

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

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BOCC MEETING MINUTES

9:00 AM

WEDNESDAY February 5, 2025

Barnes Sawyer Rooms Live Streamed Video

Present were Commissioners Anthony DeBone, Patti Adair and Phil Chang. Also present were County Administrator Nick Lelack; Senior Assistant County 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 website www.deschutes.org/meetings.

CALL TO ORDER:

Chair DeBone called the meeting to order at 9:00 am.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT: None

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

- 1. Approval to accept an Oregon Health Authority Health-Related Social Needs Housing grant*
- Approval to apply for and accept, if awarded, a five-year grant from Oregon
 Health and Science University to coordinate care for families who have children
 with special health care needs

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- 3. Approval of a Notice of Intent to Award a contract for the Local Road Pavement Preservation 2025 project
- Approval of Document No. 2025-138, an agreement accepting a grant from the Criminal Justice Commission to implement the County's Organized Retail Theft Program

Convening as the Governing Body of the Sunriver Service District

5. Approval of Resolution 2025-004 adopting a supplemental budget and increasing appropriations for the Sunriver Service District Reserve Fund

Reconvening as the Governing Body of Deschutes County

- Consideration of Board Signature on letter reappointing Mark Kneeshaw for service on the Facility Project Review Committee
- 7. Approval of the minutes of the January 24, 2025 Legislative Update meeting

At Commissioner Adair's request, the first item was pulled for separate consideration.

ADAIR: Move Board approval of Consent Agenda as presented with the

exception of the first item, which will be considered separately

CHANG: Second

VOTE: ADAIR: Yes CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

*1. Approval to accept an Oregon Health Authority Health-Related Social Needs Housing grant

Sharing that she was recently trying to help someone find funding for housing, Commissioner Adair said part of addressing homelessness is preventing it by providing assistance with immediate needs such as utility bills. She noted that this grant would fund a new staff position rather than be used to directly help persons at risk of homelessness.

Kara Cronin, Behavioral Health Program Manager, explained the need for a staff person to administer this program, which will connect existing resources to those needing them. Those resources include rental assistance (including assistance with paying utilities); home modifications such as ramps and handrails; and tenancy

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support services (e.g., housing applications, moving expenses, and eviction prevention). In addition, persons who have been diagnosed with a chronic mental illness may be eligible to receive other support services such as home-delivered meals, in-home personal care, and pest eradication services.

Commissioner Adair noted that many people are experiencing high heating and power costs.

In response to Commissioner Chang, Cronin said the described housing benefit services are available to eligible Oregon Health Plan members.

CHANG:

Move to authorize the acceptance of an Oregon Health Authority

Health-Related Social Needs Housing grant

ADAIR:

Second

VOTE:

ADAIR:

Yes

CHANG:

Yes

DEBONE: Chair votes yes. Motion Carried

ACTION ITEMS:

Convening as the Governing Body of the Black Butte Ranch Service District

Public Hearing and consideration of Resolution No. 2025-002 submitting to 8. the electors in the Black Butte Ranch Service District (BBRSD) a proposal for a new five-year local option levy to fund law enforcement services

Dave Doyle, County Counsel, said if the proposed measure is approved by the electors, the District would have authority for five years to levy \$0.78 per \$1,000 of assessed value to pay for law enforcement services. Doyle noted the amount change from the current local option levy which is 65 cents per \$1,000 of assessed value.

The public hearing was opened at 9:08 am.

BBRSD Chief of Police Todd Rich spoke to the proposed levy, which he believed to be fair. He referred to increased PERS costs being incurred by the District and the need to address gaps in its health insurance plan.

Susan Wadell, chair of the District's managing board, added that the BBRSD has reduced the number of sworn officers from seven to six to cut costs.

BOCC MEETING FEBRUARY 5, 2025 **PAGE 3 OF 11** Commissioner Chang asked if any polling or informal survey was done to gauge voter support for this levy. Chief Rich said because the district's local option levy has passed handily in the past, he was confident that it will again be approved by the voters.

Commissioner Adair asked if six officers are sufficient. Saying that having six officers provides nearly full coverage for the district, Chief Rich added that deputies from the DCSO's auxiliary office in Sisters help patrol Highway 20 adjacent to Black Butte Ranch.

There being no one else who wished to speak, the public hearing was closed at 9:17 am.

ADAIR: Move approval of Resolution No. 2025-002 submitting to the electors

in the Black Butte Ranch Service District an election on a five-year

local option levy to fund law enforcement services

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

Reconvening as the Governing Body of Deschutes County

Award of agreement with Parnel Biogas Inc. for sole source procurement of landfill gas flaring equipment and start-up services

Tim Brownell, Director of the Solid Waste Department, presented a request that the Board approve the award of a contract to Parnel Biogas for sole source procurement of landfill gas flaring equipment and start-up services.

