



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY September 7, 2022

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Patti Adair, Anthony DeBone, and Phil Chang. Also present were David Doyle, County Counsel, Nick Lelack, County Administrator, Erik Kropp, Deputy County Administrator and (via Zoom) Angie Powers, Administrative Assistant.

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 Adair called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT: None

- Commissioner Adair reported that China Hat residents reached out to the Board this morning regarding another fire incident at a homeless camp bordering private property which occurred last night. Their concerns about wildfire risk continues to grow.

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

CHANG: Move approval of Consent Agenda

SECOND: DeBone; Consent agenda item #2 has a spelling error in Bill Gregoricus' last name, staff directed to correct his letter of appointment to the STIF Committee.

VOTE: CHANG: YES
 DEBONE: YES
 Chair votes YES. Motion carried

1. Consideration of Board Signature of Order No. 2022-047, Appointing Health Services Director's Designees
2. Consideration of Board Signature on letters appointing Bill Gregoricus, Jamie Donahue and Troy Rayburn for service on the Deschutes County Statewide Transportation Improvement Fund Advisory Committee
3. Consideration of Board Signature on letters extending appointments of Andrea Breault, Ken Thorp, Jonathon Bullock, Iman Simmons, Zachary Bass, Andrew Davis, Dan Youmans, Casey Bergh, Jennifer Glover and Matthew Schmitz for service on the Deschutes County Statewide Transportation Improvement Fund Advisory Committee
4. Consideration of Board Signature on Letters of Thanks to Sintha Townsend, Kelsey Rook, Paul Bertanga, Walter McCoin and Derek Hofbauer for service on the Deschutes County Statewide Transportation Improvement Fund Advisory Committee
5. Consideration of Board Signature on Letters of Thanks to Tyler Deke, Bill Gregarious, Michelle Furman, Jamie Donahue and Peter Russell for service on the Deschutes County Special Transportation Fund (STF) Advisory Committee
6. Approval of Minutes of the August 22, 2022 BOCC Meeting
7. Approval of Minutes of the August 24, 2022 BOCC Meeting

ACTION ITEMS:

8. National Suicide Prevention Awareness Month

- Caroline Suiter, Mental Health Promotion Strategist and Bethany Kuschel, Deschutes County Suicide Prevention Coordinator, gave a presentation for National Suicide Awareness Month and provided some data, statistics and resources.
- There are five key components of the county's suicide prevention program: Training, Technical Assistance, Safe Messaging, Community Coordination and Postvention.
- The Deschutes County Crisis Line is free and confidential: 541-322-7500 Ext. 9
- The Walk-In Deschutes County Stabilization Center is located at 63311 Jamison Street
- A number of community events are taking place during National Suicide Awareness Month, and were shared by Bethany in a slide show.
- A Proclamation of National Suicide Prevention Awareness Month was read by the Commissioners. The month of September 2022 is designated as National Suicide Prevention month this year and every year thereafter.

CHANG: Moved adoption of Proclamation

SECOND: DEBONE

VOTE: CHANG: YES

DEBONE: YES

Chair votes YES. Motion carried

- Carol Palmer introduced herself. She is a dedicated community member active on the school response team, and has devoted her retirement to suicide prevention, particularly in youth. She commended Jessica Jacks, Deschutes County's Community Health Supervisor, Caroline and Bethany for their powerful actions (Jacks earlier presented Palmer with flowers). A photo was taken with Carol, the Commissioners, and the county's suicide prevention team.

9. Public Hearing: LBNW LLC Plan Amendment and Zone Change

- Tarik Rawlings, Associate Planner, presented File #247-21-000881-PA, 882-ZC to the Commissioners, to consider request for a Plan Amendment and Zone Change designation of three properties totaling

approximately 19.12 acres along Highway 97 (Township-Range-Section 16-12-23). The request by applicant LBNW LLC is for a Plan Amendment from Agricultural (AG) to Rural Industrial (RI) and a Zone Change from Exclusive Farm Use (EFU) to Rural Industrial (RI).

