



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY October 9, 2024

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Patti Adair, Tony DeBone and Phil Chang. Also present were County Administrator Nick Lelack, Senior 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.

CALL TO ORDER: Chair Adair 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 of an agreement to purchase a motor grader from Peterson Machinery
2. Approval of minutes of the BOCC September 4 and 11, 2024 meetings

DEBONE: Move to approve the Consent Agenda as presented
CHANG: Second

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

ACTION ITEMS:

3. Second Reading of Ordinance No. 2024-008: 2024 Housekeeping Text Amendments

Kyle Collins, Associate Planner, presented Ordinance No. 2024-008 for consideration of second reading and adoption, noting that the Board had approved first reading on September 25th.

DEBONE: Move approval of second reading of Ordinance No. 2024-008 by title only

CHANG: Second

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

Chair Adair read the title of the ordinance into the record.

CHANG: Move to adopt Ordinance No. 2024-008, amending Deschutes County Code Title 15, Buildings and Construction, Title 18, Zoning Ordinance, Title 19, Bend Urban Area Zoning Ordinance, and Title 22, Procedures Ordinance, to incorporate changes to State and Federal law, and provide clarification of existing regulations, procedures and policies

DEBONE: Second

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

4. Oregon Health Authority Behavioral Health Initiative for Older Adults

Kara Cronin, Behavioral Health Program Manager, sought authorization to apply for \$120,000 of funding from the Oregon Health Authority to support a new 1.0 FTE Behavioral Health Specialist II position. Cronin explained that this person would facilitate collaboration among various partner entities to support older adults and people with disabilities. The position would also allow the provision of direct care to older adults whose situations warrant it.

In response to Commissioner Chang, Cronin said while the County currently offers programs and services to older adults, the additional funds would be used to embark on a coordinated effort with community partners to provide more intensive, one-on-one services to this population.

Responding to Commissioner DeBone, Cronin said Health Services recommends adding this Specialist position as a full-time, regular position as it is expected that the funding will continue.

CHANG: Move to authorize the application for Oregon Health Authority Older Adult Behavioral Health Initiative funding

DEBONE: Second

VOTE: CHANG: Yes

DEBONE: Yes

ADAIR: Chair votes yes. Motion Carried

Other Items was taken up before agenda item 5. (see page 7 for continued Other Items).

OTHER ITEMS:

- Commissioner DeBone said at last night's meeting of the Deschutes County Historical Society, the Society's Board approved its budget for the upcoming year. He shared the expression of appreciation that the maintenance and utility costs of the County-owned building used by the Society are covered by the County.
- Commissioner DeBone added that the Society's annual chili feed fundraiser will be on November 8th and 9th.
- Commissioner Chang announced a ribbon-cutting event today for the US Hwy 97 North Bend corridor project.
- Commissioner Chang will attend, as a member, tomorrow's Oregon Transportation Commission meeting in Bend.
- Commissioner Adair stated the need for better signage on Highway 97 at Empire heading to Highway 20.
- Commissioner Adair reported on a luncheon tea hosted yesterday by MPerfectly, an organization founded by Ashley Smith which helps women who have been homeless and/or imprisoned to successfully integrate back into society.

5. Update on Oregon's drug overdose mortality crisis

Emily Horton, Public Health Program Manager, introduced Mathew Christensen, Epidemiologist, who provided an update on Oregon's drug overdose mortality crisis.

Christensen reported that in the last four years, the number of drug overdoses significantly increased in Oregon along with the rest of the West Coast. 2023 saw the largest single-year increase in the number of drug overdoses in Oregon, with

the rate substantially higher than the national rate. While Deschutes County has seen lower rates than in other areas, the number of ODs has also increased here.

Commissioner DeBone asked if the overdoses pertain to just opioids, or to all drugs. Christensen said all unintentional drug overdoses are included in the total count, with the primary substances involved being methamphetamine, fentanyl, heroin and alcohol.

Christensen shared information on drug OD mortality rates across the country, saying that the impact of fentanyl was experienced first on the East Coast and then in the South, arriving on the West Coast in 2019. He reviewed statistics on drug OD death rates across Oregon and said five Oregon counties—Multnomah, Lane, Jackson, Josephine and Curry—experience some of the highest drug OD mortality rates in the nation.

