



Deschutes County Board of Commissioners  
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## **MINUTES OF WORK SESSION**

### **DESCHUTES COUNTY BOARD OF COMMISSIONERS**

**MONDAY, DECEMBER 28, 2015**

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*Present were Commissioners Anthony DeBone, Tammy Baney and Alan Unger. Also present were Erik Kropp, Deputy County Administrator; David Doyle, County Counsel; Chris Doty, Road Department; Sara Crosswhite, 9-1-1; and four other citizens, including Ted Shorack of The Bulletin.*

*Chair DeBone opened the meeting at 1:30 p.m.*

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#### **1. Discussion regarding the Addition of a Limited Duration Position in the Road Department.**

Chris Doty provided an overview of a request for additional staffing. They have reached the minimum staffing level and now are experiencing some difficulties in handling core programs. Operators are needed for this purpose, as retirees and others who used to be on call are no longer available. They are down ten positions since 2008.

They have been successful in receiving grants, and their budget outlook is positive. He would like to add one FTE as soon as possible for the FY 2015-16 budget, and they would like to train the person on chip seal so he or she would be ready for the chip seal season.

There are 21 operators that compose two teams, with a supervisor for both. Chip seal is all about preparation in advance. The supervisors have been doing a lot of additional work that an operator should be doing.

The Board is supportive of adding the position at this time.

UNGER: Move support of adding this FTE as presented.

BANEY: Second.

VOTE: UNGER: Yes.

BANEY: Yes

DEBONE: Chair votes yes.

## **2. Discussion of a Sole Source Provider Agreement for 9-1-1.**

Sara Crosswhite spoke about the agreement. Some agencies are concerned about how the systems interact, causing technical challenges that need to be corrected. The Chiefs and Sheriff requested that this be evaluated, to determine where the issues lie. This would be done on a third-party basis with recommendations on how it can be adjusted. They are hoping to avoid having to get a new CAD system. The person doing the evaluation is not associated with either of the two system providers.

UNGER: Move approval of County Administrator signature of the Agreement.

BANEY: Second.

VOTE: UNGER: Yes.

BANEY: Yes.

DEBONE: Chair votes yes.

## **3. Discussion and Decision Whether to Hear an Appeal of the Hearings Officer's Decision on Tumalo Irrigation District Lot of Record Verification.**

Cynthia Smidt gave an overview of the issue. The appellant is Central Oregon Landwatch. The purpose is to recognize land that was created outside of the typical land use process, going back into the 1970's. Throughout the year, they have used Hearings Officers' and Board decisions, but some development happened before land use was established.

The decision does deal with some policy aspects. There were numerous deeds years ago that were conveyed, some properties were divided or combined, and the historic Tumalo Reservoir project information eventually went to the State. The State conveyed some of this back to Tumalo Irrigation District.

The County holds records at least back to 1977 and the permit logs were reviewed as much as possible. They were unable to find a file that correlates with the consolidation of these parcels. Some were separated later. Conveying all those units of and does not eradicate those parcels. The Hearings Officer approved the lot of record request, through State law and LUBA decisions. Central Oregon Landwatch has appealed this.

Commissioner Baney said that it is the County's Code and this is a compelling reason to hear this. The Commissioners agreed. Commissioner Baney asked if limited is appropriate. Ms. Schmidt recommended this on the record as it all should be there.

Ms. Smidt said a lot of record allows for development. However, there is a wildlife overlay involved. The Board decided to hear this on the record only.

UNGER: Move signature of Order No. 2015-058.

BANEY: Second.

VOTE: UNGER: Yes.

BANEY: Yes.

DEBONE: Chair votes yes.

#### **4. Other Items.**

The Board indicated they did not have any items for the Sisters joint meeting. They would like to reschedule within about a month if possible.

Commissioner Under is curious about how they are handling the water flow. Chair DeBone asked about weed issues. Commissioner Baney wondered about affordable housing.