Explaining that the County must conduct testing every three months to gauge compliance with State regulations pertaining to the monitoring, collection and destruction of methane gas, Brownell said the current flare at the landfill does not allow for testing gas discharges as newly required under the County's recently renewed Title V permit.

Adding that the current flare is approximately eight years old and was built by Parnel Biogas, Brownell said because some of the flare's components are reusable, sole sourcing with Parnel Biogas to reuse these compatible components will result in an estimated savings to the County between \$175,000 and \$325,000.

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In response to Commissioner DeBone, Brownell said even post-closure of the Knott landfill, the County will continue to burn gas emitting from that location for the next 30 to 50 years.

CHANG: Move approval of Resolution No. 2025-003 for the sole source

procurement of supplying landfill gas flaring equipment and startup

services with Parnel Biogas Inc.

Yes

ADAIR: Second

VOTE: ADAIR:

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

ADAIR: Move approval of Document No. 2024-950, a contract with Parnel

Biogas Inc. for landfill gas flare equipment and startup services

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

10. Health Services—Behavioral Health Reserve Fund Policy (Fund 270)

Cheryl Smallman, Business Officer for Health Services, presented a proposed policy for Fund 270, saying that the aim is to formalize guidelines concerning the purpose of the reserve, a reserve target, allowable uses of reserve funds, collaboration on determining the reserve level and when funds may be transferred, and the utilization of interest funds. Smallman said the proposed reserve target is at least 90 days of operating expenses (roughly 25% of the operating budget), although a minimum balance of 8.3% of the operating budget would be required. Smallman listed the ways in which the reserve funds can be used, including for one-time expenditures and certain capital improvements.

Commissioner DeBone referred to many unknowns in the near-term regarding federal Medicaid dollars and State funds.

Commissioner Chang clarified that the primary purpose of the policy is to place clear guidelines on the use of the Behavioral Health reserve.

In response to Commissioner Adair, Smallman said the reserve is currently about \$29 million, and is predicted to be \$34 million at the end of this fiscal year.

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Commissioner Adair asked what is being done with the interest generated on the reserve funds. Smallman said the interest, which amounts to about \$750,000 annually, is added to Fund 270 and applied as the remaining funds are.

Commissioner Adair asked if some of the reserve will be used for the new residential treatment facility in Redmond. Saying this is possible, Health Services Director Janice Garceau reminded that Health Services has already allocated funding received by the State to this project.

Commissioner Chang said one reason for the health of the reserve is because Behavioral Health is resourceful in terms of seeking and securing reimbursements for provided services.

Stating his support for the proposed policy, Commissioner DeBone asked that this be brought up during the Budget Committee meetings in May.

Garceau estimated the cost of providing Behavioral Health services to be \$15 million every three months.

CHANG:

Move approval of the proposed Reserve Fund Policy for Fund 270,

Oregon Health PlanBehavioral Health Services

ADAIR:

Second

VOTE:

ADAIR:

Yes

CHANG:

Yes

DEBONE: Chair votes yes. Motion Carried

11. Public Hearing: Greater Sage-Grouse Habitat Map Update

Nicole Mardell, Senior Planner, presented the background of the Greater Sage-Grouse Habitat map update, reviewing that after the State adopted Greater Sage-Grouse habitat regulations in 2015, the County adopted its own Greater Sage Grouse Combining Zone which applies to private land, primarily affecting land zoned Exclusive Farm Use. Mardell said recent changes made by the State to its 2015 map result in a decrease of overall habitat acreage although some lots have been remapped from Low Density to Core Habitat, with the latter being more restrictive.

The public hearing was opened at 9:51 am.

Responding to Commissioner Adair, Mardell said it is not known how many acres are within the 188 lots being removed from the Core Habitat area.

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There being no one who wished to speak, the public hearing was closed at 10:05 am.

In response to Commissioner DeBone, Mardell confirmed that the required Measure 56 notices were mailed in December.

Commissioner Adair asked about the location of the Roth East Ranch property which was considered as a site for the new County landfill. Mardell said that property is situated south of Millican in the Low Density Habitat area. Solid Waste Director Tim Brownell added that it is bordered by the Core Habitat area.

Mardell reviewed changes to the County's sage grouse habitat map which will align with the changes made to the State's map, in accordance with State regulations.

ADAIR: Move approval of first and second reading of Ordinance No. 2025-001

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

Chair DeBone read the title of the ordinance into the record twice.

CHANG: Move adoption of Ordinance No. 2025-001, amending the Greater-

Sage Grouse Combining Zone to comply with changes to Oregon

Administrative Rule, by emergency to take effect immediately

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: Yes
DEBONE: Chair votes yes. Motion Carried

The Commissioners asked for updated information on the sage grouse population and how that is trending.

