



## BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

# BOCC MEETING MINUTES

9:00 AM

**WEDNESDAY November 2, 2022**

Barnes Sawyer Rooms  
Live Streamed Video

Present were Commissioners Patti Adair, Anthony DeBone, and Phil Chang. Also present were Nick Lelack, County Administrator; Kim Riley, Assistant County Counsel; and Brenda Fritsvold, BOCC Executive Assistant.

This meeting was audio and video recorded and can be accessed at the Deschutes County Meeting Portal website [www.deschutes.org/meetings](http://www.deschutes.org/meetings)

**CALL TO ORDER:** Chair Adair called the meeting to order at 9:01 a.m.

### PLEDGE OF ALLEGIANCE

### CITIZEN INPUT:

Chair Adair acknowledged the receipt of one Citizen Input email supporting the preservation of Worrell Wayside Park.

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

DEBONE: Move Board approval of Consent Agenda

CHANG: Second

VOTE:           CHANG:       Yes  
                  DEBONE:     Yes

ADAIR: Chair votes yes. Motion Carried

1. Authorize the purchase of vehicles for the Deschutes County Sheriff's Office using State of Oregon Pricing Agreement
2. Consideration of Chair Signature of Document No. 2022-751, a Memorandum of Understanding with Mosaic Medical
3. Consideration of Board Signature on letter appointing Kent Vander Kamp for service on the Deschutes County Facility Project Review Committee
4. Approval of the minutes of the October 19 2022 BOCC meeting

*Further Discussion:* Commissioner Adair expressed gratitude to Kent Vander Kamp for his willingness to serve on the Facility Project Review Committee.

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**ACTION ITEMS:**

**1. Consideration of Resolution No. 2022-071 to increase FTE within the 2022-2023 Deschutes County Budget**

Jessica Jacks, Prevention and Health Promotion Program Manager, explained the proposal to add a 0.25 regular FTE Community Health Specialist 1 position and convert a 0.75 limited duration FTE Community Health Specialist 1 position to a 0.75 regular FTE position. Jacks explained that initial funding for the new 0.25 position will come from tax proceeds collected per Ballot Measure 108 and distributed by Oregon Health Authority (OHA) for tobacco cessation efforts. The 0.75 position is partially funded by a grant for suicide prevention.

Earlier this year, the County learned that its Fiscal Year 2023 allocation of 108 funds will be \$395,172. Future allocations will likely be lower, but ongoing funding is expected.

CHANG: Move Board approval of Resolution No. 2022-071 to increase FTE within the 2022-2023 Deschutes County Budget

DEBONE: Second

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

## **2. PUBLIC HEARING – Final Public Hearing on formation of Terrebonne Sanitary District**

Dave Doyle, County Counsel, summarized the proposal to form Terrebonne Sanitary District, previously discussed at the first public hearing held on October 5<sup>th</sup>. Doyle reported the receipt of a petition yesterday which sought to have this matter be presented to the electorate of the proposed district; however, 23 valid signatures are needed to force an election and of the 24 signatures submitted, only 20 were determined valid by the County Clerk.

*Public hearing was opened at 9:22 a.m.*

Testimony:

Mike Walker, 3711 NW Povey Ave, Terrebonne, asked that the County consider modifying the boundary of the district to include more properties. He stated he had an additional 30 signatures from registered voters who live in the proposed district and who support placing this matter on the ballot.

Dave Doyle confirmed that any signatures submitted seeking an election can be turned in before the close of the public hearing; the County Clerk would then assess them for validity.

Linda Swearingen, a former Deschutes County Commissioner and resident of Redmond, recalled early discussions with property owners and residents on this issue. She said people agree this is needed, but many do not want to be required to hook up if their private system is working. Rather than expand the boundary, she thought it better to reduce it so only those who want to connect now are included.

Marika Sitz, attorney with Jordan Ramis, explained the options for annexing after a district is formed. She confirmed that once the district's board is elected, it would not have to wait for the system to be built before considering petitions for annexation.