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Erik Kropp said the lump sum from Brightside Animal Shelter was due this month. He would like to extend this for 90 days so they can come up with a business and repayment plan. There is a new attorney assigned to the Teater Trust who might be able to speak to early disbursement. Many of the payments are based on the trust funds.

Commissioner Baney is concerned about the agreement years ago that was to salvage an agency that was struggling. They are now many years down the road and the organization's management seems to think it is appropriate to ask for five more years. The County negotiated bank debt and loaned them a lot of money, but is not being treated as a partner. She does not want to wait five years for repayment for what was bad debt. In her view, there has not been appropriate planning done during all this time. She wants to be careful about any assumptions they might make since the County has been so patient.

Chair DeBone said staff and management has turned over and do not seem to know the history. Commissioner Unger feels the new person was not aware of the history. The Teater Trust was being held as collateral.

Commissioner Baney stated she met with their Board to talk about fundraising and programs, and a capital campaign. She does not want to go another five years and perhaps end up with a request for a write-off. Commissioner Unger noted that they should be able to make payments on time. They did get a substantial amount of money when COCC purchased the event center. This is an emotional issue and it is difficult to come to the right model. Commissioner Baney said even if they got the trust funds, they still need a business plan for the future.

BANEY: Move approval of the agreement allowing ninety days to work on this.  
UNGER: Second.

VOTE: BANEY: Yes.  
UNGER: Yes.  
DEBONE: Chair votes yes.

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UNGER: Move approval of the minutes as presented on the consent agenda.  
BANEY: Second.

VOTE: UNGER: Yes.  
BANEY: Yes.  
DEBONE: Chair votes yes.

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Discussion occurred regarding marijuana businesses and land use. The Board wondered what The Bulletin is writing when it appears they are not informed.

Commissioner Baney feels that those who are the most irate about the issue are those who would benefit financially. That is who she has heard from. Chair DeBone noted that there are some very different opinions and some of these will never be resolved. It is available within the cities and people can grow their own, but this issue has a lot to do specifically with land use.

Mr. Doyle said that the County can start to regulate medical marijuana sites in the near future, regardless of the opt out. This might be a chance for a test case.

Commissioner Baney stated that she was naïve thinking that those who say they want to be regulated and partner with the County really want to cooperate; they have a lot more going on, and know there will be legal ramifications. They seem to think it has to be grown in Deschutes County when the purchasers really don't care where it comes from.

Discussion occurred about licensing and zoning ramifications. Chair DeBone is not opposed to some growing in the County on EFU land, but this needs clarity. Commissioner Baney said that those who bought EFU land for the view do not want a farm use such as this next to them, but also need to realize that they purchased in EFU where a variety of farm uses are allowed.

Commissioner DeBone asked what happens if this went to a vote and it was voted back in. Mr. Doyle said there is thirty days after the vote to develop parameters. Commissioner Baney asked about the right to farm issue. It is unknown if something 'reasonable' will be reasonable to everyone. Attorney Steve Holtburg says that right to farm trumps all. The County could put in guidelines and end up losing in court. This could result in a free-for-all. Commissioner Unger said the medical part is out of control already and needs to be reined in. It is hard to demand that people be good neighbors.

Chair DeBone stated that some want a fully controlled crop. Energy use is an issue if it is going to be grown all year. He feels there should be a natural cycle to a crop. Commissioner Unger agreed that right to farm should focus on normal crops. The legislature really needs to define this. Commissioner Baney said that perhaps they should ask the legislators to provide better guidance during the short session.

Regarding forming a committee to review this issue, the Commissioners are uncertain if this will help. There are some discussions that need to happen either way. The committee would need some guidelines.

Commissioner Unger would like to make some decisions on a conservative basis, which can be relaxed later if appropriate. Commissioner Baney said that there are some who are looking only at the money to be made. There will still be a black market element. She thinks the restrictions in some counties in Colorado and Washington are much greater than what is being considered here.

