



BOARD OF COMMISSIONERS

1300 NW Wall Street, Bend, Oregon
(541) 388-6570

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

1:00 PM

MONDAY November 4, 2024

Allen Room
Live Streamed Video

Present were Commissioners Patti Adair and Phil Chang. Also present were County Administrator Nick Lelack, Deputy County Administrator Whitney Hale, Senior Assistant Legal Counsel Kim Riley; and BOCC Executive Assistant Brenda Fritsvold.

This meeting was audio and video recorded and can be accessed at the Deschutes County Meeting Portal webpage www.deschutes.org/meetings.

CALL TO ORDER: Chair Adair called the meeting to order at 1:00 pm and noted the excused absence of Commissioner DeBone.

CITIZEN INPUT: None

CONSENT AGENDA: Before the Board was consideration of the Consent Agenda.

1. Adopt Order No. 2024-044, denying the Energy Wise Services protest of contract award for Deschutes County Fair and Expo Center Solar PV System
2. Approval of Document No. 2024-838, an amendment to an Intergovernmental Agreement with the City of La Pine
3. Consideration of Board Signature on letters thanking Anne Danczyk and appointing Ben Ives for service on the Deschutes River Recreation Homesites #6 Special Road District

4. Approval of the minutes of the BOCC September 23 and September 25, 2024 meetings

CHANG: Move to approve the Consent Agenda as presented
ADAIR: Second

VOTE: CHANG: Yes
DEBONE: (absent)
ADAIR: Chair votes yes. Motion Carried 2 - 0

Commissioner Chang was glad to see that the County's partnership with the City of La Pine is continuing.

ACTION ITEMS:

- 5. First reading of Ordinance No. 2024-011- CORE3 Comprehensive Plan Amendment, Zone Change, and UGB Expansion**

Haleigh King, Associate Planner, reviewed the background of the request for a Comprehensive Plan Amendment to change the designation of a portion of the subject property from Agricultural to Redmond Urban Growth Area and also approve a corresponding Urban Growth Boundary expansion. The applicant also requests that the subject property be rezoned from Exclusive Farm Use to Urban Holding. King reminded that in October, the Board adopted the decision of the Hearings Examiner to approve these applications.

CHANG: Move approval of first reading of Ordinance No. 2024-011 by title only
ADAIR: Second

VOTE: CHANG: Yes
DEBONE: (absent)
ADAIR: Chair votes yes. Motion Carried 2 - 0

Commissioner Adair read the title of the ordinance into the record

- 6. Board Order No. 2024-045, denying an applicant-Initiated text amendment to allow mini-storage in the MUA-10 Zone adjacent to Highway 97**

Nicole Mardell, Senior Planner, reminded that on October 30th, the Board conducted deliberations on an applicant-initiated text amendment to allow mini-storage as a conditional use in certain areas of the Multiple Use Agricultural (MUA-10) Zone along Highway 97. At the conclusion of its deliberations, the

Board took action to deny the application; Board Order No. 2024-045 would formalize this decision.

Commissioner Chang explained that he did not support changing the MUA zone to allow this use across the entire zone and said the applicant can seek a site-specific Comprehensive Plan amendment and rezone for this purpose.

Commissioner Adair added that this change would have allowed mini-storage facilities on 37 different properties adjacent to Highway 97.

CHANG: Move approval of Board Order No. 2024-045 denying an applicant-initiated text amendment to allow mini-storage in the MUA-10 zone adjacent to Highway 97

ADAIR: Second

VOTE: CHANG: Yes
DEBONE: (absent)
ADAIR: Chair votes yes. Motion Carried 2 – 0

7. Board Order No. 2024-046, denying an applicant-initiated text amendment to allow mini-storage in the MUA-10 Zone adjacent to Highway 20

Senior Planner Nicole Mardell reminded that on October 30th, the Board conducted deliberations on an applicant-initiated text amendment to allow mini-storage as a conditional use in certain areas of the Multiple Use Agricultural (MUA-10) Zone along Highway 20. At the conclusion of its deliberations, the Board took action to deny the application; Board Order No. 2024-046 would formalize this decision.

CHANG: Move approval of Board Order No. 2024-046 denying an applicant-initiated text amendment to allow mini-storage in the MUA-10 zone adjacent to Highway 20

ADAIR: Second

VOTE: CHANG: Yes
DEBONE: (absent)
ADAIR: Chair votes yes. Motion Carried 2 – 0

8. NEHA-FDA grant applications

Emily Horton, Program Manager for Environmental Health/Emergency Response Community Engagement, described the grant funding available from the National Environmental Health Association (NEHA) – U.S. Food and Drug Administration

(FDA) to promote retail food safety in association with the Voluntary National Retail Food Regulatory Program Standards (Retail Program Standards).

