



For Recording Stamp Only

Deschutes County Board of Commissioners  
1300 NW Wall St., Bend, OR 97701-1960  
(541) 388-6570 - Fax (541) 385-3202 - [www.deschutes.org](http://www.deschutes.org)

---

## MINUTES OF WORK SESSION

### DESCHUTES COUNTY BOARD OF COMMISSIONERS

**MONDAY, APRIL 4, 2016**

---

*Present were Commissioners Alan Unger, Tammy Baney and Anthony DeBone. Also present were Tom Anderson, County Administrator; Erik Kropp, Deputy County Administrator; and Dave Doyle, County Counsel. Attending for a portion of the meeting were David Givans, Internal Auditor; and Susan Ross and James Lewis, Property & Facilities; and media representative Ted Shorack of The Bulletin.*

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

---

#### **1. Property & Facilities Update.**

Susan Ross discussed audit recommendations dealing with construction management. There is already a facilities maintenance policy.

- Develop a way to track or document change orders.
- Construction – centralized or decentralized.
- A procedures manual not needed countywide if centralized. They will instead develop an in-house manual.

She presented the facilities maintenance policy, which now has added #10 regarding construction management.

Chair Unger confirmed that this would not include towers used by the Sheriff and other agencies. Ms. Ross stated that it would not include anything that is not occupied or is not under the purview of Property & Facilities. It was developed originally to standardize County facilities rather than having employees decorate and furnish their space any way they wanted.

David Givans confirmed that the language covers the concerns raised in his audit.

Chair Unger asked about the procedure for employees advising the department that something needs to be repaired. Ms. Ross said they have a work order system and this would fall under #9. This streamlines the workflow. She pointed out that there are some problems with the individual pod coffee makers and other small appliances that draw a lot of power, or are left on and present a fire hazard.

*At 1:45, the Board went into executive session under real property negotiations. This concluded at 2:30 p.m.*

## **2. Other Items.**

The Board was advised that Steve Hultburg can no longer be on the EDCO board. The new appointee could be another attorney. A recommendation will come from EDCO and the Board would appoint the person, if appropriate. Tom Anderson will follow up.

---

Commissioner DeBone said that someone asked how to follow a LUBA case. David Doyle said LUBA puts out an agenda when things are scheduled, but he does not know if there is information on active cases on their website. The person can contact Legal Counsel for more information.

---

Commissioner Baney stated that in a letter as an individual Commissioner, she supported Pacific Crest Development for a zone change for property within the City of Bend, regarding acquiring some land for affordable housing.

Regarding advertising on the radio, Mr. Anderson stated that a draft script is being developed. Commissioner DeBone would like a handout for his Rotary meeting tomorrow.

---

Mr. Anderson said that EDCO is putting on a presentation on the enterprise expansion tomorrow night at Sunriver. Zone information has been provided to EDCO and this explains what could be allowed under the zoning. He will help at the presentation and answer questions if requested. Commissioner DeBone will reach out to business owners in the area. Mr. Anderson stated that local businesses plan to participate as well.

Some people may be concerned about what might be allowed, and it is hoped that they attend so they will understand what can and cannot be done. Chair Unger noted that it can be confusing. The Board might want to have its part of this include a public hearing, depending on how the Sunriver meeting goes.

---

Mr. Anderson stated that May 2 is the hearing on MAC recommendations. One person asked if the Board would do this also in the evening. Commissioner Baney said they added the daytime hearing, which is not required, and does not want to do more than that.

Chair Unger asked why it is to be a hearing on the MAC recommendations. Commissioner Baney said that it is to hear any concerns from the public related to the issue. The Board can consider the MAC recommendations and anything else for its decision on May 4. Commissioner DeBone stated that he has put off talking to individuals. They are in the opt out stage now, but this will be their opportunity to set some rules. Chair Unger would like to fix the medical marijuana part, which is creating most of the confusion, and feels a November vote may not help much.

Commissioner Baney said she would like to learn more about the potential of a business license and whether this can be required for medical marijuana grows. Mr. Doyle will examine this. Commissioner Baney said there are Planning Commission recommendations as well as those from the MAC, but if they do another hearing, she fears they will end up at the same place. She does not feel it will be valuable. Commissioner DeBone stated that there are people firmly stuck in one camp or the other.

Chair Unger would like to have a way to measure being a good neighbor through licensing. If a licensee fails after a year, they have the license pulled. Mr. Anderson stated that a LUCS is a one-time thing and does not apply.

Commissioner Baney asked what criteria they can enforce for being a good neighbor; some may like their neighbors for whatever reasons, while others don't. Chair Unger stated that, for example, if they can't manage the odor, they should be made to close or downsize. Mr. Anderson said that if those are conditions of approval, they don't have to wait for a year to act.

Commissioner Baney noted that there are some concerns about turning neighbors in for violations. She asked if they can allow for anonymous complaints. Mr. Anderson stated that if someone truly feels threatened, they can talk to the Sheriff's Office or have a Commissioner's name on the complaint. This could filter out the situation to establish validity. Commissioner Baney said that there might be a crescendo and this could affect those who have been working lawfully, as well as those who want to get under the wire and do things illegally. It might be in turmoil for a year to weed out those that are not acting lawfully. She likes the idea of a business license since there is no way to fund enforcement otherwise.

