



## BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

# BOCC MEETING MINUTES

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9:00 AM

WEDNESDAY, May 11, 2022

Barnes Sawyer &  
VIRTUAL MEETING PLATFORM

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

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This meeting was audio and video recorded and can be accessed at the Deschutes County Meeting Portal website [www.deschutes.org/meetings](http://www.deschutes.org/meetings)

**CALL TO ORDER:** Chair Adair called the meeting to order at 9:02 a.m.

**PLEDGE OF ALLEGIANCE:**

**CITIZEN INPUT:**

Ron "Rondo" Boozell presented a discussion on whether Deschutes County is ready for a five seat Commission.

Commissioner Adair commented on the lack of housing opportunities here in Deschutes County. And hopes the County is able to react quickly on opportunities for accessory dwelling units.

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

DEBONE: Move approval of the Consent Agenda  
CHANG: Second

*Discussion:* Commissioner DeBone commented on yard debris collection and acknowledged the importance of creating defensible space around homes and the benefits of the FireFree events. Commissioner Chang spoke on concerns of filling up the landfill and the need to support defensible space without it cutting into the storage space of our landfill.

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

1. Consideration of Board Signature of Document No. 2022-420, Renewal of Contract for Yard Debris and Urban Wood Waste Management Services – Year 3
2. Consideration of Board Signature of Document No. 2022-311, First Amendment to a Lease with St. Charles Health System, at 244 Kingwood Avenue, in Redmond
3. Consideration of Board Signature of Document No. 2022-446, a Permanent Easement from Redmond School District 4 for the Tumalo Multi-Use Path Project
4. Consideration of Board Signature of Order No. 2022-024, to reappoint Gregory P. Colvin as Justice of the Peace, Pro-tem
5. Consideration of Board Signature on Letters of Reappointment to the Deschutes County Extension/4H Advisory Council for Lore Kellogg, Carley Sanders, and Peggy Kellogg, and for Reappointment to the Extension/4H Budget Committee for Peggy Kellogg
6. Consideration of Board Signature on Letters of Appointment to Kelley Hamby and Sunny Simpkins, Letters of Reappointment to Gena Goodman-Campbell, Will Groves, and Joanne Richter, and Letters of Thanks to Ted Wise and Shon Rae for service on the Upper Deschutes Watershed Council

## ACTION ITEMS

### 7. PRESENTATION: South County Update

Todd Cleveland, Community Development Department Environmental Onsite Supervisor, introduced the update regarding the history of the groundwater program. DEQ staff introduced themselves. An overview was given of the groundwater well sampling event and groundwater protection efforts in southern Deschutes County. Discussion was held on the nitrate reducing onsite wastewater treatment rebate program administered through CDD. Commissioner DeBone recommends community engagement and education. Commissioner Adair supported increasing the rebate program and issuing a press release to make the announcement. Commissioner Chang mentioned concerns about smoke management related to prescribed fire and spoke on recent constraints.

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### 8. PROCLAMATION: Declaring May 14, 2022 as Apraxia Awareness Day

County Administrator Nick Lelack introduced the proclamation. The Board read the proclamation into the record.

DEBONE: Move approval of proclamation

CHANG: Second

VOTE: DEBONE: Yes

CHANG: Yes

ADAIR: Chair votes yes. Motion Carried

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### 9. Consideration of Board Signature of Resolution No. 2022-026, Authorize Issuance of Debt for Negus and Potential Refinancing

Interim Finance Director Wayne Lowry presented the need for the Resolution. Solid Waste Director Chad Centola presented the work to be provided through the refinancing.

DEBONE: Move approval of Resolution No. 2022-026  
CHANG: Second

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

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**10. Consideration of Board Signature of Resolution No. 2022-027,  
Authorize the Issuance of Hospital Revenue Refunding Bonds series  
2022**

Interim Finance Director Wayne Lowery presented the Resolution for consideration. Matt Swafford, St. Charles Health System, commented on his appreciation for Deschutes County's support. Greg Blonde, attorney at Orrick Public Finance, was present via Zoom conference call.

CHANG: Move approval of Resolution No. 2022-027  
DEBONE: Second

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

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**11. Consideration of Board Signature of Resolution No. 2022-028, Capital  
Project Reimbursement Declarations**

Interim Finance Director Wayne Lowery presented the Resolution for consideration of capital project reimbursements.

CHANG: Move approval of Resolution No. 2022-028  
DEBONE: Second

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

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## **12. Discussion of Conversion of two limited-duration FTEs to permanent FTE in the Sheriff's Office**

Via Zoom conference call were Budget Manager Dan Emerson, Sheriff's Office Business Manager Joe Brundage and DCSO Captain Paul Garrison. Mr. Brundage explained the need for the request. Commissioner Chang requested information regarding the cost for the positions. Mr. Brundage stated the cost will not change. Commissioner Chang commented on the backlog of complaints regarding marijuana enforcement and the recommendation of the Cannabis Advisory Panel to use the marijuana tax revenue toward education for the community rather than just personnel costs. Mr. Brundage stated the Sheriff's Office would have to absorb the costs of the staffing if not through the marijuana tax. Commissioner Chang commented on the upcoming budget hearings and his awareness that the Sheriff's Office is going to request a tax levy increase due to budgetary needs. Commissioner Adair commented on the drug cartel presence in southern Oregon and concerns that it may relocate to this area.

CHANG:            Move approval of Resolution No. 2022-030  
DEBONE:            Second

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

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## **13. Consideration of 2022 Illegal Marijuana Market Enforcement Grant Application**

DCSO Captain Paul Garrison presented the grant opportunity for illegal

marijuana market enforcement. The grant application is due today, May 11, 2022. The grant award will be announced in 45 days.