Commissioner Unger noted that it has to be defensible. Commissioner Baney said that the Farm Bureau would be difficult to fight if it became a statewide issue. Mr. Doyle said that the legislature gave HB 3400 right to farm protection specifically. Commissioner Unger wants to see more direction from the legislature.

Mr. Kropp said that the committee needs to come up with something for either now, or advise whether it should go to the voters. Commissioner Unger does not think going to the voters will give the voters enough information to be fully informed.

Chair DeBone wants to address the problems now happening regarding the medical marijuana grows. Mr. Doyle said this could be refined starting the end of March. Some of those operations are not on EFU land and supposedly they will not be grandfathered in. Obviously some of them want to expand what they are already doing into the retail aspects.

Commissioner Baney does not have a problem with people trying to make a profit, but not at the expense of others. Some will follow the rules while others will not. Commissioner Unger noted that they can't even know about future possibilities as to harvesting and growing; there is too much yet unknown.

The Board would like to have additional one-on-one discussions with Legal and Community Development on this issue.

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The Board discussed the Better Together program. Commissioner Unger wants to see a plan for students and media to interview businesses so they can see how businesses run. He may want to provide a grant of \$1,000 for something like this.

## **5. Adjourn.**

*Being no further items discussed, the meeting adjourned at 3:45 p.m.*

DATED this 13<sup>th</sup> Day of January 2016 for the  
Deschutes County Board of Commissioners.

Alan Unger

Alan Unger, Chair

Tammy Baney

Tammy Baney, Vice Chair

ATTEST:

Bonnie Baker

Recording Secretary

Anthony DeBone

Anthony DeBone, Commissioner

Work Session

(Please Print)

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Liz Fancher

SARA OROSSUTHAT

Carol Macbeth

Ken Rieck

Ted Shorack

Richard Coe

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12-28-15



# BACKGROUND

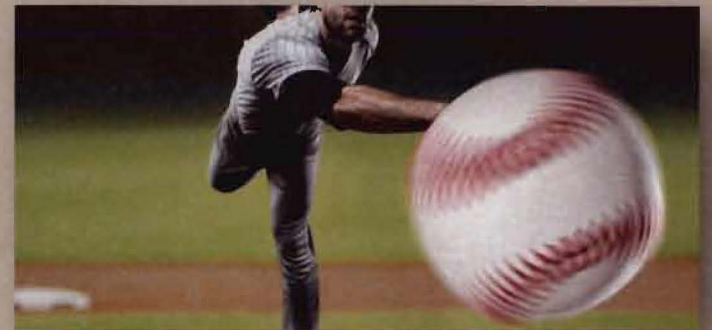
- The Road Department has made significant cuts in staff through the Great Recession in an attempt to sustain maintenance investment while “finding the bottom” in terms of minimum necessary staffing levels.

■ The bottom has been found.

- Contemplating the addition of 1 or 2 Operators in the FY 17 Budget Process.

## ■ Why:

- Over-reliance on retirees available to operate.
- Over-reliance on Supervisors operating equipment.
- Difficulty hitting the curveball.
- Positive budget outlook (State Highway Fund, Multiple chip seal grant awards)



# LIMITED DURATION POSITION REQUEST

## ■ Historic FTE Count

FTE	FY 09	FY 10	FY 11	FY12	FY13	FY14	FY15	FY16
Total	62.50	61.50	60.50	60.50	56.50	52.75	52.75	52.50

- Current FTE Count: 52.0 (unfilled 0.5 FTE Customer Service Clerk).

**Request: Add 1 FTE as a Limited Duration Position thru June 30, 2016**

- With 6 months remaining, FTE for FY is that of budget – 52.50

- Recent recruitment to backfill open position yielded multiple qualified candidates.
  - Could get a jump-start on training via a LDP – a value add to FY 17 chip seal program.
- Will request to convert to permanent in FY 17 Budget Process
  - Position will expire if not approved.





