



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 WORK SESSION

### DESCHUTES COUNTY BOARD OF COMMISSIONERS

**MONDAY, AUGUST 1, 2016**

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*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 Whitney Hale, Communications; George Kolb, Road Department; Jessica Jacks, Health Development; Wayne Lowry, Finance; Scot Langton, Assessor; and Ted Shorack and Richard Coe of The Bulletin.*

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

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#### **1. Request for Approval of Document No. 2016-536, a Grant Application for the “Living Well Central Oregon” Program.**

Jessica Jacks explained that the program has been in place since 2007, and involves other counties and medical providers. They are seeking ways to continue the program through various grant opportunities. They hope to get funding for three years, and this will support the lead coordinator role, and provide workshops around the region. The focus will be on diabetes and chronic disease. Most of the work will take place in Deschutes County, with volunteers and others helping to provide services throughout the region.

Commissioner Baney asked how this differs from the current diabetes program. Ms. Jacks stated that the diabetes program handles people who are already diagnosed as having diabetes. The new grant would address prevention. They are different programs. Commissioner Baney stated that she believes these dollars are supposed to target prevention.

Ms. Jacks said that most of this position is addressed in the current budget, but they are combining and reclassifying positions, making it difficult to determine. They hope that at some point, a community partner might take on this role; however, the feedback has been that they all prefer Deschutes County handle coordination.

UNGER: Move approval.

DEBONE: Second.

VOTE: BANAY: Abstain (due to her role on WEBSCO).

DEBONE: Yes.

UNGER: Chair votes yes.

## **2. Discussion and Approval of Document No. 2016-535, a License to Use a Public Right of Way.**

George Kolb said that the person living next to the new roundabout wants to continue what he had done in the past, which is maintaining the landscaping on a portion of the right of way adjacent to his property. There is not a lot of liability because most of the work would be done inside a fence. The license is revocable at any time by either party.

Chair Unger asked about the liability and risk. Mr. Kolb said the person has been doing this all along already. He will not be doing any work on the road itself, and Mr. Kolb sees no risk to this. This owner was impacted the most by the new roundabout, but has been very cooperative. The fence would be in the right-of-way, but the agreement makes it clear that this property remains the County's.

BANAY: Move County Administrator signature.

DEBONE: Second.

VOTE: BANAY: Yes.

DEBONE: Yes.

UNGER: Chair votes yes.

### **3. Discussion of Solar Farm Tax Exemption Request.**

Scot Langton and Wayne Lowry were present to follow up on this item from last week. Tom Anderson stated that there were questions about the monetary impacts, and what happens if the solar farm goes out of business.

They explained that Klamath County has done similar agreements, and their contract has been reviewed by Deschutes County. Mr. Lowry stated that he wanted to know if the county can foreclose; it can if taxes are not paid, along with a penalty. Mr. Langton ran some numbers and it ends up being about the same financial impact either way. There is really no risk. This is a quickly evolving industry and no one knows what it will be like in ten years no matter how you handle it. The County gets more money up front through this pilot program, at least for the first ten years.

Mr. Lowry said that it helps the companies with financing to do the pilot program, which the legislature is supporting. Commissioner DeBone stated that he does not like one industry getting a break.

Chair Unger is open to drafting the appropriate agreement. Mr. Anderson said that they will still have to go through the necessary land use actions. Mr. Doyle noted that he does not see anything in the sample agreement that causes him concern.

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

Whitney Hale offered a draft media release on the adoption of an ordinance nullifying the marijuana business opt out ordinance of last year. The Commissioners discussed how the heading should read. Commissioner DeBone wants to emphasize the long process followed to get to this point. Commissioner Baney said she would like it to detail some of the history from the beginning, to give context to how they got to where they are today.

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Erik Kropp stated that he got a complaint regarding the Newberry Festival, but the Sheriff's Office had not been called. Commissioner DeBone stated that he heard all the noise from his home, and it was fairly obnoxious. He was surprised that no one called the Sheriff. Commissioner Baney asked that the event organizer be contacted, as this could impact their event application next year. They need to comply with the cut-off timeframe of 10 p.m.

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Regarding the joint meeting with Redmond scheduled for August 9, Mr. Anderson asked if there are any items for that agenda. The Commissioners said they do not have any items that require immediate discussion.