Commissioner DeBone said that there would already be an OLCC license fee and maybe one for OHA. Chair Unger stated that they should not pack another fee on top of others, as that should be limited. Commissioner Baney noted that OLCC may not have the capacity to handle all it should. Mr. Doyle said they should not overlap into OLCC's enforcement field. If someone is approved through OLCC regulations, the County is limited on what it can do. The County does not want to get into regulation outside of land use. OLCC preempts local regulations in regard to alcohol already.

Commissioner Baney said that if there is code enforcement, if they are doing more than they should, it would be land use. A license would at least let the County know where the operation is. Mr. Doyle asked if this would include the 1700 existing medical grow sites. Commissioner Baney said yes. Chair Unger said this might be one way to manage the medical side of it.

Mr. Anderson explained that under agri-tourism rules, there is an annual check-in. If you build in a reissue of a land use approval, it can be simple, or could include a site visit to make sure they are doing what was originally approved. Mr. Doyle stated that the Planning Commission had addressed this. However, CDD does not have the funds to pay for this kind of program.

Chair Unger asked if the County is going to get any tax money from all of this. Mr. Doyle said that most goes to the State and some of that will be distributed to law enforcement or health agencies.

---

Mr. Anderson said that he spoke with Paul Jansen regarding Harper Bridge, and the latest scheme is to ask Ron Burris to turn over property to the U.S. Forest Service. This might lift the land use restrictions now in place. At this time, they can't even do passive things such as having a parking lot. In federal ownership, they have to consider local land use law but are not necessarily required to comply. There are restrictions based on a land use decision and the Forest Service may not want to go against this. A meeting is scheduled for Wednesday with stakeholders in Sunriver to discuss options. Representative Gene Whisnant may be present. Mr. Anderson plans to attend to represent the County's interests.

---

Jane Smilie is leaving her position as the Director of the Health Department in July due to health issues. The doctor feels that she needs to eliminate stress from her life and she may return to her previous home in Montana, which she and her husband never sold. She will let her staff know today. A recruitment will begin soon. She has done a great job in a very challenging position, especially internally and with budgeting.

---

Both David Doyle and Tom Anderson are due for their annual evaluations, and these will take place after the work session on April 18.

---

### 3. Adjourn.

*Being no further discussion, the meeting was adjourned at 3:15 p.m.*

APPROVED this 13<sup>th</sup> Day of April 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



**Deschutes County Administrative Policy No. BLDG-1**  
**Effective Date: June 28, 2006**

## **FACILITIES MAINTENANCE POLICY**

### **STATEMENT OF POLICY**

It is the policy of Deschutes County to maintain continuity and appearance of county facilities, facilitate ease of maintenance, extend the life of assets, and to establish consistent standards for use of County facilities.

### **APPLICABILITY**

This policy applies to all County personnel and all other individuals who use County facilities.

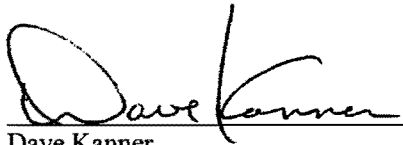
### **POLICY AND PROCEDURES**

1. Where feasible, full-height panels systems instead of hard walls will be used to create separation of spaces. This will allow flexibility in the future if the space needs to again be reconfigured.
2. Animals are not allowed in County facilities, including County vehicles. The exceptions are certified service animals and treatment animals that are both licensed and insured. Fish tanks are permitted.
3. Space heaters are not permitted unless required for medical reasons. Heaters upset the heating/cooling systems and the electrical system and are often fire hazards. Other appliances such as coffee makers that do not have automatic shutoffs will also be prohibited.
4. All furniture purchases must be ordered through Building Services. The furniture will be pre-assembled and will consist of a standard finish to match existing County furniture. Desk and work surfaces will be height adjustable by crank, electric motor, or torsion lever.
5. Chair mats are required at all desk areas to reduce the wear and tear on carpets.
6. County buildings and individual offices are to be painted the standard color(s) as established by Building Services. All painting must be conducted by Building Services.
7. Building Services will establish the standards for window blinds, light bulbs, carpet, vinyl, laminate, and other finishes. Building Services will be responsible for ordering and installing these items.

8. Services of outside contractors (such as electricians) will be acquired by Building Services. Individual employees or departments should not hire contractors to complete work in County facilities.
9. All requests for remodels or construction are to be submitted to the Director of Property & Facilities. Work requests for routine maintenance are to be submitted to the Building Services Manager.

Any exceptions to this policy must be approved by the County Administrator or his/her designee.

Approved by the Deschutes County Board of Commissioners June 28, 2006.



Dave Kanner  
County Administrator

10. Oversight and management of capital construction projects for facilities that are intended for tenancy or occupancy is to be centralized within the Property & Facilities Department. Departments that oversee projects that are not occupied such as landfills and roads are responsible for their own capital construction oversight and management, although Property & Facilities could act in a consultant role if requested by the department.



## WORK SESSION AGENDA

### DESCHUTES COUNTY BOARD OF COMMISSIONERS

**1:30 P.M., MONDAY, APRIL 4, 2016**

*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.*

---

1. Property & Facilities Update – *Susan Ross, Property & Facilities*

2. 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.*

---

*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.*

---

*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.*

---

Deschutes County encourages persons with disabilities to participate in all programs and activities. To request this information in an alternate format, please call (541) 617-4747, or email [ken.harms@deschutes.org](mailto:ken.harms@deschutes.org).



*Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media.*

### 3. Adjourn

---

*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.*

---

Deschutes County encourages persons with disabilities to participate in all programs and activities. To request this information in an alternate format, please call (541) 617-4747, or email [ken.harms@deschutes.org](mailto:ken.harms@deschutes.org).