



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

10:00 AM

MONDAY December 20, 2021

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Patti Adair, Anthony DeBone, and Phil Chang. Also present were Nick Lelack, County Administrator; David Doyle, County Counsel; and Sharon Keith, BOCC Executive Assistant (via Zoom conference call).

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

CALL TO ORDER: Chair DeBone called the meeting to order at 10:00 a.m.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT:

Commissioner DeBone acknowledged emails received through the Citizen input Line regarding homeless camps.

CONSENT AGENDA: Before the Board was Consideration of Approval of the Consent Agenda.

ADAIR: Move approval of the Consent Agenda

CHANG: Second

VOTE: ADAIR: Yes
 CHANG: Yes
 DEBONE: Chair votes yes. Motion Carried

1. Consideration of Board Signature of Document No. 2021-064, Authorizing the Deschutes County Property Manager to Execute the Lease and Associated Documents with Premises Health, LLC to Lease Space Located at 1340 NW Wall Street, Bend, OR 97703
2. Consideration of Board Signature on Letter Reappointing Charlie Jones to the Beaver Special Road District
3. Consideration of Board Signature on Letter Appointing Lauren James to the Vandervert Acres Special Road District
4. Consideration of Board Signature on Letter Reappointing Rick Bestwick to the Fall River Estates Special Road District
5. Consideration of Board Signature on Letter Reappointing Colleen Horton to the Sun Mountain Ranches Special Road District
6. Consideration of Board Signature on Letter Reappointing Larry La Rue to the Forest View Special Road District
7. Consideration of Board Signature on Letter Reappointing Dale Grinols to the Ponderosa Pines East Special Road District
8. Consideration of Board Signature on Letter Reappointing Charlie Jones to the Beaver Special Road District
9. Consideration of Board Signature on Letter Reappointing Chris McLeod to the River Forest Special Road District
10. Approval of Minutes of the December 1 2021 BOCC Meeting
11. Approval of Minutes of the December 6 2021 BOCC Meeting
12. Approval of Minutes of the December 8 2021 BOCC Meeting

ACTION ITEMS:

13. Wolf Depredation Compensation and Financial Assistance Program

Whitney Hale presented the grant program opportunity through the Oregon Department of Agriculture. Jamie Bowles, Assistant Wolf Biologist presented the concept of creating a wolf depredation compensation committee. Ms.

Hale offered additional research and will bring the discussion back to the Board. The grant application deadline is in February 2022. Discussion on further review on established processes and procedures prior to submitting a grant application. The Board supported further review and will place on an agenda after April.

14. Public Contracting Overview

Ms. Hale presented information as a response to a request for information as a result of a presentation at this year's AOC conference regarding apprenticeship programs. Present via Zoom to provide input on this type of program were Interim Solid Waste Department Director Chad Centola, Road Department Director Chris Doty, and County Engineer Cody Smith. Facilities Director Lee Randall reported on the process of an apprentice program. Commissioner DeBone recommended discussions with Central Oregon Community College. The Board supported further review.

15. Treasury and Finance Report for November 2021

County Administrator Nick Lelack (filling in for Greg Munn) reported on the treasury and finance report with a slight change in the general fund budget. Commissioner Adair inquired on the valuation increase listed for the Community Development Department. CDD Director Peter Gutowsky reported via Zoom conference call there were changes to the national building code formula.

16. Mt. Bachelor Biomass Project Update

County Administrator Nick Lelack (filling in for Greg Munn) presented an overview on this item. Meagan Hartman of Wisewood Energy was present via Zoom as well as John McLeod of Mt. Bachelor Inc. Presentation is attached to the record. Mt. Bachelor intends to apply for a grant through

the USFS by January 19, 2022 and the group is requesting a \$1.5 million TRT grant and a Letter of Intent of support from Deschutes County. The Board expressed support of \$1 million. Mr. McLeod expressed the need for the federal grant would need to be a larger amount in order for the project to move forward. The grant awards will be announced in May 2022. The Board expressed the support of \$1 million investment contingent on the project proceeding within the timeframe identified.

CHANG: Approving grant through unallocated TRT funds in the amount of \$1 million; staff to include necessary contingencies

ADAIR: Second

VOTE: CHANG: Yes

ADAIR: Yes

DEBONE: Chair vote yes. Motion Carried

17. Consideration of Acceptance of Buttes to Basins fuel reduction grant

County Forester Ed Keith presented via Zoom conference call to report on a grant award. The application was submitted in October 2020 through additional partnerships requesting funding to private landowners. Funds are intended for fuels reduction projects. This grant requires a 50% match and the budget adjustment would be requested if moving forward with the grant work. Grant dollars are prioritized to on the ground fuel reduction work through contracting.

