



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY April 12, 2023

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Anthony DeBone, Patti Adair 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.

CALL TO ORDER: Chair DeBone called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT:

- Carl Shoemaker recited a speech titled "Tomorrow, and tomorrow, and tomorrow" from Shakespeare's Macbeth.
- Dorrine Tye expressed frustration with persons who break tree branches and cause other damage to private residences when flying aircraft in and out of the Bend airport, and asked the Board to intercede.

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

Assistant County Counsel Kim Riley clarified that Board approval of item 5, an application from Hiatus Homes for a Multiple Unit Property Tax Exemption, would constitute approval as the governing bodies of Deschutes County, the 9-1-1 Service District, and the County's law enforcement districts.

Commissioner Adair said she was happy to see this workforce housing project move forward. Commissioner Chang added that because housing is expensive to build due to the high costs of land, infrastructure and construction, public subsidies such as property tax exemptions are necessary.

ADAIR: Move Board approval of Consent Agenda
CHANG: Second

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

1. Approval of OHA amendment #169509-14 awarding funding for HIV Early Intervention Services and Outreach
2. Approval of Resolution No. 2023-019, authorizing the application for an assessment and taxation grant from the Oregon Department of Revenue
3. Adoption of Order No. 2023-016, an Order Declaring the Results of the Election Held on March 14, 2023 Regarding the Establishment and Formation of the Terrebonne Sanitary District
4. Adoption of Order No. 2023-013, Partially Staying the Corrective Action Previously Imposed Against the La Pine Rural Fire Protection District in Order No. 2023-006
5. Approval of the application from Hiatus Homes for a Multiple Unit Property Tax Exemption
6. Approval of the minutes of the March 31, 2023 Legislative Update meeting

Commissioner Chang expressed appreciation to those who supported and worked to get the Terrebonne Sanitary District established.

ACTION ITEMS:

7. Proclamation: Sexual Assault Awareness Month

The Commissioners read the proclamation into the record.

ADAIR: Move to declare April "Sexual Assault Awareness Month"
CHANG: Second

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

Cassi McQueen, Executive Director of Saving Grace, accepted the proclamation.

8. Letter of support for the FEMA Building Resilient Infrastructure and Communities Grant

Joe Stutler, Senior Advisor, summarized the request for a letter of support to accompany the application for a BRIC grant from FEMA to install a water storage and delivery system at the High Desert Museum to protect it against damage in the event of fire. Dana Whitelaw, executive director of the High Desert Museum, described the museum’s operations and shared information on the economic impact of the visitors it attracts. She said fire is the largest threat to the facility and its collection of artifacts.

CHANG: Move approval of Board signature of a Letter of Recommendation for the FEMA Building Resilient Infrastructure and Communities Grant application

ADAIR: Second

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

9. 1st Reading of Ordinance 2023-007 – Marken Plan Amendment / Zone Change

Audrey Stuart, Associate Planner, said the draft ordinance would implement a Comprehensive Plan map designation change for property totaling approximately 59 acres to the east of Bend and south of Highway 20 from Agriculture to Rural Residential Exception Area, and would further amend the Deschutes County Zoning Map to change the property’s Zone Designation from Exclusive Farm Use to Multiple Use Agricultural. If the Board approves first reading of the ordinance, staff will return in two weeks to propose second reading and adoption.

ADAIR: Move approval of first reading of Ordinance 2023-007 by title only
CHANG: Second

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

Chair DeBone read the ordinance by title only.

10. FY24 CDD Fee Increases – Continued Discussion from April 5th

Sherri Pinner, Senior Management Analyst, shared a financial summary from the Community Development Department's (CDD) budget for Fiscal Year 2023 and said due to a decline in revenues from reduced permit and application volumes, CDD removed eight full-time positions this past January. Despite that and other efforts to reduce expenditures, CDD is anticipating that budgeted expenditures in Fiscal Year 2024 (FY24) will cost an estimated \$1.3 million more than base budgeted revenues.

Commissioner DeBone asked about the International Code Council building valuation increase of 10.9%. Pinner explained this figure is not shown as a separate charge in the County's fee schedule but rather is a methodology used to calculate the County's base building permit fees.

Peter Gutowsky, Community Development Director, spoke to efforts to recruit, train and retain staff, particularly permit techs and building inspectors. He added that CDD currently has six vacancies and intends to fill two of these at least.

Noting that resignations have been offered for a variety of reasons, Pinner said the department will continue to invest in staff and support them in securing needed certifications in order to continue providing necessary services.

Pinner then presented three options proposed to address the projected budget shortfall in FY24; each of the options included fee increases of varying amounts and a transfer from the department's reserve fund. Each option provided an example of the estimated increase to the building permit fee for a 1,700 sf home (\$750 for Option #1, \$695 for Option #2, and \$650 for Option #3).

Pinner and Gutowsky both noted their hesitancy to utilize more reserve funds for current operations, as the future needs of the department are not yet known.

Commissioner Adair commented on the staff reductions and the uncertainty of where the economy is headed. She said the four vacant positions should not be filled unless and until the County is sure they are needed. She noted mortgage interest rates remain high and asked to know the average square footage of a house permitted by the County.

Commissioner DeBone noted that the County sets certain permit fees for La Pine and Sisters. He agreed it was necessary to maintain satisfactory service levels and supported seeking input from builders and others on Option #1.

