



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

1:00 PM

MONDAY April 21, 2025

Allen Room
Live Streamed Video

Present were Commissioners Anthony DeBone, Patti Adair and Phil Chang. Also present were County Administrator Nick Lelack; Senior Assistant County 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: www.deschutes.org/meetings.

CALL TO ORDER: Chair DeBone called the meeting to order at 1:00 pm.

CITIZEN INPUT: None

AGENDA ITEMS:

1. Facilities Department Capital Improvement Program Update

Facilities Director Lee Randall and Capital Improvement Manager Eric Nielsen presented information on recently completed and current capital improvement projects, including the Courthouse expansion, and on planning work for future improvements to the Public Safety Campus and the Downtown Campus.

County Administrator Nick Lelack added that Facilities will share a presentation on the Downtown Campus Plan at the Board's joint meeting with Bend next Monday.

Discussion ensued regarding possible seismic upgrades to the current Courthouse building. Nielsen said any upgrades recommended by a structural engineer will be evaluated by staff in light of the available budget.

2. Treasury Report for March 2025

Bill Kuhn, County Treasurer, presented the Treasury Report for March 2025.

Commissioner Adair commented that First Interstate is no longer matching the Local Government Investment Pool rate. Kuhn explained that the bank had agreed to match the LGIP rate for six months, which it did, and now has lowered its rate to 4.25%.

In response to Commissioner Adair, Kuhn confirmed that one statement in the investment policy concerning the portfolio's maturity dates contradicts another statement, warranting a revision.

3. Finance Report for March 2025

Robert Tintle, Chief Financial Officer, presented the Finance Report for March 2025, sharing that TRT revenues came in above projections for the months of December and January.

Commissioner Chang asked about the source of the \$6 million expected to be added to the Behavioral Health reserves by the end of the fiscal year. Tintle explained that as revenues received from the State go unspent, they are transferred into reserves until needed.

4. Preparation for Public Hearing: Temporary Hardship Dwelling Text Amendments

Nicole Mardell, Senior Planner, explained the proposed staff-initiated amendments to the County's regulations for temporary hardship dwellings, which can be used as a residence for someone who needs care or for a caregiver. She explained that because only one secondary dwelling is allowed on residential properties aside from the primary dwelling, a property could have either an ADU or a temporary hardship dwelling, but not both. She noted that State law does not allow temporary hardship dwellings in either the MUA10 or RR10 zones.

In response to Commissioner Chang, Mardell explained the tracking system used by the Community Development Department and the process by which staff

ensures that any temporary hardship dwelling which is not being used in accordance with the regulations is decommissioned.

Peter Gutowsky, Community Development Director, spoke to the desire by many to age in place with extended family, which temporary hardship dwellings can help to facilitate. He explained one recommended change is to allow the conversion of a secondary dwelling to a temporary hardship dwelling with requisite permits.

Commissioner Adair spoke to the need for affordable housing and to the existence of many illegal ADUs.

In response to questions, Gutowsky said medical hardship dwellings must be renewed every year upon the submittal of documentation from a physician. Mardell said the Board has the authority to change the source of that documentation from a doctor to a physician's assistant (PA), the latter of which can serve as a person's general healthcare provider.

Continuing, Mardell said about 143 properties throughout the County currently have an active temporary hardship dwelling approval. In the last two years, CDD has received 18 applications for these in non-resource zones and seven applications for such dwellings on properties in resource zones.

Referring to the process by which automated yearly reminders are issued, Gutowsky said if no response is received, Code Enforcement follows up.

Mardell said staff further proposes to change the renewal period from one year to two years.

5. Deschutes County Property / East of Redmond / Code Enforcement Violation

Community Development Administrative Manager Angie Havniar introduced the matter of Code enforcement violations on County-owned property near the Negus Transfer Station east of Redmond involving numerous encampments.

In response to questions, Havniar distributed a map showing the location of the property which is made up of 1600 acres. The County is working to partition the parcel, which has been assigned multiple addresses.