Commissioner Adair shared that Jefferson County has installed a billboard to inform the public that fentanyl is responsible for most deaths of persons aged 18-45.

Christensen spoke to the relatively new phenomenon of drug overdose mortalities in which fentanyl and meth were both present in a person's system at the time of death. He shared that emergency department (ED) visits for opioid overdoses appear to have peaked in Oregon in August of 2023, having declined somewhat since that time. This is also true for opioid ODs in Central Oregon.

Commissioner Adair asked if part of the reason for the decrease in ED visits is due to the growing availability of Narcan. Christensen said the reasons for the decline are not yet known.

In response to Commissioner Chang, Christensen said mortality data for Oregon is not yet available for 2024, but in the past, the number of ED visits has been correlated with the number of overdose deaths. Christensen shared information culled from wastewater data from the City of Bend which indicate a lower usage incidence than nationally for fentanyl but not for meth.

Discussion ensued about how to reduce overdose deaths and mortality risk by interrupting the drug supply and reducing the demand for drugs.

In response to Commissioner Chang, Christensen said of the 27 drug overdose deaths this year in Deschutes County, 60% of the people who died were housed. Another 10% were missing data on their housing status, and 30% were unhoused or temporarily housed in a shelter, vehicle or tent.

Commissioner Chang noted that the current decline in ED visits predates the Measure 110 reform efforts. Christensen expected to gain a clearer picture of the situation and, if the numbers continue to decline, what the reasons are for that.

Commissioner Adair said Deschutes County is fortunate to have Ideal Option in Bend, which offers addiction treatment to those needing it.

Jess Neuwirth, Program Supervisor, said because overdoses are declining across the country, she believed that prevention, harm reduction and treatment services, and health education and promotion efforts—including in schools and colleges—are having an effect.

Responding to Commissioner Adair, Neuwirth said if someone overdoses on a weekend, they can seek help at the Stabilization Center.

Ana Woodburn, Overdose Prevention Strategist, said it is ideal if an addicted person released from jail or the hospital is released directly to treatment care.

Commissioner Chang added that Best Care's Taylor Center is open every day for consultation and services.

6. Board deliberations for a proposed Plan Amendment and Zone Change for approximately 65 acres at 19975 Destiny Court

Anthony Raguine, Principal Planner, reminded that a public hearing was held before the Board on July 24th on an application to change the Comprehensive Plan designation of approximately 65 acres at 19975 Destiny Court from Agricultural to Rural Residential Exception with a corresponding Zone change from Exclusive Farm Use to Multiple Use Agricultural.

In response to Commissioner Chang, Raguine said the property does not have water rights.

Commissioner Chang asked if the property has been farmed recently. Raguine said the photos submitted into the record showing farming activity on the property were taken in 2012. Raguine added that the irrigation system was dismantled and removed after the effort to use the land for grazing failed.

Raguine presented the decision matrix to the Board, as follows:

1. Is the subject property agricultural land with respect to its soils?

A majority of the Board was in consensus that the subject property is not agricultural land with respect to its soils.

2. Is the property agricultural land with respect to applicable Oregon Administrative Rule (OAR) factors?

A majority of the Board was in consensus that the property is not agricultural land with respect to applicable OAR factors.

3. Is the property agricultural land considering adjacent or nearby agricultural lands?

A majority of the Board was in consensus that the property is not agricultural land considering adjacent or nearby agricultural lands.

4. Would the zone change result in urbanization such that a Goal 14 exception is required?

A majority of the Board was in consensus that the zone change would not result in urbanization such that a Goal 14 exception is required.

5. This zone change would allow ADUs on the subject property. Would this then comply with the Transportation Planning Rule analysis?

A majority of the Board was in consensus that allowing ADUs on the subject property would comply with the Transportation Planning Rule analysis.

6. Does the Board adopt the findings of the Hearings Officer as its own, except as modified by its deliberations?

A majority of the Board was in consensus to adopt the findings of the Hearings Officer as the Board's own, except as modified by deliberations.