- There were no objections to the format of the hearing. Commissioners did not have any conflicts of interest to disclose. No parties wished to challenge the Commissioners. No procedural objections to the public hearing.
- A brief staff report was presented by Tarik Rawlings. The initial hearing was held on April 26, 2022 and resulted in one challenge, by Central Oregon LandWatch. During the open record period, if any, emails should be submitted to Tarik.Rawlings@deschutes.org and any questions can be directed to Tarik at 541-317-3148.
- Commissioner Chang asked about the land holdings adjacent to the subject properties. Rural residential borders to the west. East of the property is a canal and two larger exclusive farm use properties which are in farm tax deferral currently (tax lots 300 and 306). Oregon State Park owned property is to the south, and is used as open space and conservation land not currently used as a park. Commissioner Chang recognized that there is an acute need for large lot industrial land in the county, but this subject property is not part of this great need.
- 30 minutes were allocated for applicant to speak. Ken Katzaroff, Attorney for the applicant, represented LBNW LLC. He referenced the location map slide, showing subject tax lots 301, 305 and 500. In response to an inquiry by Commissioner Chang, Ken said that Rural Residential zoning was not considered as an option, due in large part that soil studies showed that the soils were not suitable for farm use, despite the proximity to the canal. It would be cost-prohibitive to bring in suitable soils for farm use. Testimony lasted approximately 18 minutes.
- General public testimony (3 minutes allotted): Rory Isbell, Staff Attorney with Central Oregon LandWatch (2843 NW Lolo Drive, Suite 200, Bend, OR 97703), testified. He provided exhibits to the Board. He highlighted traffic impacts along Highway 97. Testimony lasted approximately 6 minutes.
- Ken Katzaroff had 10 minutes for his rebuttal. Gary A. Kitrow, Certified Soil Scientist, PO BOX 18, Oakland, OR 97462 responded via phone to Central Oregon LandWatch's testimony. The soils aren't suitable for farm use and it's not economically viable to attempt to rehabilitate the

land into farm soils. Representing the applicant, Ken requested no open record period, in part since there is no new evidence presented, and the applicant would like to be able to use their property sooner than later to avoid additional legal costs. Tarik reported that the application was complete in October 2021.

- Chair Adair closed the hearing (both oral and written record) and set a date for deliberations for two weeks from today (September 21, 2022).

10. Consideration of Board approval and Chair Signature of document #2022-741, a CJC IMPACTS grant

- Holly Harris, Program Manager with Behavioral Health, discussed the Oregon Criminal Justice Commission IMPACTS (Improving People’s Access to Community-based Treatment) grant. An additional two years of funding would keep the Deschutes County Stabilization Center open, with a large portion going towards personnel staffing. Target population are persons with behavioral health conditions and those who have had multiple encounters with law enforcement and/or incarceration. 17% of the individuals served identify as houseless. 30% of individuals are diverted from the Emergency Room. The Stabilization Center also diverts individuals away from suicide. Commissioner Chang stressed the importance of maintaining long-term reliable funding without having to rely on competitive grant funding.

DEBONE: Moved approval and signature
SECOND: CHANG: YES
VOTE: DEBONE: YES
CHANG: YES
Chair votes YES. Motion carried

11. Consideration of COHC IMPACTS grant award acceptance

- Holly Harris discussed the matching grant provided by COHC, for up to \$250,000 (\$125,000 for two years).

CHANG: Moved approval of grant document
SECOND: DEBONE
VOTE: CHANG: YES
DEBONE: YES
Chair votes YES. Motion carried

DEBONE: Moved approval of authorizing Holly Harris'
signature on the grant acceptance
SECOND: CHANG
VOTE: DEBONE: YES
CHANG: YES
Chair votes YES. Motion carried

12. Consideration of Board Authorization for Purchase of Caterpillar 950 Loader

- Chad Centola, Department Director at Deschutes County Solid Waste, presented a sales order for the purchase of a Caterpillar loader to be used at the Negus Transfer Station in Redmond, for \$419,087.14. Commissioner Adair noted the corporate activity tax as a line item on the order. Delivery date is unknown, as supply chain issues may delay.

