



For Recording Stamp Only

Deschutes County Board of Commissioners
1300 NW Wall St., Bend, OR 97703-1960
(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

MINUTES OF BUSINESS MEETING
DESCHUTES COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 23, 2016

Commissioners' Hearing Room - Administration Building - 1300 NW Wall St., Bend

Present were Commissioners Alan Unger, Tammy Baney and Anthony DeBone. Also present were County Administrator Tom Anderson and Deputy County Administrator Erik Kropp; Dave Doyle and John Laherty, County Counsel; Mike Berry, Surveyor; Will Groves, Community Development; Timm Schimke, Solid Waste Department; and several other citizens.

1. CALL TO ORDER

Chair Unger called the meeting to order at 10:00 a.m.

2. PLEDGE OF ALLEGIANCE

3. CITIZEN INPUT

None was offered.

ACTION ITEMS

4. Before the Board was Consideration of First Reading, by Title Only, of Ordinance No. 2016-009, Ratifying Creation of the Oregon Association of County Engineers & Surveyors.

Mike Berry, County Surveyor Road Department, presented to the Board the Ordinance relative to the Intergovernmental Agreement that outlines county partnerships incorporating the Oregon Association of County Engineers and Surveyors (OACES). OACES began as early as 1928 when Oregon counties started working together and lobbied on behalf of county engineers and surveyors. Mr. Berry is the current President of OACES.

DEBONE: Move first reading by title only of Ordinance No. 2016-009.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

Chair Unger conducted the first reading, by title only.

Chair Unger noted the second reading of Ordinance 2016-009 will be on the June 8, 2016 BOCC business meeting agenda.

5. Before the Board was Consideration of Board Signature of Document No. 2016-291, Findings/Decision on Dreifuss Land Use Case.

Will Groves, Community Development, reported that revisions were made to the drafted decision for the Dreifuss application, based on Code. Clarification was made regarding the well structure, bunkhouse expansion and decking.

BANEY: Move approval of Board signature of Document No. 2016-291.

DEBONE: Second

VOTE: BANEY: Yes

DEBONE: Yes

UNGER: Chair votes yes.

6. Before the Board was Consideration of Board Signature of Document No. 2016-292, an Improvement Agreement with Tetherow Resort.

Will Groves explained the agreement is for a new subdivision providing overnight units to the destination resort to meet the required ratio of single family units.

DEBONE: Move approval of Board signature of Document No. 2016-292.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

7. Before the Board was Consideration of Board Signature of Document No. 2016-293, an Infrastructure Agreement with Tetherow Resort.

Will Groves noted that this agreement is relative to the subdivision in the Tetherow Resort and is specific to roads and utilities.

BANEY: Move approval of Board signature of Document No. 2016-293.

DEBONE: Second.

VOTE: BANEY: Yes

DEBONE: Yes

UNGER: Chair votes yes.

8. Before the Board was Deliberations on a Solid Waste Franchise Exemption Request from College Hunks Hauling Junk.

John Laherty, County Counsel, and Timm Schimke, Director of Solid Waste were in attendance. Counsel Laherty stated this matter first came before the Board on May 16, 2016, when the applicants, College Hunks Hauling Junk, requested an exemption to the solid waste franchise ordinance. The Board left the written record open until May 19, with deliberations taking place today on the applicant's request.

Code requires the Board consider three criteria: the impact of granting an exemption upon affected existing franchises, the impact upon the applicant of obtaining a franchise, and the impact on solid waste management to the public. Discussion was held regarding efficient management, partnerships, and the services offered by solid waste operations.

DEBONE: Move denial of Solid Waste Franchise Exemption Request from College Hunks Hauling Junk.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

9. Before the Board was Continuation of Deliberations and a Decision on Lower Bridge Property Land Use Appeals.

Will Groves noted that this item is relative to consideration of reopening the request for a site plan review for property located between the Deschutes River and Lower Bridge Way, west of Terrebonne. The Board is to consider approval or denial of the request and sign the appropriate version Order Number 2016-025.

DEBONE: Move adoption of Order No. 2016-025, Denying Reopening of the Public Hearing for the Submittal of Written Materials in the de novo Hearing of 247-15-00194-CU, 247-15-000195-TP, 247-15-000689-MA (247-15-000521-A).

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

Commissioner Baney asked for clarification on the applicant's options at this point. Mr. Groves stated that he has discussed the options with the applicant if the Board continued deliberations, or whether the application will be withdrawn.

Commissioner Baney requested a short recess to confer with County Counsel. A five minute recess was taken at this time.

Mr. Groves announced that the applicant has delivered a request to withdraw the application, and no further action is required. He also noted the applicant is interested in working on the issues and submitting a new application in the future.

BANEY: Moved to close deliberations and accept the letter withdrawing the application.

DEBONE: Second.

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

10. OTHER ITEMS

None were offered.

11. ADJOURN.

Being no further discussion, the meeting was adjourned at 10:41 a.m.