Kim Riley, Assistant County Counsel, added that properties would be able to petition for annexation on an individual basis.

Ryan Rudnick, Parametrix, said putting this matter to an election would delay construction of the necessary infrastructure. He recommended proceeding with forming the district at this time, then collaborating with those who want to join

through the annexation process. Mr. Rudnick disputed that the district must have contiguous boundaries and explained that it can have non-contiguous boundaries so long as all of the area included is reasonably able to be served by the district.

Mr. Walker said while he personally could connect to the system that serves Terrebonne Estates, he supported building the larger system all at once rather than in phases as he believed it can be expensive to connect via annexation.

Commissioner Chang referred to failed efforts to form a sanitary district in Terrebonne in the past and was concerned about possibly losing a window of opportunity to secure federal funding, which may not be available later.

Chris Doty, Public Works Director, recounted the initial efforts to form the district and said because some residents fear mandatory connection and high hook-up fees, the boundaries for Phase A were reduced to the properties who need it most. Saying that the system is designed to eventually accommodate the entire community, he emphasized that Phase A will take advantage of current opportunities to develop the initial phase of the system so it is available to others in the future via build-out.

Linda Swearingen explained that the boundary of the first phase was limited after residents learned it would cost between \$13,000 and \$51,000 for them to hook up. She supported the current plan to form the district with other properties annexing later.

Jim Wilhelm, 9250 16<sup>th</sup> St., was concerned about the cost of the project and wondered if the limited number of properties in the first phase would be able to support the system. He said the district should not be created without a vote of the people.

The Board was in consensus to have the signatures submitted by Mike Walker presented to the County Clerk for validation.

*Public hearing on the Terrebonne Sanitary District was placed on hold at 10:02 a.m. to allow the County Clerk time to conduct the required assessment of the submitted signatures (see page 6).*

**3. PUBLIC HEARING – Public Hearing and Consideration of Board signature of Order No. 2022-049 and Order No. 2022-050 approving the Millennium Trust and Lebeda annexations to Bend Park & Recreation District**

Kim Riley, Assistant County Counsel, explained the requests for two parcels to annex to the Bend Park & Recreation District, and advised that each request have its own public hearing.

*Public hearing was opened on the Millennium Trust annexation proposal at 10:03 a.m.*

Testimony: none received.

*Public hearing was closed at 10:03 a.m.*

DEBONE: Move approval of Order No. 2022-049 approving the Millennium Trust Co. annexation into Bend Park & Recreation District

CHANG: Second

VOTE: DEBONE: Yes  
CHANG: Yes  
Chair votes yes. Motion carried

*Public hearing was opened on the Lebeda annexation proposal at 10:05 a.m.*

Testimony: none received.

*Public hearing was closed at 10:05 a.m.*

CHANG: Move approval of Order No. 2022-050 approving the Will Lebeda annexation into Bend Park & Recreation District

DEBONE: Second

VOTE: DEBONE: Yes  
CHANG: Yes  
Chair votes yes. Motion carried

#### **4. Consideration of American Rescue Plan Act Funding Proposal from Friends of the Children**

Laura Skundrick presented the proposal from Friends of the Children for \$100,000 in ARPA funds to be used to expand the organization's services to the community of La Pine.

Commissioner Adair said the latest test scores in reading and math are alarming. Friends of the Children has had outstanding success in changing the trajectory of



students who need help, and she was gratified that the program is expanding to La Pine.

Commissioner DeBone preferred to use ARPA funds for capital projects.

Commissioner Chang agreed that this program, which serves disadvantaged youth, is extremely important. He was nevertheless concerned about the sustainability of this kind of investment since the proposal requires new staffing, and was happy to continue supporting this work with lottery grant funds.

Rachel Cardwell, Executive Director of Friends of the Children—Central Oregon, said this \$100,000 request represents just 15% of the program's total \$819,000 cost over the next three years. She said \$420,000 has been raised to date, and fundraising efforts continue. She added that the program serves 30 students in Bend and 14 in Redmond and is seeking to expand to serve 16 students in La Pine.

