



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)

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**MINUTES OF BUSINESS MEETING**  
**DESCHUTES COUNTY BOARD OF COMMISSIONERS**  
**WEDNESDAY, SEPTEMBER 28, 2016**

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

*Present were Commissioners Alan Unger, Tammy Baney and Anthony DeBone. Also present were Tom Anderson, County Administrator; Erik Kropp, Deputy County Administrator; Dave Doyle, County Counsel; Will Groves and Matt Martin, Community Development; and seven 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.*

## **Before the Board was Consideration of Approval of the Consent Agenda.**

DEBONE: Move approval, except for the minutes of the September 14 work session.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

### **Consent Agenda Items**

4. Board Signature of Order No. 2016-039, Appointing Residents to the Board of Property Tax Appeals
5. Chair Signature of Document No. 2016-616, a Funds Transfer Agreement regarding the Fall Creek Bridge Replacement Project
6. Board Signature of Document No. 2016-599, a Lease and Purchase Option between Deschutes County and Quicksilver Contracting Company for Property in the La Pine Industrial Park
7. Board Signature of Resolution No. 2016-055, Transferring Appropriations in the Community Development Fund (FTE)
8. Board Signature of Resolution No. 2016-056, Appropriating a New Grant in Public Health
9. Board Signature of Resolution No. 2016-057, Transferring Appropriations in the Community Development Fund (Groundwater)
10. Board Signature of Resolution No. 2016-058, Transferring Appropriations – Finance Fund
11. Board Signature of Minutes:
  - Business Meeting of September 14, 2016
  - Work Sessions of September 14, 19 and 26, 2016

### **ACTION ITEMS**

12. **Before the Board was Consideration of First and Second Readings by Title Only, and Adoption by Emergency, of Ordinances Relating to Amendments to the City of Bend Urban Growth Boundary.**

- Ordinance No. 2016-020, Repealing Ordinance No. 2009-001, relating to Title 23, the Comprehensive Plan;
- Ordinance No. 2016-021, Repealing Ordinance No. 2009-002, relating to Title 19, Zoning;
- Ordinance No. 2016-022, Amending Title 23, the Comprehensive Plan, to Expand the City of Bend Urban Growth Boundary; and
- Ordinance No. 2016-023, Amending Title 19, Bend Urban Area Zoning

Matt Martin provided an overview and the history of the item, including what has been done thus far by the City of Bend.

Commissioner Baney explained that the emergency clause is to coincide and align the timing with the City of Bend's ordinances, so they will all be effective at the same time. Mr. Martin stated this also allows time for DLCD to review and accept these in a timely fashion. The effective date will be at the time the State acknowledges the City's ordinances. Commissioner DeBone noted that this allows this to move along smoothly.

BANEY: Move first and second readings, by title only, of Ordinance No. 2016-020, declaring an emergency.

DEBONE: Second.

VOTE: BANEY: Yes.

DEBONE: Yes.

UNGER: Chair votes yes.

Chair Unger conducted the first and second reading by title only, declaring an emergency.

BANEY: Move adoption by emergency of Ordinance No. 2016-020.

DEBONE: Second.

VOTE: BANEY: Yes.

DEBONE: Yes.

UNGER: Chair votes yes.

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DEBONE: Move first and second readings, by title only, of Ordinance No. 2016-021, declaring an emergency.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

Chair Unger conducted the first and second reading by title only, declaring an emergency.

BANEY: Move adoption by emergency of Ordinance No. 2016-021.

DEBONE: Second.

VOTE: BANEY: Yes.

DEBONE: Yes.

UNGER: Chair votes yes.

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Mr. Martin explained the reason for the two Ordinances relating to the comprehensive plan and zoning.

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BANEY: Move first and second readings, by title only, of Ordinance No. 2016-022, declaring an emergency.

DEBONE: Second.

VOTE: BANEY: Yes.

DEBONE: Yes.

UNGER: Chair votes yes.

Chair Unger conducted the first and second reading by title only, declaring an emergency.

DEBONE: Move adoption by emergency of Ordinance No. 2016-022.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

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Mr. Martin stated that this acknowledges areas that are no longer under the jurisdiction of the County.

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DEBONE: Move first and second readings, by title only, of Ordinance No. 2016-023, declaring an emergency.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

Chair Unger conducted the first and second reading by title only, declaring an emergency.

BANEY: Move adoption by emergency of Ordinance No. 2016-023.

DEBONE: Second.

VOTE: BANEY: Yes.

DEBONE: Yes.

UNGER: Chair votes yes.

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Commissioner Baney thanked staff and the City of Bend for all their hard work, and the partnership that allowed them to work well together. Commissioner DeBone acknowledged there was some good work done, and the next time around it should be easier with the groundwork also done.

Brian Rankin thanked the County for its cooperation and assistance. This has taken years of work and there was good leadership to get them to this point. The relationships built during this process will be long-lasting.

**13. Before the Board was Consideration of Board Signature of Order No. 2016-041, Reopening the Post-hearing Record regarding the Widgi Creek Golf Course ‘Fairway’ Application.**

Will Groves explained the purpose of the Orders, since the applicant has asked for the record to be opened for a specific reason. This will be the written record only. The applicant would like to extend the typical time allowed for this, so they asked that the timeframe be 45 days for submission, seven days for rebuttal and seven days for final applicant rebuttal.

The second request is to open this only to unit count, but staff included open space. The Board decided that the open space issue has been resolved, however. He asked for the timeframe to be clarified and the open space question answered. He does not feel the issue was fully briefed, and this issue has intruded into the master plan. There might not be testimony about this but it would not hurt to allow for it.