Havniar recited the specific violations of Code sections which were determined after a complaint was received in September of 2024, with the notice of violation issued on March 27, 2025. A hearing has been scheduled for May 6th. Havniar sought Board direction and referred to the following options identified by staff:

1. Initiate Policy No. GA-23 and remove all unpermitted encampments, utilizing a voluntary compliance agreement that encompasses all violations stated in the Notice of Violation.
2. Hold all of the noticed Code enforcement violations in abeyance; or
3. Proceed with Code enforcement and a hearing on May 6th.

In response to Commissioner Adair, Havniear said it is not known how many persons are currently camping on the property.

Responding to Commissioner Chang, Havniear said Code Enforcement was directed to keep in abeyance with regard to the County-owned property at Juniper Ridge. Peter Gutowsky, Community Development Director, added that CDD has identified imminent public health and safety hazards on both properties.

Havniear distributed a map showing the locations where solid waste has accumulated on the property. The map also depicted the specific origin of each of the 2,800 calls to 9-1-1 made between 2020 and 2025; a separate table broke down the report of each call according to problem or complaint category (armed subject, burglary/theft, missing person, overdose, etc.).

Havniear also distributed an estimate of \$528,290 received from Central Oregon Bio Solutions for cleaning up the property. The estimate is based on assigning eight persons to clean up 17 different areas and includes items such as the dismantling of 20 recreational vehicles. Havniear noted that the estimate does not extend to the property designated for CORE3 project or to areas inside city limits.

Commissioner Chang said while the County is working with the City of Redmond to establish a managed camp to the west of the CORE3 property, that is not expected to be available until late November.

Noting that the County donated property in this area for the North Point Vista, Oasis Village and CORE3 projects, Commissioner DeBone said the County must turn the corner on the problem of unsanctioned camping, which has led to the cutting down of trees and the disposal of human waste, antifreeze and oil on the ground.

In response to Commissioner DeBone, Havniear said the County has the option of acknowledging the violation and receiving time to correct it. She described the steps taken for a voluntary compliance agreement.

Commissioner Chang spoke to needed investments in pathways out of homelessness which produce results, saying that while the number of homeless persons in Bend and Redmond levelled off and even declined between 2023 and 2024 due to targeted spending, not enough is being done.

Commissioner DeBone said the encampments constitute an unacceptable utilization of land zoned for Exclusive Forest Use (EFU), which previously was used for recreational activities.

Commissioner Adair asked to know how many people called 9-1-1 from this area over the past year.

Commissioner Chang said while some people who are homeless want to transition to being housed, others do not. If enough shelter is offered for those who want to be housed, the only ones left to deal with would be those who are not interested in being housed.

Saying that entering into a voluntary compliance agreement would offer some flexibility to address the situation, Gutowsky referred to County policy GA-23 which allows the removal of campers from County-owned property.

Erik Kropp, Deputy County Administrator, reminded that the County has prioritized addressing unauthorized camping on the CORE3 and Juniper Ridge areas as well as on the property anticipated to be swapped with DSL. Stressing that the County must have an alternate location to offer for people to relocate to before it removes them from any area, he recommended that the Board hold this Code violation in abeyance and continue to focus on the three properties listed.

Commissioner Chang asked if a voluntary compliance agreement can allow for phased actions to correct a violation. Stephanie Marshall, Senior Assistant Legal Counsel, confirmed that a voluntary compliance agreement can accommodate different timelines to bring a matter into compliance. She acknowledged competing state laws in this instance insofar as camping is not permitted on EFU land, yet the County must offer an alternate location to anyone displaced.

Kristie Bollinger, Property Manager, added it would be very hard to enforce the prohibition against camping on 1600 acres after a clean-up was completed.

Commissioner Adair emphasized the significant risk of fires being started and spreading beyond the property.

Commissioner DeBone suggested that 40 acres of County-owned property could be used, even temporarily, as a long-term visitor area and also as an alternate location to direct people who are displaced.

Commissioner Chang said it would be dangerous to move widely dispersed camps to a much smaller area without oversight or management.

6. Community Development Department Draft FY 2025-26 Work Plan

CDD Director Peter Gutowsky introduced the discussion of the department's updated draft work plan, saying a public hearing has been scheduled for May 7th.

Todd Cleveland, Onsite Wastewater Manager, shared that the County issued 21 rebates for alternative treatment systems last year, and hopes to secure additional funding to continue to offer these.

