



## BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

# BOCC MEETING MINUTES

9:00 AM

**WEDNESDAY February 8, 2023**

Barnes Sawyer Rooms  
Live Streamed Video

Present were Commissioners Anthony DeBone and Patti Adair. 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 DeBone called the meeting to order at 9:00 a.m. and noted the excused absence of Commissioner Chang, who was travelling to Washington, D.C.

### PLEDGE OF ALLEGIANCE

### CITIZEN INPUT:

- Michel Bayard supported allowing citizens to speak on topics which are on the Board's meeting agendas rather than restrict comment to items which are not on the agendas.

Commissioner DeBone explained that the Board allows input on topics which are public hearings. Because items which are not public hearings are not advertised as open to public comment, it would be problematic to allow input when not everyone has been informed that such input would be allowed. He added that the Board positions are full-time and people can call or email the Commissioners at their convenience.

- Dorinne Tye commented on the upcoming housekeeping amendments to Deschutes County Code, believed the public notification for these to be inadequate, and asked if these will address the environmental impacts from air traffic. She said many ecosystems are at risk of collapse and referred to a newly released study which identifies nearly 4,000 at-risk plant species and 2,000 at-risk animal species in Oregon.

Chair DeBone acknowledged the receipt of emails from Michel Bayard, Maxwell Klare, Marcus Farris, Andrew Aasen and Dorinne Tye on various subjects.

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

ADAIR: Move Board approval of Consent Agenda  
 DEBONE: Second

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

1. Approval of FY 2024 Goals and Objectives
2. Approval of a reimbursement agreement with Avion Water Company for the Hunnell Rd: Loco Rd to Tumalo Rd Project
3. Consideration of Board signature of Order No. 2023-007, authorizing the Deschutes County Property Manager to execute the documents associated with the sale of County-owned property located at 19755 Simpson Avenue, Bend, Oregon 97702
4. Consideration of Board Signature on letters of appointment, reappointment and thanks for various Committees and the Vandevent Acres Special Road District
5. Consideration of Board Signature on letters of appointment for members and alternates to the Deschutes County Solid Waste Advisory Committee (SWAC)
6. Approval of minutes of the January 27, 2023 Legislative Update meeting
7. Approval of the BOCC meeting minutes for January 18 and 23, 2023

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**ACTION ITEMS:**

8. **Update from NeighborImpact on Domestic Well Grant/Loan Program**

Jon Cox, NeighborImpact Lending Director, and Patty Wilson, NeighborImpact Deputy Executive Director, reviewed that last July, Deschutes County appropriated \$585,200 to NeighborImpact to manage a well repair and replacement loan and grant program. The program involved two types of funding: loans and rebates.

All of the appropriated funds have been fully committed. \$400,200 was allocated to the loan program which provided well replacement or repair loans for eligible homeowners with an annual household income at or below 100% of the area median income. In addition, \$185,000 was allocated to fund rebates for well replacements or repairs; these rebates were up to \$2,000 per homeowner.

Responding to Commissioner Adair, Cox said the loans were offered at an interest rate of 5.5%. Each loan payback term is customized depending on the borrower's ability to pay.

Wilson added that NeighborImpact currently has a wait list of 21 people seeking assistance, and continues to receive phone calls daily. At this time, the organization seeks additional capital to continue this program.

Commissioner DeBone asked what is being learned about the condition and age of the wells which are failing. Cox replied that the cost of repairing or replacing a well varies according to the soil, which is different in different areas. He added that persons who drill deeper wells can affect their neighbors, and the cost of redrilling has essentially doubled in the last three years.

Cox concluded that at a minimum, NeighborImpact could loan \$1 million per year through this program. Commissioner Adair said she asked that the State contribute \$1.5 million towards these needs.

**9. Public Hearing: Ordinance No. 2023-003, implementing a housekeeping amendment/Oregon Administrative Rules**

Dave Doyle, Legal Counsel, explained the need to amend Section 1.12.050 of the Deschutes County Code (DCC) to align with Oregon Administrative Rules (OAR). The change will amend DCC to state that the fee for filing an argument favoring or opposing a measure is identified in OAR 165-022-0050. Doyle advised an emergency adoption of the legislation.

In response to Commissioner DeBone, Doyle said OAR currently defines the filing fee to be \$400, which is what the County has been charging.

*The public hearing was opened at 9:25 am.*

*Seeing no one wished to speak, Chair DeBone closed the public hearing at 9:26 am.*

ADAIR: Move approval of first and second reading of Ordinance No. 2023-003 by title only on an emergency basis

DEBONE: Second

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

Chair DeBone read the title of Ordinance 2023-003.

ADAIR: Move adoption of Ordinance No. 2023-003 by emergency

DEBONE: Second

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

**10. Acceptance of a grant from the Oregon Health Authority for Mobile Crisis Intervention Services, and authorization to add 2.0 FTE within the Health Services Fund**

Adam Goggins, Behavioral Health Manager, explained the two requests to accept Oregon Health Authority's one time Mobile Crisis funding, and adopt the resolution adding two FTE positions.

Commissioner DeBone asked how these new positions will complement the existing Mobile Crisis team. Goggins explained these will allow DCHS to expand its response to lower-acuity calls for assistance without law enforcement. Some calls to 9-8-8 (suicide helpline) and to 9-1-1 would be directed to DCHS, who would serve as the first responder to the situation.

Commissioner Adair sought assurance that DCHS will not respond without law enforcement to any domestic violence situation, which Goggins confirmed.