Adrea Albin, Environmental Health Supervisor, provided information on past grants received under this program and said because a round of multi-year funding is now available, the County has an opportunity to apply for \$382,500 over three years to improve retail food safety.

In response to Commissioner Chang, Albin said a retail food operation is any business which sells food to the public, including food carts as well as brick-and-mortar restaurants. She clarified that Environmental Health is responsible for inspecting restaurants and food trucks, and the State inspects food stores.

Commissioner Adair said more clarity is needed from the federal government regarding what youth should be consuming and pointed to Canada's guidance on this as an example. She appreciated seeing the growth of local farm to table operations.

CHANG: Move to authorize applications for a NEHA-FDA Track3 Base grant; Capacity Building, Mentorship, and Training add-on grants; and a Special Projects add-on grant from the National Environmental Health Association – U.S. Food and Drug Administration

ADAIR: Second

VOTE: CHANG: Yes
DEBONE: (absent)
ADAIR: Chair votes yes. Motion Carried 2 – 0

9. Oregon Health Authority M110 BHRN grant application

Deevy Holcomb, Community Justice Director, explained the Juvenile Community Justice division's plan to develop a program to provide outpatient substance use disorder treatment to young people subject to juvenile justice. Holcomb said because applications for M110 BHRN grants were due last month, Juvenile Justice has already submitted an application for which it now seeks the Board's approval.

In response to Commissioner Adair, Trevor Stephens, Community Justice Business Manager, expected to hear if the application is successful by the end of this year or soon thereafter.

Commissioner Chang spoke to the strong competition for M110 BHRN funds as these are sought by both governmental and non-governmental entities.

Commissioner Adair asked to know how many clients could be served if a grant of \$500,000 per year was awarded. Stephens said this amount could support ten to 20 clients per year. The department hopes to eventually serve 20-30 per year.

In response to Commissioner Adair, Stephens said the program would employ four clinicians to provide direct outpatient services.

Holcomb added that the County already has a functional family therapy program, and when dealing with youth substance abuse, it is critical to engage the family.

Commissioner Adair hoped that Healing Reins will again apply for this round of M110 BHRN funding.

CHANG: Move to retroactively authorize Juvenile Community Justice to apply for \$2,190,513 in M110 BHRN funding over a four-year period from the Oregon Health Authority
ADAIR: Second
VOTE: CHANG: Yes
DEBONE: (absent)
ADAIR: Chair votes yes. Motion Carried 2 – 0

10. ARPA Update and Reallocation Considerations

Robert Tittle, Chief Financial Officer, introduced the matter of ARPA funds which are available for reallocation.

Laura Skundrick, Management Analyst, shared information on \$1,945,196.75 in ARPA funds which were previously allocated and have been determined to be available for reallocation, which must be done by December 31, 2024. In addition to describing the sources of the returned and unused funds, Skundrick referred to a list of requests for these funds.

Environmental Health Manager Emily Horton spoke to ARPA funds previously allocated to the Public Health Response and Recovery Fund and asked that these expenditures continue as planned to support 2.0 FTE through December 31, 2026 instead of the end of 2025.

Tittle noted that the \$45,000 request from Health Services for ARPA funds shown in the list shared by Skundrick is separate from what Horton has just described.

Commissioner Adair commented on the request for \$225,000 from Shepherd's House to provide transitional housing for women and children experiencing

homelessness, saying that such a facility is much needed and would garner many private donations. She added that Shepherd's House has a solid record of providing services to the community.

Commissioner Chang said while this is a great project, it was not proposed when the County issued a solicitation for grant applications to address homelessness.

Commissioner Adair said the reallocation of ARPA funds will come back to the Board at its November 13th meeting for further consideration and action.

11. Discuss limiting public use of certain County-owned vacant land

Kristie Bollinger, Property Manager, introduced the discussion of limiting public use of County-owned vacant land in two areas: 1) at McGrath Road and Powell Butte Highway, and 2) west of Highway 97 and north of Fort Thomson Lane. Bollinger said over the last six to eight weeks, the County has received emails and phone calls reporting encampments in these areas that have since left.

Commissioner Adair said according to the Bend Fire Department, homeless persons are responsible for starting 79 fires in the Bend area this year.

Commissioner Chang supported moving forward on use restrictions at this time.

In response to Commissioner Adair, Bollinger said the County may fortify access points to deter entrance.