ADAIR: Move acceptance of Grant Document No. 2021-1021

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

18. Annual Certification of Title III expenses

Mr. Keith reported on the expenditures covered through Title III and the annual report required. The Commissioners certify the expenses on an annual basis.

CHANG: Move approval of Document No. 2021-1022

ADAIR: Second

VOTE: CHANG: Yes

ADAIR: Yes

DEBONE: Chair votes yes. Motion Carried

19. Annual Report for the Community Response Plan for the Bend Smoke Sensitive Receptor Area

Mr Keith presented this item for consideration. An annual report is required to be submitted to the Oregon Department of Forestry and the Department of Environmental Quality as approved by the Deschutes County Board of Commissioners acting as the local public health authority. A survey was sent out to the community through various sources to provide outreach and receive feedback on wildfire smoke and health impacts. A statistically valid survey will be considered in the future. The document has been shared with the City of Bend but administrative rules only require local health authority approval.

ADAIR: Move approval of Document No. 2021-1024

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

20. Matching funds request for fuels reduction on Deschutes County land utilizing the FEMA HMGP grant

Mr. Keith reported this grant was applied through FEMA in 2018. The Board was supportive in October 2018 to provide the required 25% matching grant when accepting the grant award. The request today is to clarify the source of the matching funds for the project to treat the defined 630 acres. County Administrator Lelack noted the funds could be allocated through TRT or general fund. Mr. Keith showed a map of the property to be included in this project. Commissioner Adair expressed the importance of this project. The project is estimated to cost \$550,000 with an estimated match amount of \$139,000.

CHANG: Move allocation of \$139,000 to meet the 25% matching funds for the FEMA HMGP grant.

ADAIR: Second

VOTE: CHANG: Yes

ADAIR: Yes

DEBONE: Chair votes yes. Motion Carried

21. Consideration of grant request, Senate Bill 762 landscape resiliency program

Mr. Keith presented a grant opportunity for funds allocated to the Oregon Department of Forestry and is open for applications for landscape resiliency proposals through the shared stewardship alliance. The project partners have mapped out a project area spanning from Camp Sherman, Lake Billy Chinook, east side of Cascades, to northern Klamath County. Deschutes County would be the entity designated to sponsor the project if approved. There is an expected match through all of the partners. Deschutes County would not be a fiscal partner but sponsoring the project. Each partner would

have a separate grant agreement with ODF. The intended area would cover 48,000 acres. Commissioner Chang thanked Mr. Keith for his work in providing a coordinating role in this effort. The grant application is due January 7, 2022. The work will be done by staffing through the partners and landowners and County Forester Ed Keith will provide coordination along with the Shared Stewardship Alliance. Mr. Keith will send a final draft to the Commissioners within the week.

CHANG: Move approval of grant application

ADAIR: Second

VOTE: CHANG: Yes

ADAIR: Yes

DEBONE: Chair votes yes. Motion Carried

22. Consideration of an Increase in FTE in the Sheriff's Office and Consideration of Board Signature of Resolution No. 2021-084

Via Zoom was Sheriff's Office Budget Officer Joe Brundage, Dan Emerson, County Budget Manager and Geoff Wullschlager, City Manager of La Pine. Mr. Brundage reviewed the need for the FTE increase in the digital forensics division. The Board expressed support. Mr. Brundage reported on a need for a patrol lieutenant in the City of La Pine.

ADAIR: Move approval of Resolution No. 2021-084

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

Mr. Emerson noted an additional request for purchase of five budgeted vehicles within the Sheriff's Office. Mr. Brundage noted the cost was

included in the budget and due to the contract amount would require BOCC approval.

ADAIR: Move approval of purchase of five vehicles for the Sheriff's Office in the amount of \$161,000

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

RECESS: At the time of 12:46 pm, the Board went into recess and reconvened at 1:10 pm

23. Consideration of Board Approval to Accept Birth Certificate Grant Program Funds

Program Manager Molly Wells Darling presented this grant opportunity through Zoom Conference Call.

ADAIR: Move approval of acceptance of grant award in the amount of \$2,000

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

24. Consideration of Board approval and Chair signature of Document No. 2021-1014, Amendment to Oregon Health Authority agreement #166040-7

Program Manager Kara Cronin presented the document via Zoom conference call explaining the services to be provided through this agreement.

