



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

MINUTES OF WORK SESSION

DESCHUTES COUNTY BOARD OF COMMISSIONERS

WEDNESDAY, JULY 18, 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 Whitney Hale, Communications; Judith Ure, Administration; James Lewis, Property Manager; Timm Schimke, Solid Waste; David Givans, Internal Auditor; Ted Shorack of the Bulletin, and two other citizens.

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

1. Discussion of OSU-Cascades Analysis of the Demolition Landfill Site (consulting team; project timing and key milestones; deliverables; next steps).

James Lewis introduced Kelly Sparks of Oregon State University, and Tammy Wisco, project manager regarding demo landfill. He indicated that Becky Johnson, Vice President of OSU/Cascades, was not able to attend as planned. Ms. Sparks provided a presentation and overview of the project to date. (*She referred to a PowerPoint, and a copy is attached for reference.*) She noted that they are not looking at any County properties located on the opposite side of Simpson Avenue.

Everyone required for the project at this point has been hired. They have an existing non-binding MOU with the County, but need to work towards a binding agreement. There are questions about reaching consensus on value, environmental issues, mediation, and other factors. They hope to have this step completed by September. The engineering team with the State of Oregon is working on this, and hopes to have an evaluation of the site done by November to understand any liabilities.

Commissioners Baney asked how to reach a binding agreement without having the established value. Ms. Sparks said they should be able to agree on the approach and methodology regarding evaluation and appraisal. OSU wants to make a decision internally by late November, with the board of trustees and others.

Tom Anderson said that he does not have a problem with the timeline and they should be able to work closely together to get to that point.

Ms. Sparks indicated who is doing the due diligence. This firm looks at the overall project, a master plan and long-range development. They are planning on a design charrette for the public on August 3 and 4. These will be working sessions, and they hope County staff can be there.

In October, they will begin looking at the entire site. The contractor has been provided with the overall program and what is needed for academic space, parking, traffic, housing and other factors. They will learn more from the City and Bend Park & Recreation, since this will be a community asset. They spent time viewing other campuses to see how this has type of project been developed in cooperation with various entities. They need to find out if it makes sense here.

Also, another elementary school is needed on the west side, and perhaps there can be collaboration in this regard. Housing is being evaluated and community, faculty and students will meet to see how this fits the entire community. They need to consider not just what happens in classrooms, but how this becomes a part of the community.

Commissioner Baney stated that she would like to see Peter Russell of Community Development involved from the transportation standpoint, since ODOT will be there as well as the City. Mr. Anderson said that Mr. Lewis is a previous planner and is involved in this as well.

They are very focused on the demo site and want to find out what is under the ground, the cost of mitigation, and the structural capabilities of the site. Commissioner DeBone asked if they know of other similar situations. Ms. Sparks said that this firm has experience in similar cases in other states. It is a matter of becoming educated and knowing solutions. Chair Unger stated that technology changes over time and problems today might be not as significant in the future.

Ms. Sparks gave an overview of the scope of the engineering work, and solutions and options for remediation and reuse. There may be ways to take this problematic scenario and turn it into an educational opportunity for the students and OSU as a whole. Some work has already been done by the County on determining what is there, but this will be more detailed. Cost estimates will be reviewed and solutions considered. The regulatory process has to be evaluated and, finally, funding strategies will be developed based on all that they know. Other universities and cities have developed plans for joint ventures, and OSU is learning all it can about how this was accomplished.

They will look at benchmarks at five or ten years, or other time increments. The land would be mixed use and there is a lot to consider. It will all be an open process. They have been approached by energy companies and housing entities, and other inquiries about commercial possibilities.

Ms. Sparks then went over the contract schedule of charrettes to be hosted by the planners and others. The final report is expected in late November 2016.

Mr. Anderson said he wants to be kept up-to-date on the general topics, and expects staff will be involved in some of it to support the university's vision and to keep the Board informed. Ms. Sparks stated that Health Department staff is involved from a health standpoint, and others will be included when appropriate. Mr. Anderson said that someone from a high level in Health should be taking part in all of this at some point, beyond staff.