CHANG: Moved approval and signature on order
SECOND: DEBONE
VOTE: CHANG: YES
DEBONE: YES
Chair votes YES. Motion carried

13. Secure Rural Schools (SRS) allocations elections between Titles I, II and III

- Chris Doty, Road Department Director, presented Resolution 2022-062, Secure Rural Schools (SRS) allocation elections between Titles I, II and III. Title I funds (75%) roads and (25%) schools, Title II provides

federal funding on federal land for federal projects and Title III is funding for county projects, such as Firewise Communities, etc. Counties are provided some flexibility in how to allocate funds.

- The following allocation is recommended with Resolution 2022-062: 83% Title I, 10% Title II and 7% Title III. Commissioner Chang mentioned the possibility of pursuing Title II federal funds for use in clean-up efforts in homeless camp areas, as is done in Clackamas County, Oregon.

CHANG: Moved approval and signature on Resolution 2022-062 with the following allocation changes: 83% Title I, 10% Title II and 7% Title III.

SECOND: DEBONE

VOTE: CHANG: YES

DEBONE: YES

Chair votes YES. Motion carried

14. ARPA Grant Status Update: ReVillage Childcare Expansion

- Laura Skundrick, Deschutes County Management Analyst, provided background information and introduced Erica Spaet and Becca Ellis with ReVillage. In FY 2021, Deschutes County was awarded \$38.4 million in American Rescue Plan Act funding and in October 2021 the Board approved a \$350,000 grant to ReVillage for Childcare Expansion. Erica and Becca provided the Board with an update on projects funded by this award. The affordability and opportunity for parents to be in the classroom is an innovative model provided by ReVillage. ReVillage continues to seek out new ideas, such as looking at a sliding scale payment model.

A short recess was taken at 11:34 a.m. Board reconvened at 11:37 a.m.

15. Senate Bill (SB) 762 – Wildfire Adapted Communities Recommendations Report

- Kyle Collins, Deschutes County Planning Department, discussed the Wildfire Adapted Communities report and gave a brief presentation. SB 762 was passed to improve wildfire preparedness, focusing on five areas: community information and engagement, safe evacuation and firefighting response, wildfire risk mitigation requirements for areas of new development, recovery planning and areas subject to natural hazards.
- DLCDC Report includes broad recommendations as identified in the staff report.
- It is unclear when a new statewide Wildfire Risk map will be finalized.
- Kyle Collins welcomed Commissioners to submit individual responses or a joint response as a Board to any perspectives. Deadline is September 16th at 11:59 p.m.
- Commissioner Adair has received input from residents of Deschutes River Woods, voicing their concerns about evacuation routes. She has shared these concerns with Chris Doty at the Road Department. Commissioner Chang has also heard from these residents during the Baker-Knott road interchange construction. The need for alternate egress routes is of utmost importance.
- Commissioner DeBone echoed the importance of preparedness and resilience in our community.

16. Consideration of Approval for Road Department Submittal of Safe Streets For All (SS4A) Grant Application for the US20: Fryrear Road Project

- Cody Smith, County Engineer with the Road Department, requested approval to submit a federal grant application for the Safe Streets for All (SS4A) grant. Deschutes County has a Transportation Safety Action Plan (TSAP) which was created in 2019. In the TSAP, the top 10 county road sites were identified for safety improvements. US20/Fryrear Road intersection was ranked #3, and no project has yet been implemented at this site. US 20/Ward Road/Hamby Road was #1 and US97/Vandevent Road was #2, and projects have been implemented at both of these sites.

- The US20/Fryrear Road crash study period was 2012-2016 and revealed 2 fatal/incapacitating injury crashes, 4 non-incapacitating injury crashes, 8 property damage only crashes (14 total crashes).
- Project scope of work includes a new left turn lane for eastbound US20, realignment of Fryrear Rd. to eliminate skew at intersection, illumination and an improved right turn/deceleration lane on US20.
- Budget: Total project estimate: ~\$6.2 million. Federal funds request (80%): ~\$4.9 million, County share (20%) ~\$1.2 million.
- To date, no letters of support have yet been received from our congressional delegation, per Chris Doty.

