



## BOARD OF COMMISSIONERS

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

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# BOCC MEETING MINUTES

1:00 PM

WEDNESDAY January 24, 2024

Barnes Sawyer Rooms  
Live Streamed Video

Present were Commissioners Patti Adair, Tony DeBone and Phil Chang. Also present were Deputy County Administrator Whitney Hale; Assistant Legal 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 webpage [www.deschutes.org/meetings](http://www.deschutes.org/meetings).

**CALL TO ORDER:** Chair Adair called the meeting to order at 1:02 p.m.

### PLEDGE OF ALLEGIANCE

### CITIZEN INPUT:

- Bob Crain objected that the County's Planning Division has prohibited homes on River Road in the Skyline subdivision from being built or remodeled due to the condition and restricted load limit of Thunder Bridge which provides access across Tumalo Creek. He outlined the three options contained in a report which was commissioned by the County's Road Department following an inspection of the bridge, and suggested a fourth alternative—that emergency vehicles continue to access homes in this area via Bearwallow Road as they currently do.

Commissioner Chang noted that River Road is a privately-owned road with local access only.

- Judy Trego opposed the approval and operation of the facility on Wilson Avenue to house male parolees who are subject to supervised probation. She shared her personal experience of being sexually assaulted as a child and said that sexual offenders assault persons they know, and/or persons to whom they are in close proximity. She urged the County to not place male justice-involved individuals who have a restriction on contact with minors or who are registered as a sex offender in this neighborhood.
- Ashley Schreiber stated her opposition to the Wilson Avenue transitional housing program, saying that the outreach to those who live in the neighborhood was either not performed as stated or was inadequate. Adding that the County acted in bad faith by relying on Free On the Outside to conduct this outreach, she urged the County to consider relocating this facility out of this neighborhood.
- Ryan Rudnick said a growing group of concerned neighbors are opposed to the Wilson Avenue shelter if it allows Level 2 and Level 3 sex offenders. Noting that sex offenders are subject to a public notification system due to the risk that they may continue to pose a danger to others, he said the County is prioritizing the housing of such persons over families with children. He posed several questions regarding this program, including if the County will take legal and financial responsibility for any crimes which result from the establishment of the shelter.

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

1. Approval of Document No. 2024-086, a Dedication Deed for 78th Street south of Arid Avenue within the Second Addition of the Whispering Pines subdivision
2. Approval of Document No. 2024-062, a Sewer Sampling Manhole Easement, and Document No. 2024-063, a Public Utility Easement over a portion of County-owned property north of Highway 126 in Redmond
3. Consideration of Board Signature on letter appointing Leslie Langenfeld for service on the Two Rivers Special Road District
4. Approval of minutes of the January 12, 2024 Legislative Update meeting
5. Approval of minutes of the BOCC January 10, 2024 meeting

CHANG: Move approval of the Consent Agenda as presented  
 DEBONE: Second

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

## **ACTION ITEMS:**

### **6. Special Project Grant Status Update – Deschutes Basin Water Collaborative**

Jen Patterson, Strategic Initiatives Manager, reviewed that last year, the Board initiated three special project grants of \$20,000 each, half of which was paid at the outset of the awards with the second half to be initiated by completion of mid-year status updates. One of the grants was awarded to the Deschutes Basin Water Collaborative.

Patterson introduced Lisa Seales, program manager for the Deschutes Basin Water Collaborative, who explained that purpose of the Collaborative is to balance water use between human and ecological needs. Seales shared the list of members of the Collaborative, which was formed in 1996, and explained that it seeks to ensure healthy streams, thriving agriculture, and vibrant communities. Listing key issues which remain to be addressed, including water quality, increased water temperatures and water use inefficiency, she described priority actions to support the organization's efforts, including development of a comprehensive water management plan.

Responding to Commissioner DeBone, Seales said when the comprehensive water management plan is completed, the Collaborative will ask that the State Water Commission adopt it.

Commissioner DeBone asked to know the Collaborative's total budget. Seales agreed to provide that information.

### **7. Special Project Grant Status Update – Deschutes Collaborative Forest Project**

Strategic Initiatives Manager Jen Patterson introduced Jacob Fritz, program coordinator for the Deschutes Collaborative Forest Project, who presented an overview of the Collaborative and reviewed 2023 accomplishments, including the work of the Prescribed Fire Subcommittee which strives to reduce severe wildfires and promote benefits of low-severity wildfires. He shared initiatives planned for 2024, including speaker events and public education efforts before and during the prescribed fire season this spring.

Responding to Commissioner DeBone, Fritz confirmed that the County's grant to the Collaborative provides matching funds to enable contributions from the federal government.

Discussion ensued regarding whether the federal government will approve energy credits for biomass projects.