Ms. Sharp indicated that they will use the Apex studies as a baseline as to what is under the ground. They do not want to replicate work that has already been done. They want to be good neighbors as well, and have to consider the impact of removal strategies or processing material on site. If they decide to remove material, or cap it off, they will want to work with the County on this.

They want to be able to reuse or recycle waste as much as possible. Some might be suitable for backfill. Commissioner DeBone asked if there are natural areas where pumice is easy to get to and if some remains. Mr. Schimke said he does not think there are any major areas of pumice that have much commercial value. They did not see any big rock formations of this material. Most of area 1 was filling a hole made by pumice mining. Area 2 was mostly made for waste to be contained. It was logged at first, then mined, and then used for construction waste.

Chair Unger said that most is not regular household waste, just construction debris. Mr. Schimke said that there is sawmill waste and some from companies that were building manufactured homes and windows. It was not a regulated waste; most is wood. The water table is deep and nothing has been detected there. There are three monitoring wells and the DEQ indicated this did not have to be continued; but they might require this again when the site is disturbed.

Ms. Sharp discussed next steps, which will involve many partners. She asked if the Board wants to have a public meeting after some of the major milestones are reached. They want this to be an open and inclusive process.

Chair Unger feels the Board needs to be well engaged for the next few months. Ms. Sharp said the October 3 and 4 meetings are in the evening. They want to have all partners involved as appropriate. Everyone needs to know the context of any meetings.

Commissioner DeBone indicated that he wants to be informed, but does not have to be there every step of the way. Commissioner Baney wants to be sure that there is full communication, especially at this point. Mr. Anderson said that perhaps Ms. Sharp can come back in about six weeks with an update and to discuss a binding agreement. Ms. Sharp said they hope to submit documentation to the City of Bend in the spring, so need to have all the other details worked out by the end of the year. They have recommended a change in outside counsel so there are not the delays they experienced in the past.

Mr. Schimke said there is a lot of contemplate and he plans to be very involved. He wants to be on top of any surprises in the regulatory side of things. Ms. Wisco said the consultant will make all of this very clear.

Mr. Anderson noted that the energy project fell through at Knott Landfill and they are contemplating what to do next in this regard. Mr. Schimke said that he will be gathering information at a conference in September to see how valuable this effort might be at this time.

Mr. Anderson wants to make sure everyone is on the same page. Ms. Wisco said they are talking with energy companies about partnerships in this regard. They hope to be able to evaluate biomass potential. Mr. Schimke stated that these companies question whether there is a viable energy project, but Knott Landfill might be used for some kind of leverage.

Ms. Wisco said that they will apply for a grant for increased economic and community benefit, but this has to be coordinated with the County. Mr. Lewis stated that this can take the form of a letter of support. Mr. Anderson stated that they are not eligible for federal grants because the County was the source of the contamination.

Commissioners Baney asked if there is any transportation funding available. Ms. Sharp stated that they are looking into this as well.

The Board was supportive of the project at this point and of the overall vision.

2. Other Items.

Judith Ure advised the Board about a grant agreement and services contract to construct and/or rehabilitate 56 bus stops throughout the region. The grant was awarded by ODOT. The other partner in the agreement is COIC, and they are anxious to get started on the work during this construction season. The Special Transportation Committee reviewed this earlier in the year and the Board was supportive. Additional funds were awarded that need to go through the County.

BANEY: Move approval of Documents No. 2016-499 and 2016-500 as presented, subject to legal review.

DEBONE: Second.

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

Mr. Kropp presented a letter drafted by Joe Stutler, to come from the Board to Congressman Walden regarding the employment of wildland fire crews. Commissioner Baney would like the same letter to go to Senators Wyden and Merkley. Commissioner DeBone wants the letter to note that the current companies were surprised as well as being negatively impacted. The legislators need to be asked to address this. While there is concern about the financial impacts, the biggest issue is getting the most safety for the dollar. Mr. Kropp will revise the letter accordingly.