Commissioner DeBone suggested postponing action on this proposal to a future date, and Commissioner Chang concurred.

### **PUBLIC HEARING – Continuation of Public Hearing on formation of Terrebonne Sanitary District**

*Public hearing on the Terrebonne Sanitary District resumed at 10:38 a.m.*

Steve Dennison, County Clerk, stated that two batches of petitions were submitted on this matter, with today's batch containing at least 12 valid signatures that were not duplicated in the batch received yesterday. Between the two batches of petitions, the County has validated a total of 32 signatures with some remaining to be assessed and determined the requisite threshold of 23 valid signatures had been met to refer this matter to election.

Dave Doyle referred to revised Order # 2022-052, before the Board for action, which would direct the question of district formation to the next available election. Doyle explained that the ballot measure will ask the 154 registered voters who live in Phase A if they approve forming the district. The question will be decided by a simple majority (50% plus one).

Regarding whether the boundary of the district could be amended prior to the election, Doyle said the Board could consider doing this but it would require additional public hearings and other work that may not be possible to finish before the next available election, which is when this matter must be placed on the ballot.

Commissioner Chang said the Board is not in a position to solve this problem for the Terrebonne community. Rather, the community must come together, decide the boundaries of the district, and determine a workable path forward.

Commissioner DeBone supported putting this matter to a vote by the electorate.

*Public hearing was closed at 10:50 a.m.*

DEBONE: Move approval of Order No. 2022-052, Sending to the Electorate the Matter of Forming a Terrebonne Sanitary District with the boundaries as presented

CHANG: Second

VOTE: DEBONE: Yes  
CHANG: Yes  
Chair votes yes. Motion carried

## **5. Department Performance Measures Updates for Q1**

Jen Patterson, Management Analyst, introduced the 2022-2023 first quarter update on department performance measures, which spotlights progress made on the goal of “Healthy People: Enhance and protect the health and well-being of communities and their residents.”

Rita Bacho from Health Services reported on the progress made to reduce outbreaks and the spread of disease by completing 95% of communicable disease investigative tasks within the timeframe defined by Oregon Health Authority.

Holly McCown Harris and Amber Clegg from Health Services reported on the progress made to see Oregon Health Plan behavioral health clients within state timelines.

Lee Randall, Facilities Director, reported on the progress made to ensure safe access to County facilities and services through inspection, repair and replacement of sidewalk and parking lot inventory.

Chad Centola from Solid Waste reported on the progress made to meet or exceed the industry compaction standard to ensure efficient use of the Knott Landfill resource.


Tim Bronwell from Solid Waste reported on the progress made to increase the diversion rate and collect more recyclables.

**OTHER ITEMS:**

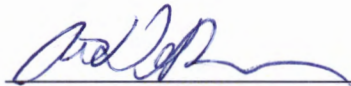
- Commissioner DeBone attended a community reception honoring the work done by Charla DeHate upon her retirement as CEO of La Pine Community Health.
- Commissioner DeBone attended a tour showcasing fuels reduction efforts and involving Heart of Oregon Corps, Forestry staff, and others.
- Commissioner Chang reported that the advisory board of the Oregon Conservation Corps met last week and offered a project tour on Friday.
- Commissioner Adair attended a meeting on Friday to discuss pilot projects resulting from HB 4123 (coordinated homeless response).

**ADJOURN:** Being no further items to come before the Board, the meeting was adjourned at 11:14 a.m.

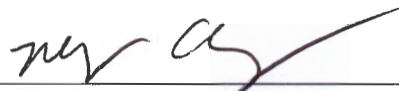
DATED this 14<sup>th</sup> Day of November 2022 for the Deschutes County Board of Commissioners.



**PATTI ADAIR, CHAIR**



**ANTHONY DEBONE, VICE CHAIR**



**PHIL CHANG, COMMISSIONER**

**ATTEST:**



**RECORDING SECRETARY**