Commissioner Adair noted that the potential for a fire to spread from China Hat to nearby communities is high. Commissioner Chang said the Cabin Butte project will be implemented over the next few years, at which time he expected the USFS to move encampments out of the China Hat area.

**8. Special Project Grant Status Update – Friends of the Children**

Strategic Initiatives Manager Jen Patterson introduced Rachel Cardwell, executive director of Friends of the Children of Central Oregon, which matches staff with youth to assist and guide them in managing extremely challenging situations and help them build critical life skills. Cardwell relayed the progress made to double the number of children served by the local Friends of the Children by 2028. At the same time, the program will enhance services such as educational interventions and one-on-one mentoring as well as enter into a contract with a local mental health clinic to provide services to clients and staff.

**9. Approval of Document No. 2024-077, a Notice of Intent to Award a contract for the Deschutes County Road Department HVAC Replacement Project**

Lee Randall, Facilities Director, said one bid was received in response to the solicitation of bids for the Road Department’s HVAC replacement project. Staff has determined the bid to be responsive and recommends proceeding with a notice of intent to award the contract to Alliant Systems.

DEBONE: Move approval of Chair signature of Document No. 2024-077, a Notice of Intent to Award a contract for the Deschutes County Road Department HVAC Replacement Project

CHANG: Second

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

**10. Fair & Expo Center Grant Application for Business Oregon's County Fair and Fairground Operation Loss Support**

Geoff Hinds, Fair & Expo Center Director, sought the Board’s authorization to apply for Business Oregon's County Fair and Fairground Operation Loss Support for the purpose of receiving funds to rebuild revenue loss between February 29, 2020 and June 30, 2023 due to the COVID-19 pandemic.

Hinds explained that last year, the State Legislature allocated \$3 million for grants to address the loss in revenue experienced by fairs across the State during the pandemic. All Oregon fair operators are eligible for these grant awards if they experienced a significant revenue loss between February 29, 2020 and June 30, 2023. Hinds said the County's application could result in a funding award of up to \$83,000, depending on the number of eligible applicants and the availability of funds.

Responding to Commissioner Chang, Hinds said any grant award would be used to restore the Fair's capital investment fund.

CHANG: Move to authorize the submittal of an application for Business Oregon's County Fair and Fairground Operation Loss Support for Deschutes County's Fair & Expo Center

DEBONE: Second

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

#### **11. 2023 Annual Report for the Prescribed Fire, Smoke and Public Health Community Response Plan**

Kevin Moriarty, County Forester, submitted the 2023 Annual Report for the Prescribed Fire, Smoke and Public Health Community Response Plan for the Board's consideration of approval. The report is required in order to maintain the exemption from the State-imposed one-hour air quality threshold for the Bend Smoke Sensitive Receptor Area. Moriarty said the report details various prescribed fires which were conducted last year, including one with drones which was a first for Deschutes County. He noted that none of the prescribed fires affected the Bend sensitive smoke receptor area.

Commissioner Chang elaborated that in 2023 there were no intrusions in the Bend sensitive smoke receptor area due to the fact that conditions did not permit a prescribed fire in West Bend. Moriarty confirmed this and added that the State allows intrusion into a sensitive smoke receptor area over a one-hour period, while the West Bend pilot project will allow intrusion of high levels of particles up to 24 hours. He emphasized that one of the reasons for the pilot project is to burn more acres, understanding that this will likely result in higher levels of smoke over a 24-hour period. In recognition of these expected impacts, the County will propose to address those with targeted mitigation efforts.

Commissioner Chang supported having prescribed fire events which are mitigated, noting this will necessitate significant public outreach and advance communication.

Commissioner DeBone commented that a planned event to reduce fuels and thereby reduce the chance of wildfire is preferable to risking a wildfire.

DEBONE: Move approval of Document No. 2024-089, the 2023 Annual Report for the Prescribed Fire, Smoke and Public Health Community Response Plan

CHANG: Second

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

## 12. Update to County Finance Policy No. F-14 General Financial Policies

Robert Tintle, Chief Financial Officer, presented recommended revisions to County Finance Policy No. F-14, General Financial Policies. Aside from minor updates and housekeeping changes, the primary purpose of the revisions is to incorporate a General Fund Reserve Policy as advised by the Government Finance Officers Association (GFOA). Tintle explained that GFOA recommends that governments establish a formal policy on the level of unrestricted fund balance (reserves) that should be maintained in the general fund.

Tintle explained that, if approved, the revised policy will direct the establishment of a General Fund reserve balance of fifteen percent (15%) of anticipated property tax revenues. This reserve would be in addition to required operational contingency amounts.

As recommended, the General Fund Reserve would have two components: emergency funding and financial stability.

1. Emergency Reserve - Twenty percent of the reserve would be dedicated to emergency funding to guarantee that the County has sufficient funds available to respond to calamitous events which affect the provision of public services.
2. Financial Stability - Eighty percent of the reserve would be dedicated to financial and operational stability.