BANAY: Move approval with the changes as discussed, adding letters to Senators Merkley and Wyden.

DEBONE: Second.

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

Commissioner Baney stated that there are some things she would like to ask for from the State and OSU as part of the greater partnership relating to the demo landfill. The County could ask for funding due to possible issues down the line that relate to not being fully released from liability. Also, there could be funds dedicated for general transportation reasons. Commissioners DeBone stated that this needs to be businesslike, but mostly if affects the City, and the County does not want to be dragged into political issues.

Mr. Anderson stated that the appraisal will be updated, but he does not think the County can make any money out of it. OSU is eligible for cleanup funds that the County is not. He would be glad if the County could break even and be free of it. They can review its value with different levels of mitigation, but the County cannot get funds to clean it up, so the idea of gaining any profit is questionable. Other than a percentage of proceeds, he does not think they will get very far. OSU is investing a lot of time and money into the overall plan, however.

Commissioner Baney stated that the properties on Simpson that the County is keeping may have a lot of value in the future, whether for development or leverage for housing or other needs. She is not interested in these properties going towards affordable housing. She is not sure how OSU is going to mitigate transportation issues. Commissioner DeBone indicated that it could mean some very big changes in the roads and infrastructure.

After executive session, the Board authorized Legal to pursue settlement of an active case at a certain amount, as discussed in executive session.

3. Adjourn.

Being no further discussion, the meeting was adjourned at 3:35, at which time the Board went into executive session to consider pending or threatened litigation, and to complete the annual evaluation of David Doyle.

After executive session, the Board authorized Legal to pursue settlement of an active case at a certain amount, as discussed in executive session.

APPROVED this 18th Day of August 2016 for the
Deschutes County Board of Commissioners.

Alan Unger
Alan Unger, Chair

Tammy Baney
Tammy Baney, Vice Chair

Anthony DeBone
Anthony DeBone, Commissioner

ATTEST:

Bonnie Baker
Recording Secretary

OSU-Cascades Update:

Deschutes County Demolition Landfill Due Diligence

July 18, 2016





X X X

Deschutes County
Landfill Site

72 acres

Proposed
OSU Cascades
Phase 2 Campus Expansion

46 acres

OSU Cascades
Phase 1 Campus
10 acres

Due Diligence Process and Timeline

- Hire consulting teams (Complete)
- Develop binding agreement (September, 2016)
- Evaluate site (July – November, 2016)
 - Cost and value
- OSU decision analysis (November, 2016)
- Make decision (November, 2016)

Due Diligence Contract Awarded by OSU

Retia Consult
Page/SERA
Maul Foster Alongi
GeoDesign
PSE

Project Management

LRDP Design and Planning

Environmental Engineers

Geotechnical Engineers

Structural Engineers

Project Kick Off: July 1

Engineering Contract Scope

Project Kick Off

Initial Site Analysis/ Recommendations

Development of Options for Remediation and Reuse

- Initial Scenarios
- Iterative Design Process with LRDP
- Cost Estimates
- Evaluate Regulatory Process
- Phasing and Scheduling
- Geotechnical Report & Conceptual Foundation Designs
- Funding Strategies