Commissioner Baney feels that if the line is blurred, she wants to be able to receive all information, but not de novo. Commissioner DeBone said he prefers to consider just the unit count. Commissioner Baney wants all the information she can get to help them get to a decision. Chair Unger feels it is appropriate to hear all they should.

Commissioners DeBone said they want to be fair and equitable to everyone in that area, but this is the right thing to do to get to a conclusion.

DEBONE: Move approval of Order No. 2016-041, amending the timeframe for applicant submission to 45 days, to allow for consideration of open space and unit count.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

**14. Before the Board was Consideration of Board Signature of Order No. 2016-042, Reopening the Post-hearing Record regarding the Widgi Creek Rezone Application ('Pool' Appeal).**

DEBONE: Move approval of Order No. 2016-042, amending the timeframe for applicant submission to 45 days.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

**CONVENED AS THE GOVERNING BODY OF THE 9-1-1 COUNTY SERVICE DISTRICT**

**15. Before the Board was Consideration of Approval of Weekly Accounts Payable Vouchers for the 9-1-1 County Service District (Two Weeks) in the Amount of \$2,001,270.86.**

Tom Anderson explained that this includes payments relating to the public safety radio system project, with some major milestones being met.

DEBONE: Move approval, subject to review.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

## **CONVENED AS THE GOVERNING BODY OF THE EXTENSION/4-H COUNTY SERVICE DISTRICT**

### **16. Before the Board was Consideration of Approval of Weekly Accounts Payable Vouchers for the Extension/4-H County Service District (Two Weeks) in the Amount of \$4,030.87.**

DEBONE: Move approval, subject to review.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

## **RECONVENED AS THE DESCHUTES COUNTY BOARD OF COMMISSIONERS**

### **17. Before the Board was Consideration of Approval of Weekly Accounts Payable Vouchers for Deschutes County (Two Weeks) in the Amount of \$2,029,219.82.**

Mr. Anderson noted that this includes a release of security for destination resorts that have met conditions; and payments to other agencies for building permit add-ons such as SDC's and utilities. There was a payment to Crook County for fuels reduction for the tri-county area, per agreement.

DEBONE: Move approval, subject to review.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

## 18. OTHER ITEMS

After a five-minute break, the I.T. Department provided a demonstration of the Accela program, which will be launched next week. Melinda Campbell said this is meant to automate the entire meeting process, resulting in a public meeting portal for all Board meetings.

## 19. ADJOURN

*Being no further items addressed, the meeting was adjourned at 10:45 a.m.*

DATED this 5<sup>th</sup> Day of October 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., WEDNESDAY, SEPTEMBER 28, 2016**

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

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*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.*

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#### **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.*

## **CONSENT AGENDA**

4. **Board Signature** of Order No. 2016-039, Appointing Residents to the Board of Property Tax Appeals
5. **Chair Signature** of Document No. 2016-616, a Funds Transfer Agreement regarding the Fall Creek Bridge Replacement Project
6. **Board Signature** of Document No. 2016-599, a Lease and Purchase Option between Deschutes County and Quicksilver Contracting Company for Property in the La Pine Industrial Park
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11. **Board Signature** of Minutes:
  - Business Meeting of September 14, 2016
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## **ACTION ITEMS**

12. **CONSIDERATION of First and Second Readings** by Title Only, and Adoption by Emergency, of Ordinances Relating to Amendments to the City of Bend Urban Growth Boundary – *Peter Gutowsky & Matt Martin, Community Development*
  - Ordinance No. 2016-020, Repealing Ordinance No. 2009-001, relating to Title 23, the Comprehensive Plan;
  - Ordinance No. 2016-021, Repealing Ordinance No. 2009-002, relating to Title 19, Zoning;
  - Ordinance No. 2016-022, Amending Title 23, the Comprehensive Plan, to Expand the City of Bend Urban Growth Boundary; and
  - Ordinance No. 2016-023, Amending Title 19, Bend Urban Area Zoning

*Suggested Actions: One Ordinance at a time, move first and second readings by title only; move adoption by emergency.*

13. **CONSIDERATION of Board Signature** of Order No. 2016-041, Reopening the Post-hearing Record regarding the Widgi Creek Golf Course 'Fairway' Application – *Will Groves, Community Development*

*Suggested Actions: Discuss decision; move Board signature of Order No. 2016-041.*

14. **CONSIDERATION of Board Signature** of Order No. 2016-042, Reopening the Post-hearing Record regarding the Widgi Creek Rezone Application ('Pool' Appeal) – *Will Groves, Community Development*

*Suggested Actions: Discuss decision; move Board signature of Order No. 2016-042.*

**CONVENE AS THE GOVERNING BODY OF THE 9-1-1 COUNTY SERVICE DISTRICT**

15. **CONSIDERATION of Approval** of Weekly Accounts Payable Vouchers for the 9-1-1 County Service District (Two Weeks)

**CONVENE AS THE GOVERNING BODY OF THE EXTENSION/4-H COUNTY SERVICE DISTRICT**

16. **CONSIDERATION of Approval** of Weekly Accounts Payable Vouchers for the Extension/4-H County Service District (Two Weeks)

**RECONVENE AS THE DESCHUTES COUNTY BOARD OF COMMISSIONERS**

17. **CONSIDERATION of Approval** of Weekly Accounts Payable Vouchers for Deschutes County (Two Weeks)

**18. OTHER ITEMS**

**19. 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](mailto:ken.harms@deschutes.org).

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