CHANG: Move approval of Document No. 2021-1014

ADAIR: Second

VOTE: CHANG: Yes

ADAIR: Yes

DEBONE: Chair votes yes. Motion Carried

25. Rural Economic Development Opportunities Panel Discussions and Recommendations

Senior Transportation Planner Peter Russell and Planning Manager Will Groves presented the item for discussion explaining permitting for rural economic development opportunities and required changes in the County Codes by text amendments if instituting these types of land use applications. CDD Director Peter Gutowsky reported on land use and agri-tourism.

The Board requested additional information and analysis.

26. Deschutes County Justice Reinvestment Grant Agreement and Grant Funded FTE

Present via Zoom were District Attorney's Office Management Analyst Kathleen Meehan Coop, Community Corrections Management Analyst Trevor Stephens, and Community Corrections Deputy Director Tanner Wark. Mr.

Stephens reported on the grant process and the services to be provided by the funding.

CHANG: Move approval for Document No. 2021-1023
ADAIR: Second

VOTE: CHANG: Yes
ADAIR: Yes
DEBONE: Chair votes yes. Motion Carried

Ms. Coop requested approval for a grant funded limited position (.5 FTE) during the length of the grant period through June 30, 2022.

ADAIR: Move approval of
CHANG: Second

VOTE: ADAIR: Yes
CHANG: Yes
DEBONE: Chair votes yes. Motion Carried

27. Discussion of Board Approval of FTE for Deschutes County Public Health's Clinical Services Nurse Practitioner

Anne Kilty, Manager of Public Health and Nahad Sadr-Azodi, Director of Public Health via Zoom conference call present the request to increase a nurse practitioner position by .5 FTE. The Board expressed support.

28. Consideration Whether to Hear an Appeal: Board Order 2021-065; decision whether to hear an appeal of the Hearings Officer's approval of an application to establish a personal use airstrip

Principal Planner Anthony Raguine presented the item, explained that staff is satisfied with the decision of the Hearings Officer (it is comprehensive and

addressed the issues raised by opponents) and noted based on the calendar it would be difficult to hold a hearing on the appeal by the 150-day deadline and the applicant is not willing to toll the clock.

ADAIR: Move approval of Order No. 2021-065 declining to hear the appeal

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

29. Appointments of Chair and Vice Chair for 2022

Commissioner DeBone noted that he has been honored to serve as Chair over the past year. Commissioner DeBone nominated Commissioner Adair for Chair.

DEBONE: Move appointment of Commissioner Adair as Chair

ADAIR: Second

Discussion: Commissioner Chang noted his interest in serving as Chair.

VOTE: ADAIR: Yes

CHANG: No

DEBONE: Chair votes yes. Motion Carried

Commissioner DeBone nominated Commissioner Chang for Vice Chair.

Commissioner Chang nominated Commissioner DeBone for Vice Chair.

DEBONE: Move to appoint Commissioner Chang as Vice Chair

ADAIR: Second

Discussion: Commissioner Chang refused the nomination.

CHANG: Move appointment of Commissioner DeBone as Vice Chair
ADAIR: Second

VOTE: CHANG: Yes
ADAIR: Yes
DEBONE: Chair votes yes. Motion Carried

OTHER ITEMS:

- Commissioner DeBone reported on the AOC Court facilities task force for Deschutes County regarding the courthouse expansion
 - Commissioner DeBone noted interest in attending the NACO conference in February.
 - Commissioner Adair attended the Terrebonne septic system presentation last week and thanked the Deschutes County team for their work on this project.
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EXECUTIVE SESSION:

At the time of 3:02 p.m. the Board went into Executive Session under ORS 192.660 2) (h) Litigation. The Board came out of Executive Session at 3:10 p.m. for the following motion:

ADAIR: Move approval of Document No. 2021-976, Authorization of Signature
CHANG: Second

VOTE: ADAIR: Yes
CHANG: Yes
DEBONE: Chair votes yes. Motion Carried

At the time of 3:11 p.m., the Board went into Executive Session under ORS 192.660 (2) (a) Consideration of Employment. The Board came out of Executive Session at 3:16 p.m.

At the time of 3:16 p.m., the Board went into Executive Session under ORS 192.660 (2) (d) Labor Negotiations. The Board came out of Executive Session at 3:45 p.m. to direct staff to proceed as discussed.

ADJOURN

Being no further items to come before the Board, the meeting was adjourned at 3:45 p.m.

DATED this 5 Day of January 2021 for the Deschutes County Board of Commissioners.



ANTHONY DEBONE, CHAIR



PHIL CHANG, VICE CHAIR

ATTEST:


RECORDING SECRETARY



PATTI ADAIR, COMMISSIONER