Final Report

Contract Schedule

Project Kick Off

July 1

Development of Initial Options

LRDP Charrette #1

Early/Mid Aug 2016

Refinement of Options

LRDP Charrette #2

Mid October 2016

Refinement of Options

LRDP Charrette #3

Early/Mid October 2016

Finalization of Options

Final Report

Late November 2016

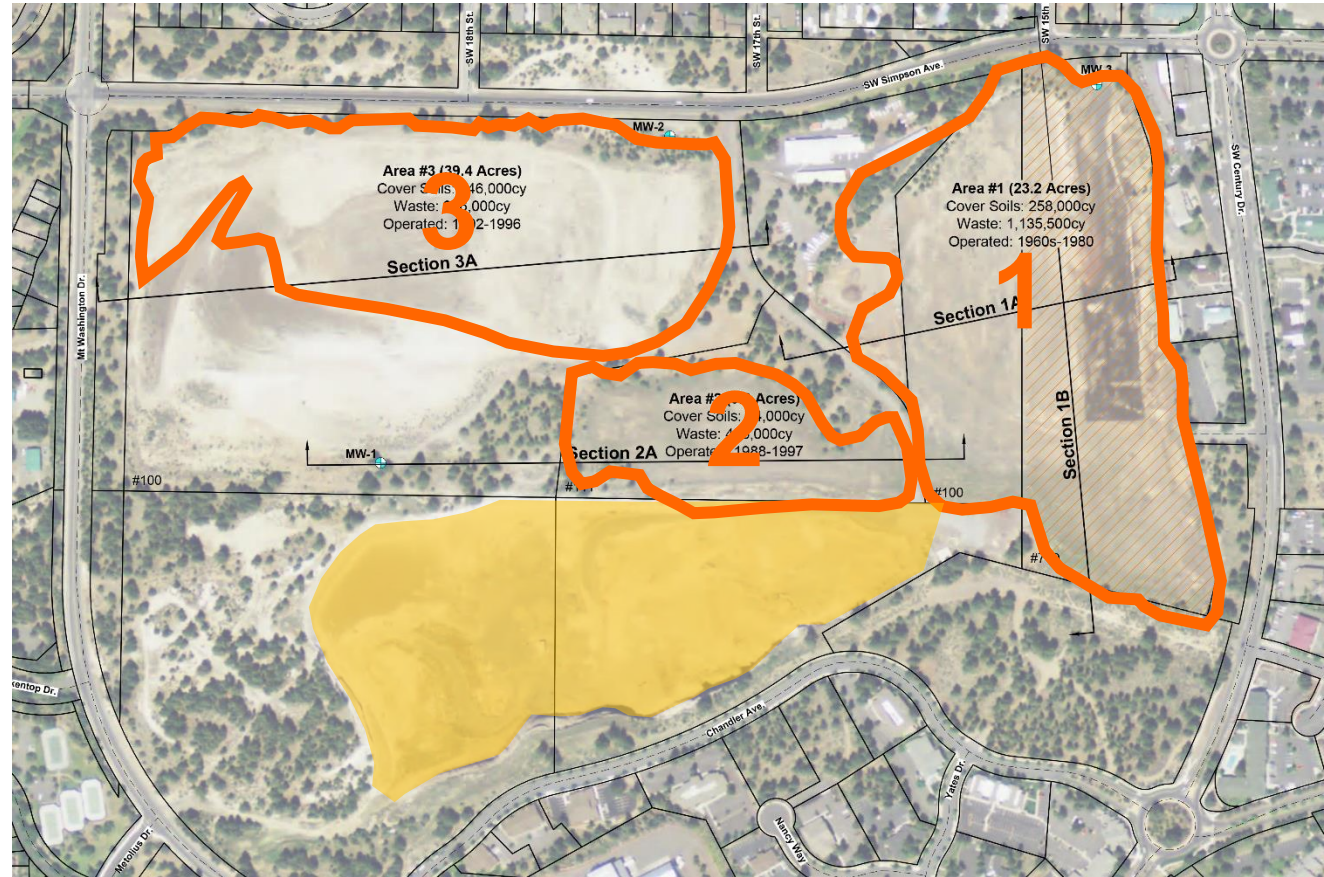
Disposal Area Characteristics

Landfill areas were prior pumice pits

Landfilling occurred east to west, beginning at Area 1

Area 1 unregulated (pre-1972)

Landfill closed in 1996 with partial DEQ closure permit



Construction/Demo Debris (80%)
Concrete, rock, razed structures
Stumps, logs, slash
No MSW