Anthony Raguine, Principal Planner, said after the appeal of the County's 2040 Comprehensive Plan update is resolved, staff will bring an action plan to the Board for consideration. Raguine also spoke to Planning's work to incorporate clear and objective regulations into County Code in accordance with State law.

Randy Schied, Building Official, described recent work to inspect and permit a three-story medical building in La Pine as well as a new air traffic control center for the City of Bend. In addition, the department is conducting cross-training to achieve increased efficiency between certifications.

Angie Havniear, CDD Administrative Manager, reported efforts to improve communications and information on the department's website to enhance transparency and make online permit submittals easier. She said Code Enforcement abated two properties in the past year, one of which was a 30-acre parcel having 30 greenhouses which had been used for illegal marijuana production.

Dan Smith, Code Enforcement Specialist, explained that a notification process for pending Code enforcement actions has been created to facilitate awareness via the County's DIAL system which is accessible to the public. Havniear added that approximately 250 properties are currently pending.

A break was announced at 4:10 pm. The meeting reconvened at 4:18 pm.

7. Amendment to an existing ground lease with City of Redmond

Kristie Bollinger, Property Manager, explained that this amendment would modify the lease granted to the City of Redmond for the Oasis Village project due to the Board's decision to directly lease adjacent County-owned property to Mountain View Community Development for permanent supportive housing.

Commissioner DeBone commented that the amendment would reduce the amount of property currently being leased to the City.

ADAIR: Move approval of Document No. 2025-060, an amendment to a Ground Lease with the City of Redmond to modify the original acreage from +/- 12-acres to +/- 3.23-acres located on County-owned property in East Redmond

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes no. Motion Carried 2 – 1

8. Ground Lease with Mountain View Community Development for use of 9.48 acres in East Redmond

Rick Russell, Executive Director of Mountain View Community Development (MVCD), reviewed MVCD's proposal to build 75 units of permanent supportive housing on County-owned land east of Redmond. He explained the units would be individual cottage-style housing, with two-thirds of them having one bedroom and the rest having two bedrooms, and listed Housing Works, FUSE and Hayden Homes as project partners.

Michelle Cross, Project Manager for MVCD, reviewed the criteria for residents of the units, all of whom will be served by on-site case management staff. With regard to the requirement that the residents pay 30% of their income as rent, Russell noted that the project is intended to serve persons who are unable to work, some of whom receive disability income of \$750 to \$1100 per month.

Cross next spoke to the funding for the project, saying that MVCD is seeking financing from Oregon Housing & Community Services along with grants and donations.

Adding that MVCD is applying for a \$3 million Federal Home loan bank grant, Russell reviewed the estimated timeline of project.

In response to Commissioner DeBone, Cross said the residents would be responsible for paying their own utilities, although options exist to subsidize those costs.

ADAIR: Move approval of Document No. 2025-058, a Ground Lease with Mountain View Community Development for use of 9.48-acres of County-owned property in East Redmond for the development of permanent supportive housing

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes no. Motion Carried 2 - 1

OTHER ITEMS:

- County Administrator Nick Lelack referred to the interviews held by the Board last Friday for the vacant County-appointed position on the COIC Board representing the unemployed and underemployed population.
- Commissioner DeBone reported that he attended the Oregon Emergency Management conference last week, where he presented on the CORE3 project to emergency management personnel from around the state. He thanked COIC for its support of this project.
- Commissioner DeBone attended the Project Wildfire meeting last Tuesday.
- Commissioner Chang attended the Family Area Network (FAN) lunch last Friday and the Redmond Airport Committee meeting on Thursday.
- Commissioner DeBone noted that all three Commissioners attended the REDI luncheon last Wednesday.

EXECUTIVE SESSIONS:

At 4:38 pm, the Board entered Executive Session under ORS 192.660 (2) (h) Litigation and ORS 192.660 (2) (e) Real Property Negotiations.

The Executive Session concluded at 5:18 pm.

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 5:18 pm.

DATED this 21st day of May 2025 for the Deschutes County Board of Commissioners.

ATTEST:

Brenda Fitzbrad
RECORDING SECRETARY

Anthony DeBONE
ANTHONY DEBONE, CHAIR

Patti Adair
PATTI ADAIR, VICE CHAIR

Phil Chang
PHIL CHANG, COMMISSIONER