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Mr. Lelack spoke about issues surrounding the Sisters Airport. Most of the property owners bought in 2010 or later and say they were not made aware that the Airport could be expanded, and do not like some of the uses. CDD is working as closely as possible with the Sisters City Council, the Airport and the property owners to learn more. Funding for some of these improvements apparently came from a Connect Oregon grant.

**5. Adjourn.**

*Being no further discussion, the meeting adjourned at 2:35 p.m.*

APPROVED this 15<sup>th</sup> Day of August 2016 for the  
Deschutes County Board of Commissioners.



Alan Unger, Chair



Tammy Baney, Vice Chair

ATTEST:



Recording Secretary



Anthony DeBone, Commissioner

	PILOT		REDD		If changed part way	
	Yearly Tax	Running Total	Yearly Tax	Running Total	Yearly Tax	Running Total
1	70,000		172,205	-	70,000	
2	70,000	140,000	153,803	-	70,000	140,000
3	70,000	210,000	140,412	-	70,000	210,000
4	70,000	280,000	130,523	130,523	70,000	280,000
5	70,000	350,000	120,138	250,661	70,000	350,000
6	70,000	420,000	112,355	363,016	70,000	420,000
7	70,000	490,000	108,024	471,040	70,000	490,000
8	70,000	560,000	103,226	574,266	70,000	560,000
9	70,000	630,000	98,290	672,556	70,000	630,000
10	70,000	700,000	92,954	765,510	70,000	700,000
11	70,000	770,000	87,015	852,525	70,000	770,000
12	70,000	840,000	80,477	933,002	70,000	840,000
13	70,000	910,000	73,333	1,006,335	70,000	910,000
14	70,000	980,000	65,586	1,071,921	65,586	975,586
15	70,000	1,050,000	57,354	1,129,275	57,354	1,032,940
16	70,000	1,120,000	48,497	1,177,772	48,497	1,081,437
17	70,000	1,190,000	44,645	1,222,417	44,645	1,126,082
18	70,000	1,260,000	40,529	1,262,946	40,529	1,166,611
19	70,000	1,330,000	36,228	1,299,174	36,228	1,202,839
20	70,000	1,400,000	31,645	1,330,819	31,645	1,234,484
					70,000	<i>one year penalty</i>
TOTAL		1,400,000		1,330,819		1,304,484

*draft*

## County Lifts Ban on Marijuana-Related Business in Rural Deschutes County

The Deschutes County Board of Commissioners has lifted the ban on marijuana-related businesses in rural Deschutes County. Beginning September 1, the County will accept land use applications to allow and regulate the following:

- Medical and recreational marijuana production;
- Medical and recreational marijuana processing;
- Medical marijuana dispensaries;
- Recreational marijuana wholesale; and,
- Recreational marijuana retail

"I think we have a good set of regulations and are ready to address this issue," said Alan Unger, Deschutes County Chair. "We deeply appreciate the time and energy that our planning commissioners, marijuana advisory committee members and so many county residents have invested in an effort to help us create an atmosphere where we are protecting our rural quality of life but still allowing for opportunity."

"I've often said that I feel that this is something very similar to how my grandmother experienced during prohibition," said Commissioner Tammy Baney. "We won't be able to take care of the black market through these regulations. We won't be able to solve all of the issues. But the fact remains that we are living with a new industry and that industry has been allowed. I think we've done a great job in seeking balance to try and bring two sides together and create good neighbor policies and a process that allows for an industry but recognizes the importance of community. I'm encouraged by our community's ability to come together."

The county's planning division will host workshops to provide potential applicants and interested parties an overview of the local marijuana regulations, which were adopted in June. Staff will also provide information about application fees and an overview of the county's procedures for processing land use applications.

Workshops will be held:

- August 23, 3 p.m. – 5 p.m., 1300 NW Wall Street, Bend (Barnes & Sawyer Rooms)
- August 23, 6 p.m. – 8 p.m., 1300 NW Wall Street, Bend (Barnes & Sawyer Rooms)

*For more information, please contact Peter Gutowsky, Deschutes County Planning Manager, at 541-385-1709.*

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## **WORK SESSION AGENDA**

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

**1:30 P.M., MONDAY, AUGUST 1, 2016**

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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. Request for Approval of Document No. 2016-536, a Grant Application for the "Living Well Central Oregon" Program – *Jessica Jacks*
  2. Discussion and Approval of Document No. 2016-535, a License to Use a Public Right of Way – *George Kolb*
  3. Discussion of Solar Farm Tax Exemption Request
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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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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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#### 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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