Commissioner Chang agreed that reserves and ending fund balances are needed in order to weather a more significant downturn. He concurred that Option #1 is the most appropriate of the three alternatives and said the department should maintain the staffing necessary to be responsive and help facilitate the County's rapid growth. He commented on the time it takes to recruit and train staff.

Commissioner Adair agreed the County must keep its customer service level in good stead but was not supportive of Option #1.

11. Consideration to apply for a Community Development Block Grant for Housing Rehabilitation

Stephanie Robinson, Administrative Analyst, summarized the request to apply for a Community Development Block Grant from Business Oregon. If awarded, the grant would be sub-granted to NeighborImpact for distribution to low- and moderate-income homeowners in the form of loans to accomplish eligible home repairs.

Andrew Spreadborough from NeighborImpact shared details on the grant and application process, which is competitive. He recommended that the County apply for \$400,000 and explained how any awarded funds would be used to assist eligible homeowners with certain projects such as roof repairs or accessibility improvements.

Commissioner Chang fully supported working with NeighborImpact on this initiative, saying it will help prevent homelessness and maintain affordable housing.

Responding to Commissioner DeBone, Spreadborough said the program will be open to residents throughout Central Oregon except those in urban areas. He added that NeighborImpact maintains a wait list of projects which have already been approved but are pending funding.

In response to Commissioner Adair, Spreadborough said approximately \$100,000 of the \$400,000 grant, if awarded, would be used to pay for various costs involved in administering the program.

CHANG: Move to authorize submittal of an application for a Community

Development Block Grant from Business Oregon for housing rehabilitation project funds

ADAIR: Second

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

12. Resolution No. 2023-001 Establishing an Appeals Process for Trespass Notices and Adoption of Risk Management Policy (RM-5): Trespass Notice Policy

Deputy County Administrator Erik Kropp explained that in some cases when persons served by the County exhibit threatening or other problematic behavior, it can be necessary to issue a trespass notice. The proposed resolution and policy will formalize the process for issuing a trespass notice, clarify the documentation needed for each case, and also provide for an appeal process for anyone issued a trespass notice. Kropp emphasized that all trespassed persons continue to have access to County services as needed.

Responding to Commissioner Chang, Kropp said the County issues about one trespass notice each quarter.

ADAIR: Move approval of Resolution No. 2023-001, establishing an appeals process for trespass notices

CHANG: Second

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

CHANG: Move approval of County Administrator signature of Risk Management Policy RM-5 to establish a policy for trespass notices and an appeals process

ADAIR: Second

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

Chair DeBone announced a break at 10:58 am. The meeting reconvened at 11:03 am.

13. FY 2023 Q4 Discretionary grant review and Arts & Culture grant modification

Stephanie Robinson, Administrative Analyst, described the request from Dry Canyon Arts Association to modify its existing grant agreement to allow using the allocated funds for a proposed educational arts program instead of the project originally applied for. The Board was in consensus to grant this request.

Robinson reviewed other grant requests and the Commissioners approved various award amounts.

The meeting was recessed at 12:35 pm and reconvened at 1:03 pm.

OTHER ITEMS:

- County Administrator Nick Lelack recognized National Public Safety Communications Week, which is a time to honor 9-1-1 dispatchers and celebrate their critical service to the community.
- Lelack asked if the Commissioners are interested to tour the Rainbow Hotel in advance of an update from the City of Bend on April 19th regarding the allocation of ARPA funds from the County for transitional housing.
- Deputy County Administrator Erik Kropp noted a Cannabis Advisory Panel meeting on April 17th and said if a majority of Commissioners plan to attend, it will be noticed. Kropp also spoke to the process for appointing a panel member who must have a cannabis retail license. Commissioner DeBone supported having a Commissioner participate in the interviews, if those are needed. Commissioner Chang suggested inviting all of the panel members to participate.
- Commissioner Chang visited with Bend Chamber Advocacy Council on Friday regarding possible revenue sources of workforce and affordable housing funding in addition to potential options for public subsidies of ADUs.
- Commissioner Chang met with Representative Marsh regarding SB 644 which would amend requirements relating to wildfire hazard mitigation for development of ADUs in rural residential areas.
- Commissioner Adair reported on yesterday's Eastern Oregon conference call, the current shortage of bus drivers in Central Oregon, and revenue from marijuana businesses which was diverted due to Measure 110.
- Commissioner DeBone spoke at a public safety radio conference in Hood River which was attended by many agencies across the state.
- Commissioner DeBone noted an upcoming COIC board meeting on Thursday, a recent organized clean-up of certain public lands, and a COCC fundraising event on Saturday.
- Commissioner DeBone met with Ned Dempsey and Representative Owens in Salem regarding water reuse. He shared that he will take a helicopter flight tomorrow with the Bend Mayor Melanie Kebler.

EXECUTIVE SESSION:

At 1:15 p.m., the Board went into Executive Session under ORS 192.660 (2) (d) Labor Negotiations. The Board moved out of executive session at 1:44 p.m. and directed staff to proceed as discussed.

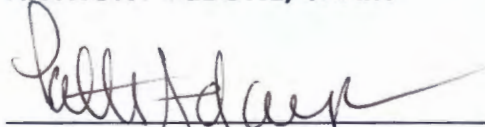
ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 1:53 p.m.

DATED this 11th Day of May 2023 for the Deschutes County Board of Commissioners.



ANTHONY DEBONE, CHAIR



PATTI ADAIR, VICE CHAIR



PHIL CHANG, COMMISSIONER

ATTEST:



RECORDING SECRETARY