25' deep
Area #3 (39.4 Acres)
Cover Soils: 246,000cy
Waste: 826,000cy
Operated: 1992-1996

110' deep
Section 3A
3

**Reportedly,
no debris**

#100

MW-1

30-90' deep
Area #2 (9.8 Acres)
Cover Soils: 24,000cy
Waste: 456,000cy
Operated: 1988-1997

Section 2A
2

Wood Waste (70%)
Demo Debris (20%)
No MSW

**OSU-C Owned
Pumice Mine**

**Bend Parks &
Rec**

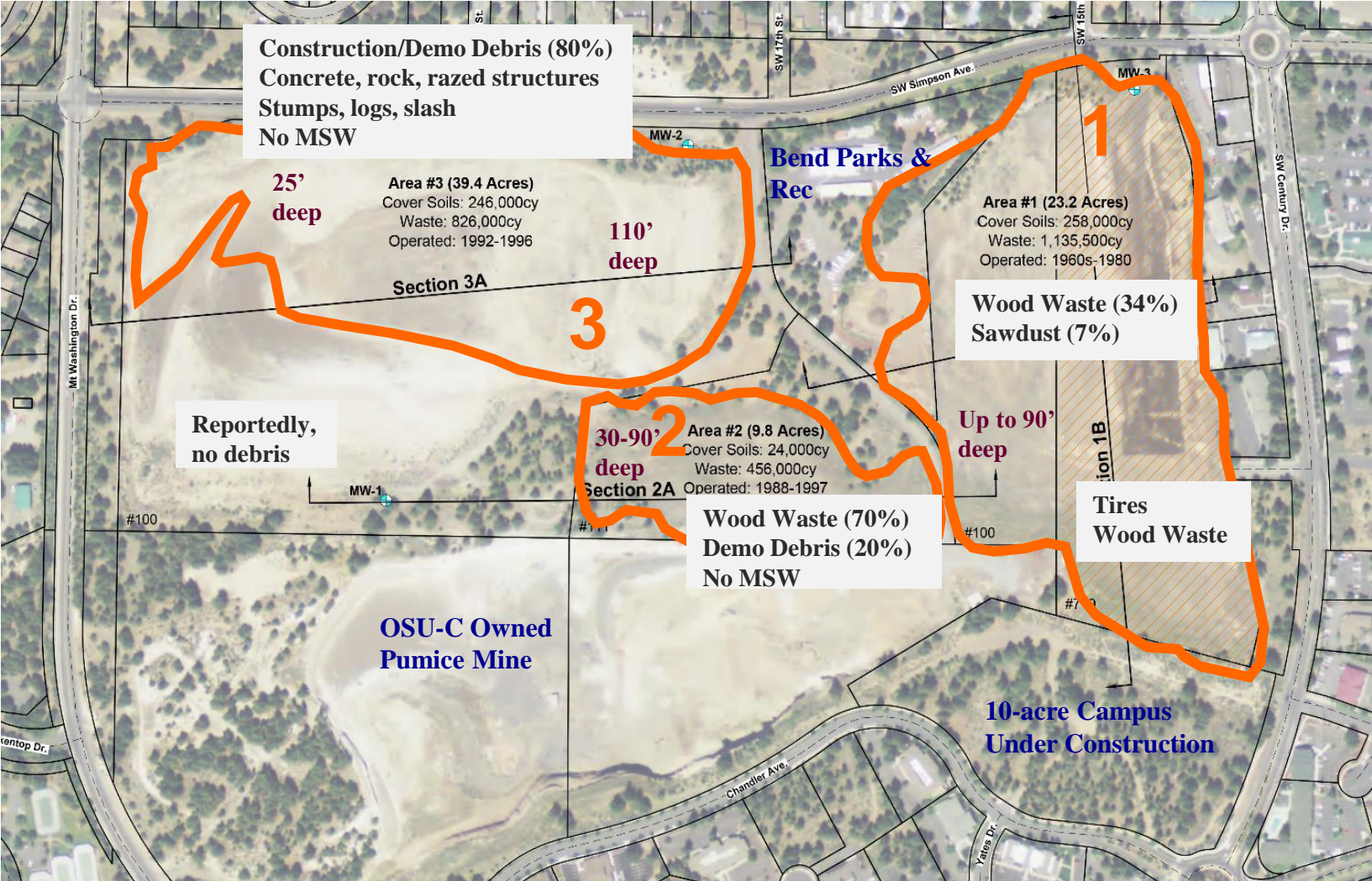
Area #1 (23.2 Acres)
Cover Soils: 258,000cy
Waste: 1,135,500cy
Operated: 1960s-1980