12. Diversity, Equity, Inclusion and Access (DEIA) Committee

Commissioner DeBone reviewed a memo which outlined the makeup of the County's internal Diversity, Equity, Inclusion and Access (DEIA) Committee, formed in 2023 for the purpose of integrating best practices for diversity, equity, inclusion, and access into County policies, services, and programs. The memo stated that the DEIA Committee is in the final stages of the process to create its first work plan, which is focused on employee retention, employee

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communication, and an assessment of existing DEIA initiatives across the County.

Nick Lelack, County Administrator, said it is a policy decision for the Board to continue the work of the DEIA committee or sunset it. If the committee is dissolved, some of its work would transfer to the HR department.

Commissioner Chang wanted to hear from County staff who participate in this committee on what has been accomplished to date and what may yet be accomplished in the future, saying that the committee's purpose is to ensure access to important services provided by the County. Noting his concerns about employee retention and that County staff reflect the County's population, he said the committee's work helps ensure that the County meets certain requirements needed to be eligible for state and other grants. Stressing that this committee was not directed by the Board but rather was an initiative of County staff to explore how the community can be better served, he objected that its possible elimination was being brought up and saw no reason for the Board to discuss this possibility.

Neither Commissioner DeBone nor Commissioner Adair supported inviting staff to speak to this matter.

Commissioner Chang referred to a letter from Health Services Director Janice Garceau on this subject.

Commissioner DeBone quoted from the Board's goals and objectives and stated his support for serving everyone in the County. He said it was hard to find common ground on this subject and did not want staff spending time on such work. Saying he supported providing services which are inclusive and accessible to all residents, not allowing discrimination based on age, sex, gender, disability, etc., and ensuring that disparities are addressed, he did not see a disconnect.

Commissioner Chang said the DEIA committee has helped to accomplish improvements in access to services for those who are hard of hearing, mobility challenged, or vision-impaired.

Commissioner Adair said the work of this committee, such as enhancing staff retention, should be done in HR. She spoke to the amount of federal funding allocated to the County and the fact of a precedent set by President Trump to ban DEIA programs.

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Saying that the critical need is to ensure adequate access to County services for everyone, Commissioner Chang asked if the Board is willing to direct that HR continue the work undertaken by the DEIA committee.

Quoting Peter Drucker with respect to the aphorism that "culture eats strategy for breakfast," Commissioner DeBone spoke to the culture of the County's organization and said we are here to serve the people. He supported staff treating others as they would want to be treated themselves.

Commissioner Chang concluded that many staff who are concerned about providing excellent service and ensuring access for all formed the DEIA committee for the purpose of doing these things, but politics is now impinging on those efforts.

Commissioner DeBone did not support staff-led DEI efforts under those terms, but did support any staff member talking to management or to him. He offered to have conversations on this issue.

DEBONE: Move to terminate the Diversity, Equity, Inclusion and Access (DEIA)

Committee in its current form

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: No

DEBONE: Chair votes yes. Motion Carried 2 - 1

OTHER ITEMS:

 Commissioner Adair proposed that the Board direct staff to prepare a resolution supporting the repeal of SB 762 / the Wildfire Hazard Map.

Saying he sees this as an opportunity to educate, Commissioner DeBone supported having a discussion on this.

Noting that the State offers a process for individual property owners to appeal the risk designation of their property, Commissioner Chang saw no need for the County to do more than share that information.

Commissioner Adair wanted this added to the Board's meeting agenda for next Wednesday.

Commissioner Chang spoke to a gross lack of understanding in the community about the relationship of the State Wildfire Hazard map to insurance coverage.

Commissioner Adair said the map is detrimental because it negatively affects the value of people's homes and makes it harder for homeowners to obtain insurance at a reasonable cost.

Commissioner DeBone stated his support for adding this to next week's agenda.

- Commissioner DeBone reported on the graduation of the most recent Civil Air Patrol cohort and announced an upcoming COIC meeting.
- Commissioner Chang reported on yesterday's meeting of the Local Public Safety Coordinating Council, which included powerful testimony from a justice-involved individual who was granted a downward departure from Judge Ashby. She shared the story of her journey getting treatment and pulling her life together and said she was able to regain custody of her daughter.
- Commissioner Adair acknowledged the good work of MPerfectly, a local organization founded by Ashley Smith which helps homeless women to move forward in positive ways, saying that thus far, 20 women have completed the program.

A break was announced at 10:37 pm. The meeting resumed at 10:49 am.

EXECUTIVE SESSION:

At 10:49 am, the Board entered executive session under ORS 192.660 (2) (e) Real Property Negotiations.

At 11:13 am, the executive session concluded and the public was invited to return to the room. The Board then directed staff to proceed as discussed during the executive session.

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 11:14 am.

DATED this _____ day of ______

2025 for the Deschutes County Board of Commissioners.

ANTHONY DEBONE, CHAIR

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ATTEST:

RECORDING SECRETARY

PATTI ADAIR, VICE CHAIR

PHIL CHANG, COMMISSIONER