CHANG: Moved approval of grant application submittal

SECOND: DEBONE

VOTE: CHANG: YES

DEBONE: YES

Chair votes YES. Motion carried

17. Add On Consideration of Board Approval to Apply for VAWA Grant Funding

- Ashley Beatty, Deschutes County District Attorney's Office, Victim Assistance Unit, requested permission to apply for the Violence Against Women Act (VAWA) grant funding. Funding would allow a Victim Advocate to be co-located with law enforcement (Deschutes County Sheriff's Office and Redmond Police Department) to station an advocate in La Pine and Redmond. The three year grant would fully-fund the advocate for three years. A portion of the grant would partner with Saving Grace, in which Trish Meyer would lead a best-case review of services to victims of sexual violence. There is a 25% match requirement, and Ashley is working with a private organization for the 25%. If she's unable to obtain the funds from a private organization (the Roundhouse Foundation), it would require \$25,000 over four fiscal years.

DEBONE: Moved approval of grant application submittal

SECOND: CHANG

VOTE: DEBONE: YES
CHANG: YES
Chair votes YES. Motion carried

- The second memo presented to the Board is a private donation, in the amount of approximately \$100,000 to \$115,000 to Victims Assistance from the Roundhouse Foundation. The purpose of this donation is to support the community during a time of healing following the shooting at the Forum Center Safeway. Victims Assistance plans to use the funds for an increased law enforcement presence at area schools, and also to use a third-party company to monitor social media threats of harm.

CHANG: Moved approval of acceptance of Roundhouse
Foundation funds
SECOND: DEBONE
VOTE: CHANG: YES
DEBONE: YES
Chair votes YES. Motion carried

The Board adjourned at 12:28 p.m. for lunch recess and reconvened at 1:34 p.m. The regular meeting was adjourned at 1:43 p.m. for Executive Session under ORS 192.662 (2) (e) Real Property Negotiations.

OTHER:

- County Administrator Nick Lelack spoke about yesterday's interviews with four applicants for the vacant position of Audit Committee member (to serve the remainder of the term, through June 30, 2024). Deschutes County Internal Auditor, David Givans summarized the interviews and panel feedback. The top two candidates are Joe Healy and Lisa Young. Commissioners shared their feedback. Commissioner Adair knows Joe Healy personally from past business association, and spoke to his competence. Commissioner Chang favored Lisa over Joe,

but thought both candidates were very strong. Commissioner DeBone didn't participate on the interview panels, but reviewed the resumes and agreed that they are both strong candidates. The next quarterly Audit Committee is tomorrow, Thursday September 8th. It would be favorable to make an appointment today so they can attend tomorrow's meeting as a spectator.

Commissioner DeBone moved approval to appoint Joe Healy to the Audit Committee, to complete the currently-vacant term through June 30, 2024

SECOND: CHANG
VOTE: DEBONE: YES
CHANG: YES
Chair votes YES. Motion carried

EXECUTIVE SESSION:

At the time of 12:28 p.m. the Board adjourned the regular meeting for lunch. The Board reconvened at 1:34 p.m. for other business, and adjourned at 1:43 p.m. and went into Executive Session under ORS 192.660 (2) (e) Real Property Negotiations. The Board came out of Executive Session at 3:18 p.m. to direct staff to proceed as directed.

Out of executive session to direct staff to remove the properties from auction list at 2:30 p.m. and enter into a trial lease agreement with Mountain View Property Development for Safe Parking Spaces.

CHANG: Move approval for the county to remove the two subject properties from the surplus auction list

SECOND: ADAIR
VOTE: CHANG: YES
DEBONE: NO
Chair votes YES. Motion carried

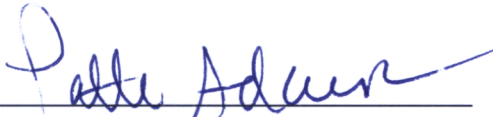
CHANG: Move Deschutes County enter in to a 90-day trial lease agreement with Mountain View Property Development to be used as Safe Parking spaces.

SECOND: ADAIR
VOTE: CHANG: YES


DEBONE: NO
Chair votes YES. Motion carried

ADJOURN: Being no further items to come before the Board, the meeting was adjourned at 3:18 p.m.

DATED this 21 Day of September 2022 for the Deschutes County Board of Commissioners.



PATTI ADAIR, CHAIR



ANTHONY DEBONE, VICE CHAIR

ATTEST:



RECORDING SECRETARY



PHIL CHANG, COMMISSIONER