Wood Waste (34%)
Sawdust (7%)

**Up to 90'
deep**

**Tires
Wood Waste**

**10-acre Campus
Under Construction**



Redevelopment Constraints

Long-Term Settlement/ Need for Stabilization

- geotechnical mitigation
- excavation/structural backfill

Subsurface Combustion

- excavation
- fence/no access

Long-Term Monitoring

- methane gas migration
- groundwater
- settlement

DEQ Solid Waste Permit Requirements

- redevelopment must be consistent with permits

Potential Impact to Community

- odor control during construction
- minimize trucking impacts
- maintain capacity at Knotts Landfill

Waste Reuse & Backfill Strategies

Biomass fuel for co-generation plant

Composting

Student/ Demonstration Projects

Beneficial use of soil from cover material

Metal Recycling

Beneficial use of aggregate?

Beneficial use of tires?

Use of OSU-C mine?



Next steps

- Communication/engagement with the county
 - Regular check-ins with staff
 - Site access coordination
 - Periodic updates to County Commission (following each community meeting?)

How else can we be communicating / partnering?



Board of County Commissioners

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board@deschutes.org
Tammy Baney
Anthony DeBone
Alan Unger

July 18, 2016

Honorable Congressman Greg Walden
1051 NW Bond Street
Bend, OR 97701

draft

Subject: Deschutes County Private Wildland Fire Companies

Dear Congressman Walden:

We learned just recently that two Deschutes County based private wildland fire companies (PatRick Corporation from Redmond and GFP from Sisters) were negatively impacted by the recent decisions made by the U.S. Forest Service regarding the National Type 2-IA Firefighter Crew contract.

We understand that you have been briefed on this issue by Rick Dice from PatRick Corporation and that your office intends to address this issue with the Forest Service.

After receiving a briefing from Deschutes County staff, our concerns include:

- The decision by the Forest Service regarding the crew contract was based on lowest price only, and the notion of "best value" was never considered;
- This decision could place "less qualified" firefighters not only in harm's way on the fire line, but in fact may have an adverse impact on public safety and other first responders;
- This decision will adversely impact not only the two primary businesses (PatRick and GFP), but other area businesses that provide support to this industry;
- This decision has already displaced employees at various locations in Deschutes County and throughout Oregon, and the two companies stand to suffer negative fiscal impacts associated with previous heavy investment in facility infrastructure.

Congressman, thank you very much for your time and consideration. We know that you will do all that you can to remedy, if possible, the above-described Forest Service decisions regarding the National Type 2-IA Firefighter Crew contract. Please keep us informed as appropriate.

Sincerely,

DESCHUTES COUNTY BOARD OF COMMISSIONERS

Alan Unger
Chair

Tammy Baney
Vice Chair

Anthony DeBone
Commissioner



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WORK SESSION AGENDA

DESCHUTES COUNTY BOARD OF COMMISSIONERS

1:30 P.M., MONDAY, JULY 18, 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. Discussion of OSU-Cascades Analysis of the Demolition Landfill Site (consulting team; project timing and key milestones; deliverables; next steps) – *Kelly Sparks (OSU); James Lewis*

2. Other Items

Other items 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.

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.

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.

3. Adjourn

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