabout at US 20 and OB Riley Road/Cook Avenue in Tumalo. Doty said ODOT allows this kind of installation via a permit issued to the local agency. In this case, Deschutes County would be required to vouch for the materials and their installation, and take responsibility for perpetual maintenance and indemnification.

Liz Akar and Ann Witsii sought the Board's guidance and permission to move this initiative forward. They explained their desire for something that reflects the character of Tumalo and described the design concept to represent the agricultural character of the area by way of certain elements, including a rock crib fence, a tractor, a section of wheel line, and native rocks and landscaping such as lava rock and juniper.

Commissioner Adair expressed appreciation for and support of the design and project.

Commissioner DeBone noted that the County would serve as a partner with the community in this endeavor. He asked how vandalism or a vehicle accident would be addressed and also asked if cost estimates have been obtained for engineering and materials to secure the objects.

Akar said the group is still working to determine a plan for ongoing maintenance and any repairs that might be needed. She referred to the potential involvement of nearby businesses in this effort.

Commissioner Chang said the proposal reflects artifacts more than art, and wondered if the proposed design is too busy for the location considering the speed of passing drivers. He suggested that the group may benefit from the advice of a museum curator to get perspective on the length of attention spans that will be realized at the site.

Responding to Commissioner DeBone, Doty said ODOT would have final say on the materials used after the County approves a design. The permit would require entering into an intergovernmental agreement (IGA) with ODOT to specify the responsibilities of each party.

Chair DeBone noted the consensus of the Board to direct staff to begin working with ODOT on the IGA and the required permit for this project.

3. Document No. 2023-415, an Intergovernmental Agreement with the Oregon Department of Transportation for the All Roads Transportation Safety Intersection Upgrades Project

County Engineer Cody Smith explained that ODOT is conducting safety improvements at several State highway/County road intersections, and requires permission from the County to access rights of way on NW Pershall Way and NW Canal Blvd for this work.

ADAIR: Move approval of Board signature of Document No. 2023-415, an Intergovernmental Agreement with the Oregon Department of Transportation for the All Roads Transportation Safety Intersection Upgrades Project

CHANG: Second

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

4. Document No. 2023-065, a Notice of Intent to Award a contract for the Paving of Rosland Rd: US 97 to Drafter Rd Project

County Engineer Cody Smith said two bids were received for this project, and staff recommends approval of the Notice of Intent to Award the contract to Taylor Northwest, LLC in the total amount of \$643,672.80.

ADAIR: Move approval of Chair signature of Document No. 2023-065, a Notice of Intent to Award a contract for the Paving of Rosland Rd: US 97 to Drafter Rd Project

CHANG: Second

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

5. Document No. 2023-067, a Notice of Intent to Award Contract for Engineering Services for the NW Lower Bridge Way/NW 43rd Street Intersection Improvement Project

County Engineer Cody Smith explained the purpose of this project is to enhance safety and mobility on NW Lower Bridge Way through intersection improvements, paved shoulder bikeway widening, traffic control device improvements, and other modernization work. Following the issuance of a request for proposals for engineering and related services, two proposals were received. Staff recommends approval of a Notice of Intent to Award a contract to Harper Houf Peterson Righellis, Inc. for Phase 1 of this work; Phase 2 of the preliminary engineering work is anticipated to be added to the contract by a negotiated amendment upon completion of Phase 1.

CHANG: Move approval of Chair signature of Document No. 2023-067, a Notice of Intent to Award a Contract for Engineering Services for the NW Lower Bridge Way/NW 43rd Street Intersection Improvement Project

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

6. Continuation of Board discussion of Planning Commission appointment

Peter Gutowsky, Community Development Director, explained the current makeup of the Planning Commission and presented options for changing or not changing Nathan Hovecamp's current appointment from an at-large position to one of the two positions representing the Bend area. Gutowsky noted that the Board recently transitioned one of the two at-large positions on the Commission to a position representing the Tumalo area, effective July 1st.

Commissioner Adair was not in favor of changing Hovecamp's appointment and instead supported recruiting for the Bend position. Commissioner Chang noted that the County recruited for an at-large position, and as numerous people have already applied for it, he did not feel right about cancelling that solicitation.

Commissioner DeBone supported appointing Hovecamp to the position representing the Bend area which will be vacated by Maggie Kirby at the end of June.

CHANG: Move to appoint Nathan Hovecamp to the Planning Commission position representing the Bend area for a full four-year term through June 30, 2027, effective July 1st

DEBONE: Second

VOTE: ADAIR: No

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried 2 - 1

7. Continuation of FY 2024 Video Lottery Fund Allocations

Stephanie Robinson, Administrative Services, reviewed the preliminary decisions made by the Board last week to develop the FY 2024 expenditure plan for video lottery proceeds, and guided the discussion using a worksheet to track allocations as those were decided.

In response to Commissioner Adair, Deputy County Administrator Whitney Hale confirmed that expenses incurred and projected for the camping feasibility study can be paid out of Fund 130, the Parks Acquisition and Development Fund. Deputy County Administrator Erik Kropp added that this fund brings in about \$300,000 per year and generally has expenses of about \$190,000 per year.

The Board discussed allocations for the Sisters Chamber of Commerce, EDCO, and the fuels reduction program and the affordable housing trust fund initiative, among others.

Commissioner DeBone requested that the Board receive an update from the group working on the affordable housing trust fund initiative in advance of deciding how much to allocate to that endeavor.

OTHER ITEMS:

- CDD Director Peter Gutowsky asked if the Board wished to submit comments on the scope of FEMA's environmental review of its plan regarding the National Flood Insurance Program. He submitted possible draft comments for the Board's consideration.

Commissioner Chang said this matter does not affect Deschutes County, although he acknowledged the risk that FEMA will pull flood insurance coverage from other communities.

Chair DeBone noted the consensus of the Board to not submit comments on this matter at this time.

- County Administrator Nick Lelack presented the invoice for annual dues to the Association of Oregon Counties; the total amount owed for 2023 is \$69,417.19.

ADAIR: Move Board authorization to pay this invoice as submitted
CHANG: Second

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

- Commissioner Chang indicated his inability to attend the AOC Legislative Committee meeting on June 12th.
- Commissioner DeBone attended the La Pine Chamber of Commerce's annual banquet, where the Gil Martinez "Spirit of the Community" award was presented to Bo DeForest.
- Commissioner Adair reported a meeting with Dave Baden, the interim director of the Oregon Health Authority, and said Baden is well aware of the Deer Ridge facility and its potential.
- Commissioner Chang participated in an early learning conference and moderated one of the panels.
- Commissioner Adair shared that the KOR Community Land Trust is proceeding with its Simpson project, which will accomplish 40 units of affordable housing instead of 30.

EXECUTIVE SESSION:

At 2:59 p.m. the Board entered Executive Session under ORS 192.660 (2) (e) Real Property Negotiations. The Board moved out of executive session at 3:15 p.m. to direct staff to proceed as directed.

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 3:15 p.m.

DATED this 6th Day of June 2023 for the Deschutes County Board of Commissioners.


ANTHONY DEBONE, CHAIR

ATTEST:


PATTI ADAIR, VICE CHAIR


RECORDING SECRETARY


PHIL CHANG, COMMISSIONER