Tintle said a 15% General Fund reserve balance would amount to approximately \$6 million, and could be funded from unused ending fund balance(s) or unanticipated revenues. Tintle did not recommend that this reserve be

established all at once, but rather that it be built up over the next five to ten years. He added that the General Fund's contingency fund is for unplanned expenditures, not necessarily emergencies. In the absence of a reserve fund, however, any emergency need would have to be funded out of contingency.

Responding to Commissioner Adair, Tintle expected that establishing a General Fund reserve would aid in the County receiving a higher credit rating.

CHANG: Move approval of County Administrator signature of revised County Finance Policy No. F-14, General Financial Policies

DEBONE: Second

VOTE: CHANG: Yes

DEBONE: Yes

ADAIR: Chair votes yes. Motion Carried

### **13. Treasury Report for December 2023**

Bill Kuhn, County Treasurer, presented the Treasury Report for December 2023, including a high-level overview of recent economic conditions.

### **14. Finance Report for December 2023**

Robert Tintle, Chief Financial Officer, presented the Finance Report for December 2023.

Commissioner Chang asked how the Sheriff's Office's optimal reserve levels compare to its current reserve levels. Tintle reviewed these, noting that the DCSO's projected fund balance at the end of the year is \$10.6 million which is \$3 million more than originally budgeted. This change is a result of vacancy savings and other economies.

### **OTHER ITEMS:**

- Strategic Initiatives Manager Jen Patterson presented a proposed letter of support requested from COIC for its application to Business Oregon for a Broadband Technical Assistance Program grant.

CHANG: Move approval of a letter supporting COIC's application to Business Oregon for a Broadband Technical Assistance Program grant

DEBONE: Second

VOTE: CHANG: Yes

DEBONE: Yes  
ADAIR: Chair votes yes. Motion Carried

- Patterson presented a request from Heart of Oregon Corps for letters supporting its request for \$3 million in Congressionally-directed funding to help develop its new campus and for \$3 million from the Oregon State Legislature for the same project.

Commissioners Adair and DeBone did not support the request for Congressionally-directed funding due to the large federal deficit.

Commissioner Chang indicated he would be open to working with Heart of Oregon Corps on a Congressionally-directed funding ask.

The Board discussed the possibility that Mountain View Community Development may seek \$1.8 million from the State for its affordable housing project and the City of Redmond may request \$750,000 from the State for the CORE3 project. It was agreed to take no action on the request from Heart of Oregon Corps for a letter of support for State funding pending further discussion of all three funding requests.

- Deputy County Administrator Whitney Hale presented a draft amendment to the intergovernmental agreement with the Oregon Justice Department (OJD) for funding contributions to the County's Courthouse expansion project. Hale said the language of the amendment has been negotiated between OJD and the County, including the wording that OJD will approve the construction documents, with the caveat that such approval will not be unreasonably withheld. Hale confirmed that staff finds this language along with the other proposed changes acceptable.

DEBONE: Move approval of Document No. 2024-117, Amendment #1 to the intergovernmental agreement with the Oregon Justice Department for funding contributions to the County's courthouse expansion project

CHANG: Second

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

- Commissioner Chang attended Monday's Cannabis Advisory Panel meeting which included a mid-year status update on efforts to interdict illegal production facilities, prevent unauthorized activities, and the like.
- Commissioner DeBone attended Central Oregon Sports Complex kick-off meeting for its multi-year project involving many partners which will result in multiple sports fields.



- Commissioner DeBone toured the Redmond wetlands project and Oasis Village and also discussed the CORE3 project with Congresswoman Lori Chavez-DeRemer.
- Commissioner Adair reported on last week's Coordinated Houseless Response Office meeting where Oasis Village presented on its program.
- Commissioner Adair reported on a recent meeting with Bend Mayor Melanie Kebler, Bend City Manager Eric King and County Administrator Nick Lelack during which the City indicated that First Presbyterian needs more help in offering a warming shelter.

**EXECUTIVE SESSION:**

At 4:12 pm the Board went into Executive Session under ORS 192.660 (2) (d) Labor Negotiations.

The Board exited Executive Session at 4:24 pm to direct staff to proceed as directed.

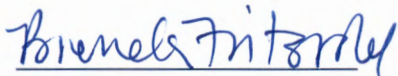
**ADJOURN:**

Being no further items to come before the Board, the meeting was adjourned at 4:24 pm.

DATED this 14<sup>th</sup> day of February 2024 for the Deschutes County Board of Commissioners.

  
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**PATTI ADAIR, CHAIR**

**ATTEST:**

  
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**RECORDING SECRETARY**

  
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**ANTHONY DEBONE, VICE CHAIR**

  
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**PHIL CHANG, COMMISSIONER**