ADAIR: Move approval to accept Oregon Health Authority's one time Mobile Crisis funding in the amount of \$428,569

DEBONE: Second

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

ADAIR: Move approval of Resolution No. 2023-010 to add 1.0 regular FTE Behavioral Health Specialist I position and 1.0 regular FTE Administrative Supervisor position within the Health Services Fund

effective March 15, 2023  
DEBONE: Second

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

Commissioner Adair asked to know how many people have been served at the stabilization center since its inception, including a breakdown of how many of these are unique persons or persons who have been previously admitted, and also how many hail from other counties.

**11. Amendment to an agreement with Oregon Health Authority extending the term for grant funding of mental health, addiction treatment, recovery & prevention, and problem gambling services**

Janice Garceau, Health Services Director, explained the seventh amendment to the agreement with OHA for behavioral health services will extend the term of the agreement to June 30, 2023 and add \$1,159,211.04 in funds for community mental health, addiction treatment, recovery and prevention, and problem gambling services.

Commissioner Adair inquired about numerical errors in the agreement; Garceau responded that these have been acknowledged by OHA and will be corrected.

ADAIR: Move approval of Chair signature of Document No. 2023-119, amending an intergovernmental agreement with the Oregon Health Authority for behavioral health services  
DEBONE: Second

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

**12. Transfer and Extension of a Limited Duration Position for Project Manager to work with homeless camps**

Erik Kropp, Deputy County Administrator, described the proposal to transfer and extend a limited duration position for an additional three months to serve as a project manager to work with transitioning people out of homeless camps. This position in Health Services is assigned to the COVID Response and Recovery program and scheduled to end on March 31, 2023. If extended, the position would work to help close encampments on Hunnell Road and southeast of Redmond.

Commissioner DeBone asked how this work would be funded. Kropp said Finance will return to the Board with a proposed funding source.

Commissioner Adair asked for an updated Health Services organizational chart. She asked if staff is still working on COVID recovery, which Janice Garceau, Health Services Director, confirmed is happening. Garceau added that the COVID team is transitioning from 16 people down to eight over the next two years, then down to two. The team is focused on recovery efforts which include providing vaccines to vulnerable populations and responding to outbreaks in congregate settings.

Commissioner Adair asked if the person to serve as project manager has been identified and will be moved to the new position as soon as possible. Kropp confirmed the person has been identified and will remain in HS while working closely with the joint office on homelessness.

Commissioner Adair asked if this work will end on June 30<sup>th</sup>. County Administrator Nick Lelack said the work may not be completed by the end of the fiscal year, in which case staff may ask that the Board extend it a few more months.

Commissioner Adair said even if the China Hat encampment is on federal land, it cannot be ignored since it gives rise to many dangerous activities that affect nearby residents. She noted that the safe parking site in Redmond is highly effective as a short-time transitional service.

ADAIR: Move to direct staff to prepare a budget adjustment through June 30, 2023 to transfer and extend a limited duration position for a project manager to work with homeless camps  
DEBONE: Second

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

**OTHER ITEMS:**

- Commissioner DeBone announced he will travel to Salem to speak at the Oregon Ag Summit; while there, he will advocate for disconnecting the fire maps from the regulations on accessory dwelling units (ADUs).
- Commissioner Adair reported she signed up to testify regarding HB 2089, relating to marijuana revenues. She said public safety has been impacted by the lack of adequate funding.

- Commissioner DeBone participated in the selection process for members of the Investment Advisory Committee.
- Deputy County Administrator Whitney Hale inquired how the Board wants to proceed with appointments to the Facility Project Review Committee. The Board was in consensus to schedule a 15-minute interview with each applicant, and offer a Zoom option.
- County Administrator Nick Lelack, Health Services Director Janice Garceau, Deputy County Administrator Whitney Hale and Strategic Initiatives Manager Jen Patterson reported on the 2023 Legislative Session.

Hale presented a report summarizing bills and said staff is looking to finalize the Board's positions.

Garceau said HB 2543 would require the Oregon Health Authority to conduct a study every four years of funding needed by community mental health programs to comply with statutory requirements; DCHS recommends assigning this a level 2 priority. The Commissioners concurred to assign this bill a level 2 priority at this time.

Garceau summarized SB 319, which the Board concurred to keep as a watch.

9-1-1 Director Sara Crosswhite spoke to HB 2757 and said 9-1-1 fully supports expanding the 9-8-8 suicide prevention and behavioral health crisis hotline. Garceau added that DCHS has adapted the 9-8-8 call center into its model for crisis response services.

Commissioner DeBone said the collection structure for these taxes should be more efficient for small businesses. The Board was in consensus to remain neutral on this bill at this time.

Discussion ensued regarding staff keeping the Board updated on various bills as the session progresses. The bills highlighted as a "support" position will be supported by the County's lobbyist.

The Board was in agreement to confirm a position of support for SB 673, HB 2459, SB 471 and HCR 6; remain neutral on HB 2505; and drop HB 2889 from tracking.

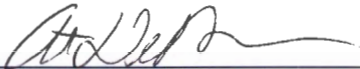
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**EXECUTIVE SESSION:** None

**ADJOURN:**

Being no further items to come before the Board, the meeting was adjourned at 10:44 a.m.

DATED this 2<sup>nd</sup> Day of March 2023 for the Deschutes County Board of Commissioners.

  
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**ANTHONY DEBONE, CHAIR**

  
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**PATTI ADAIR, VICE CHAIR**

**ATTEST:**  
  
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**RECORDING SECRETARY**

  
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**PHIL CHANG, COMMISSIONER**