DEBONE: Move approval of grant application  
CHANG: Second

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

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#### **14. Notice of Intent to Award Contract to Pence Contractors for Construction Manager/General Contractor services for the Deschutes County Courthouse Expansion Project**

Via Zoom conference call, Facilities Director Lee Randall along with Mike Dipasquale, Plan B, presented the item for consideration. Five firms responded to the publically advertised Request for Proposals. The scoring committee was comprised of three members of the Facility Project Review Committee, representatives of the state circuit court, Sheriff's Office, and Facilities Department reviewed the written proposals and the two highest scoring firms were invited for interviews and presentations. Upon review of the proposals and scoring process, the Committee recommends Pence Contractors to be selected as the CMGC for the project.

DEBONE: Move approval of Document No. 2022-445  
CHANG: Second

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

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**RECESS:** At the time of 11:24 a.m., the Board went into recess and reconvened the meeting at 11:29 a.m.

## OTHER ITEMS:

- Commissioner DeBone reported on the Spotlight on Homelessness dinner event with Bethlehem Inn last evening.
- Commissioner Adair reported on the Sisters Park and Recreation budget meeting last evening.
- Commissioner Chang spoke on concerns of smoke management through the needs for prescribed fire.
- Commissioner DeBone attended the state interoperability executive committee meeting yesterday and also reported on the recent Central Oregon Workforce Consortium/East Cascades Works where he was selected as the incoming chair.
- Commissioner Adair acknowledged project funding through Connect Oregon.
- Commissioner Chang noted a forum tomorrow evening for the Citizens for Community in Sisters regarding growth.
- Property Manager Kristie Bollinger presented a draft letter of support requested for Oasis Village. The Board made recommendations for revisions. Commissioner Chang commented he does not feel this is the best location for Oasis Village but supports the letter.
- County Administrator reported on the request for a County Commissioner serve on the Collaborative Office of Homeless Response. Commissioner Adair feels it is necessary for representation and would be interested in participating as she has been involved with this issue for quite some time. Commissioner DeBone commented on land use demands and legislative requirements and would be honored to serve with partners to offer different options to find solutions. Commissioner Chang stated he would be effective in this role through personal research and interactions with service providers. Each Commissioner expressed their interest in representing Deschutes County on this committee. This item will be deferred until the afternoon.

**EXECUTIVE SESSION:**

At the time of 12:01 p.m. the Board went into Executive Session under ORS 192.660 (2) (d) Labor Negotiations. The Board came out of Executive Session at 12:54 p.m.

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**RECESS:** At the time of 12:54 p.m., the Board went into recess and reconvened the meeting at 1:17 p.m.

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**ACTION ITEMS Continued:**

**15. PUBLIC HEARING: Community Development Department Draft Fiscal Year 2022-2023 Work Plan**

Community Development Department Director Peter Gutowsky presented an overview of the draft work plan and review of the public hearing process. Commissioner Adair called for public testimony.

Gary Sherman, resident of Bend, presented testimony regarding cell towers to ask Deschutes County to draft a legislative amendment relative to cell tower construction and include it in the work plan.

Dean Richardson, resident of Bend, commented on the growth of the area and recommends planning continues.

Hearing no further testimony, Commissioner Adair closed the public hearing. Mr. Gutowsky spoke on the timeline and bringing this back to the Board in early June.

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**16. Westgate Phase 8 Improvement Agreement**

Anthony Raguine, CDD Planner, presented the item for consideration.

DEBONE: Move approval of Document No. 2022-230  
CHANG: Second



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

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### **17. Preparation for Public Hearing; Deschutes County Road Department Nighttime Noise Variance**

Tarik Rawlings, CDD Associate Planner presented preparations for a public hearing that is scheduled for May 18, 2022. County Engineer Cody Smith was present via Zoom conference call. Mr. Smith reported the project scope of work involves bridge repairs and pavement rehabilitation on Tumalo Road and Deschutes Market Road between Tumalo Place and 19<sup>th</sup> Street. The nighttime work will take approximately three weeks and will begin after June 1, 2022.

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### **18. Discussion of 2022 Spay and Neuter Grant Solicitation Program**

Laura Skundrick, Administrative Analyst, presented via Zoom conference call explaining the program. Applications are reviewed by the Dog Board of Supervisors and recommendations are brought to the Commissioners for consideration. Finance Office staff presented statistics regarding dog licensing through Deschutes County. Robin Ingram, Finance, coordinates the dog licensing services. Judy Haase, Deputy Tax Collector reported on the on-line license process offered for the community. A media release is to be sent out providing awareness that it is law in the state of Oregon to license dogs. The Board supported \$11,000 for the total grant program award.

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### **OTHER ITEMS** Continued:

- Commissioner Adair presented the revised letter of support from Property Manager Kristie Bollinger.

DEBONE: Move approval of Board signature  
CHANG: Second

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

- The discussion is continued regarding the representative for the Collaborative Office of Homeless Response. Each commissioner nominated themselves and each motion died for lack of a second. Commissioner DeBone then moved to appoint Commissioner Adair.

DEBONE: Move appointment of Commissioner Adair  
ADAIR: Second

VOTE: DEBONE: Yes  
CHANG: No  
ADAIR: Chair votes yes. Motion Carried

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**ADJOURN:** Being no further business brought before the Commissioners, the meeting was adjourned at 2:28 p.m.

DATED this 6 Day of July 2022 for the Deschutes County Board of Commissioners.

  
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**PATTI ADAIR, CHAIR**

  
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**ANTHONY DEBONE, VICE CHAIR**

**ATTEST:**  
  
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**RECORDING SECRETARY**

  
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**PHIL CHANG, COMMISSIONER**