Nick Lelack, County Administrator, said if the Board agrees, property that does not have current encampments could be restricted for day use only (dawn to dusk). Signage would be posted and the Sheriff's Office could conduct any needed enforcement actions.

The Commissioners expressed support for proceeding as soon as possible in the interest of not allowing unauthorized encampments on these properties.

Lelack said in the future, because he has the authority under County Code to limit use of County-owned vacant land that does not have homeless encampments in this way, he will discuss such proposals in his one-on-one meetings with the Commissioners and publicly announce any additional restrictions.

12. Department Performance Measures Updates for FY 25 Q1

Jen Patterson, Strategic Initiatives Manager, introduced the Department Performance Measures Updates for the first quarter of Fiscal Year 2025.

Holly Harris, Director of Behavioral Health, reported on the goal to engage 90% of families who are receiving wraparound services in strengths-based planning efforts, saying this program is just 18 months in the making and has just four clients so far, of which one chose not to involve family members. Harris added that this program serves youth and young adults up to age 25.

Health Services Program Manager Emily Horton reported on the goal to ensure that 90% of pregnant women being served by DCHS receive prenatal care beginning in the first trimester, saying the goal was very nearly reached with a result of 89%. Horton added that it can be difficult to obtain prenatal appointments during the summer months due to lower staffing at provider offices.

Horton also reported on the goal of reducing outbreaks and spread of disease by completing 95% of communicable disease investigative tasks within the timeframes defined by Oregon Health Authority, saying that 228 of 246 of these (92.71%) were completed in the defined timeframes.

Health Services Supervisor Jess Neuwirth reported on the goal to reach 90% of households that have school-aged children with prevention, mental health, and/or education-based communication, sharing that the Secure Firearm Storage public service announcement reached 85% of households with children under the age of 18. Neuwirth added that four ads are out now, with two in English and two in other languages.

Kevin Moriarty, County Forester, reported on the goal to maintain or increase the number of communities participating in the Firewise USA program, saying the target is 65 and there are currently 72 communities with at least five more pending. Moriarty described the requirements to be in this program and said 67 of these have received funding to help reduce the spread of wildfires.

In response to Commissioner Chang, Moriarty confirmed that each community must submit an annual report attesting that a minimum amount of volunteer hours were provided.

Sheriff's Office (DCSO) Captain Michael Shults introduced the jail's goal to complete 4,100 sick call visits annually (these are responses to request from inmates to see the doctor or someone on the nursing staff), saying that 929 of these were conducted in the first quarter of the year.

DCSO Medical Director Eden Aldrich described efforts to improve the health of persons in custody, many of whom are physically and mentally ill. She said the jail

will soon embark on a new procedure wherein an RN will screen every person who is admitted into custody.

Adding that the average length of stay in the jail is 12 days, Shults said the DCSSO is already seeing results that the deflection program is helping to reduce recidivism.

In response to Commissioner Chang, Aldrich verified that when someone has benefits through OHA or the VA and goes to jail, they lose those benefits.

Shults spoke to efforts to keep people on needed mental health medication, in particular long-lasting injectables. Aldrich added that the DCSSO partners with Ideal Options to help ensure that people who are released continue to take anti-opioid medication if and as advised.

Tim Brownell, Solid Waste Director, reported on the goal to increase the diversion rate of recyclable materials and collect more recyclables than the average amount collected in the last three years, saying that over 15,000 tons were diverted in the fourth quarter of Fiscal Year 2024. Brownell said service providers are collecting less vegetative material/yard waste and also less co-mingled recyclables. The total amount of landfill waste was down slightly year over year.

OTHER ITEMS:

- Commissioner Adair stated her appreciation for recent help in the office from Administrative Assistant Angie Powers.

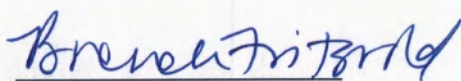
EXECUTIVE SESSION: None

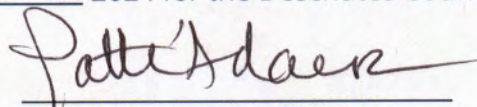
ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 2:32 pm.

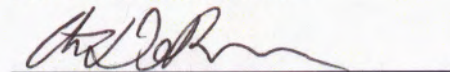
DATED this 18th day of December 2024 for the Deschutes County Board of Commissioners.

ATTEST:

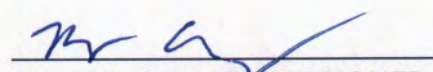

RECORDING SECRETARY



PATTI ADAIR, CHAIR



ANTHONY DEBONE, VICE CHAIR



PHIL CHANG, COMMISSIONER