DATED this 22nd Day of June 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



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BUSINESS MEETING AGENDA
DESCHUTES COUNTY BOARD OF COMMISSIONERS

10:00 A.M., MONDAY, MAY 23, 2016

Commissioners' Hearing Room - Administration Building - 1300 NW Wall St., Bend

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered or discussed 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. Business Meetings are usually recorded on video and audio, and can be viewed by the public live or at a later date; and written minutes are taken for the record.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. CITIZEN INPUT

This is the time provided for individuals wishing to address the Board, at the Board's discretion, regarding issues that are not already on the agenda. Please complete a sign-up card (provided), and give the card to the Recording Secretary. Use the microphone and clearly state your name when the Board Chair calls on you to speak. PLEASE NOTE: Citizen input regarding matters that are or have been the subject of a public hearing not being conducted as a part of this meeting will NOT be included in the official record of that hearing.

If you offer or display to the Board any written documents, photographs or other printed matter as part of your testimony during a public hearing, please be advised that staff is required to retain those documents as part of the permanent record of that hearing.

ACTION ITEMS

4. **CONSIDERATION of** First Reading, by Title Only, of Ordinance No. 2016-009, Ratifying Creation of the Oregon Association of County Engineers & Surveyors – *Mike Berry, Road Department*

Suggested Action: Move first reading by title only.

5. **CONSIDERATION of Board Signature** of Document No. 2016-291, Findings/Decision on Dreifuss Land Use Case – *Will Groves, Community Development*

Suggested Action: Move signature of Document No. 2016-291.

6. **CONSIDERATION of Board Signature** of Document No. 2016-292, an Improvement Agreement with Tetherow Resort – *Will Groves, Community Development*

Suggested Action: Move signature of Document No. 2016-292.

7. **CONSIDERATION of Board Signature** of Document No. 2016-293, an Infrastructure Agreement with Tetherow Resort – *Will Groves, Community Development*

Suggested Action: Move signature of Document No. 2016-293.

8. **DELIBERATIONS** on a Solid Waste Franchise Exemption Request from College Hunks Hauling Junk – *John Laherty, County Counsel*

Suggested Action: Deliberate; provide guidance to staff regarding a decision.

9. **CONTINUATION** of Deliberations and a Decision on Lower Bridge Property Land Use Appeals – *Will Groves, Community Development*

Suggested Action: Deliberate; provide guidance to staff regarding a decision.

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

11. ADJOURN

To watch this meeting on line, go to:
<http://www.deschutes.org/bcc/page/board-meeting-videos>

Please note that the video will not show up until recording begins.
You can also view past meetings on video by selecting the date shown on the website calendar.



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.

FUTURE MEETINGS:

(Please note: Meeting dates and times are subject to change. All meetings take place 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.)

Wednesday, May 25

10:00 a.m. Board of Commissioners' Business Meeting

1:30 p.m. Administrative Work Session – could include executive session(s)

Monday, May 30

Most County offices will be closed to observe Memorial Day.

Tuesday, May 31 – Friday, June 3

Budget Week – Presentations

Monday, June 6

- 10:00 a.m. Board of Commissioners' Business Meeting
1:30 p.m. Administrative Work Session – could include executive session(s)

Tuesday, June 7

- 3:30 p.m. Regular Meeting of Public Safety Coordinating Council

Wednesday, June 8

- 10:00 a.m. Board of Commissioners' Business Meeting
1:30 p.m. Administrative Work Session – could include executive session(s)

June 13 and 14

Association of Counties' Spring Conference – **Umatilla County**

Monday, June 20

- 10:00 a.m. Board of Commissioners' Business Meeting
1:30 p.m. Administrative Work Session – could include executive session(s)

Wednesday, June 22

- 10:00 a.m. Board of Commissioners' Business Meeting
1:30 p.m. Administrative Work Session – could include executive session(s)

Monday, June 27

- 10:00 a.m. Board of Commissioners' Business Meeting
1:30 p.m. Administrative Work Session – could include executive session(s)

Wednesday, June 29

- 10:00 a.m. Board of Commissioners' Business Meeting
1:30 p.m. Administrative Work Session – could include executive session(s)

Monday, July 4

Most County offices will be closed to observe Independence Day.

Tuesday, July 5

3:30 p.m. Regular Meeting of Public Safety Coordinating Council

Wednesday, July 6

10:00 a.m. Board of Commissioners' Business Meeting

1:30 p.m. Administrative Work Session – could include executive session(s)

Wednesday, July 13

10:00 a.m. Board of Commissioners' Business Meeting

1:30 p.m. Administrative Work Session – could include executive session(s)

Monday, July 18

10:00 a.m. Board of Commissioners' Business Meeting

1:30 p.m. Administrative Work Session – could include executive session(s)

Monday, July 25

10:00 a.m. Board of Commissioners' Business Meeting

1:30 p.m. Administrative Work Session – could include executive session(s)

Wednesday, July 27

10:00 a.m. Board of Commissioners' Business Meeting

1:30 p.m. Administrative Work Session – could include executive session(s)

Monday, August 1

10:00 a.m. Board of Commissioners' Business Meeting

1:30 p.m. Administrative Work Session – could include executive session(s)

Tuesday, August 2

3:30 p.m. Regular Meeting of Public Safety Coordinating Council

Wednesday, August 3

Opening Day at the Deschutes County Fair