# Deschutes County 9-1-1 Service District

## Staff Report – ADCOMM Engineering Contract Add On

### Background

The discussions leading to establishing a rate for the District's May 2016 permanent rate ballot measure included a review of the District's cash reserve funds. Several law enforcement agency stakeholders asked the District to consider using some of the funds to accomplish the District's strategic goal of a full Computer Aided Dispatch (CAD) and law enforcement Records Management System (RMS) integration.

The District's CAD system is the primary tool used by staff to manage incoming calls for service and the subsequent dispatching and tracking of every incident, emergent and non-emergent, for all law enforcement, fire and emergency medical services agencies. A CAD change is *the* most significant technology decision a dispatch center can make, requiring careful consideration to assure District processes are enhanced or at a minimum, remain at least as efficient as they are now.

### Proposed Statement of Work (SoW)

The proposed SoW from ADCOMM Engineering takes a two phased approach to evaluating the current status of this technology. The first part will help make the technologies currently in use work together more effectively. The second phase (to run concurrently) will gather information to help all stakeholders detail their requirements to assure a CAD demonstration from New World Systems (the RMS used by law enforcement) is tailored to show how the requirements of dispatch staff members *and* responders will be met if a change is made.

### Issue for Board Consideration

ADCOMM Engineering is currently serving as the District's consultant for the radio project for a not to exceed amount of \$101,000. Staff proposes adding the attached SoW to the company's responsibilities for an additional \$95,000 for a maximum total of \$196,000. The funds for this work are available in the District's current budget.

Staff recommends adding to ADCOMM's current scope of work due to:

- Satisfaction with the work done to date by the company on the radio project.
- The company's familiarity with the District, its staff, technical systems, needs and goals will result in a more timely work product which also makes it unlikely other firms would be able to match the cost.
- User agency members are urging a rapid procurement process so work can start to address significant technical system issues related to the CAD system and end user Mobile Data Computers (MDCs).
- Confidence the company has the specialized expertise required for the analysis and capacity to start work immediately.

### **Recommendation and Action Requested**

Approve the addition of \$95,000 to the scope of work to be performed by ADCOMM Engineering for a maximum total expenditure of \$196,000.

### **Attendance**

Operations Manager Sara Crosswhite will attend the 1:30 p.m. study session on December 28, 2015.



## **WORK SESSION AGENDA**

### **DESCHUTES COUNTY BOARD OF COMMISSIONERS**

**1:30 P.M., MONDAY, DECEMBER 28, 2015**

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*Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be addressed at the meeting. This notice does not limit the ability of the Board to address additional subjects. Meetings are subject to cancellation without notice. This meeting is open to the public and interested citizens are invited to attend.*

*Work Sessions allow the Board to discuss items in a less formal setting. Citizen comment is not allowed, although it may be permitted at the Board's discretion. If allowed, citizen comments regarding matters that are or have been the subject of a public hearing process will NOT be included in the official record of that hearing. Work Sessions are not normally video or audio recorded, but written minutes are taken for the record.*

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1. Discussion regarding the Addition of a Limited Duration Position in the Road Department – *Chris Doty*
  2. Discussion of a Sole Source Provider Agreement for 9-1-1 – *Sara Crosswhite*
  3. Discussion and Decision Whether to Hear an Appeal of the Hearings Officer's Decision on Tumalo Irrigation District Lot of Record Verification – *Cynthia Smidt*
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*Meeting dates, times and discussion items are subject to change. All meetings are conducted in the Board of Commissioners' meeting rooms at 1300 NW Wall St., Bend, unless otherwise indicated. If you have questions regarding a meeting, please call 388-6572.*

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#### 4. Other Items

*These can be any items not included on the agenda that the Commissioners wish to discuss as part of the meeting, pursuant to ORS 192.640.*

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*At any time during the meeting, an executive session could be called to address issues relating to ORS 192.660(2)(e), real property negotiations; ORS 192.660(2)(h), litigation; ORS 192.660(2)(d), labor negotiations; ORS 192.660(2)(b), personnel issues; or other executive session categories. Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media.*

#### 5. Adjourn

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