DEBONE: Move approval of the application to change the Comprehensive Plan designation of approximately 65 acres at 19975 Destiny Court from Agricultural to Rural Residential Exception with a corresponding Zone change from Exclusive Farm Use to Multiple Use Agricultural; written decision to follow

ADAIR: Second

VOTE: CHANG: No
 DEBONE: Yes
 ADAIR: Chair votes yes. Motion Carried 2 - 1

Commissioner Chang said while he appreciated the idea of urban growth feathering into the rural environment, it is hard to say where the urban ends and the rural begins, given the transitional area which exists between them. He said mediocre soils can be dramatically improved and potentially farmed for profit.

Raguine confirmed he will return with a draft formal decision for the Board's consideration.

OTHER ITEMS:

- Erik Kropp, Deputy County Administrator, presented a draft joint resolution with the City of Bend outlining a temporary safe stay area at Juniper Ridge for vehicle camping, noting this proposal is the result of the joint meeting with the Bend City Council on September 5th regarding unsanctioned encampments northeast of Bend on property owned by the City and by the County.

Commissioner DeBone referred to a report from Community Development staff on the proposed establishment of a temporary safe stay area which suggested potential issues for the Board's consideration.

Commissioner Adair supported clearly defining what will and will not be allowed.

Kropp explained that the proposal is to render much of the City-owned land in this area off-limits and allow vehicle camping on 170 acres.

Commissioner Adair said the area allowed for encampments should be smaller than 170 acres.

Kropp added that the proposal is not for a managed camp, but rather for an area where people would be allowed to temporarily live in a vehicle.

Referring to the number of fires started this year by persons living in encampments, Commissioner Adair advocated for more clarity and rules.

Commissioner Chang believed it possible to accomplish desired outcomes without formally designating a safe stay area in the face of differing legal opinions. He said providing expanded case management services to help move people out of homelessness is not a matter of land use, and he did not support taking action that would entail legal land use implications. Noting that the proposal would disallow and move camps off of property owned by the City but not from property owned by the County, he advised informally coordinating with the City to provide case management and support services to homeless persons in this area.

Commissioner DeBone supported proceeding in partnership with the City of Bend as proposed, saying this would show support for people in need while clarifying expectations as far as how the land is used. As he shared his support for the draft resolution and its intention, he asked if this area should be referred to as "Juniper Ridge" or more generically.

Saying that the County is already providing portable toilets and dumpsters on the 50 acres owned by it, Commissioner Chang was comfortable with each jurisdiction setting up parameters with regard to encampments on property owned by it, and coordinating together on the provision of case management and support services.

Commissioner Adair agreed that case management is critical to changing the living situation of homeless persons. She supported consolidating encampments on five acres rather than the current 50 where people are currently camping, saying that unsanctioned camping has gone on for years and the County should take control of its land.

Commissioner Chang said the County has achieved gains in safety and stability with regard to encampments on the 50 acres it owns in Juniper Ridge, and now is the time to add case management services. He stressed that safe parking programs work because they offer a safe, stable place to shelter along with case management.

Commissioner Adair agreed that daily case management services are needed. She further supported clearing the known chop shop from this area.

Commissioner Chang said the desired outcomes could be accomplished with an intergovernmental agreement instead of a formal resolution.

Commissioner DeBone reiterated his support for partnering with the City to define the 170 acres as a temporary safe stay area as proposed.

Following further discussion, the Board was in consensus to present two different proposals to the public next week for input at a public hearing, as follows:

1. The draft joint resolution with the City of Bend outlining a temporary safe stay area at Juniper Ridge for vehicle camping; and
 2. An intergovernmental agreement to coordinate with the City on case management and supportive services to homeless persons at Juniper Ridge.
- Commissioner DeBone commented on the field hearing held yesterday by the House Natural Resources Subcommittee on Water, Wildlife and Fisheries at the Fairgrounds for the purpose of discussing Central Oregon's water supply.

Commissioner Chang asked what kind of solutions were offered to address Central Oregon's groundwater concerns.

Commissioner DeBone responded that the hearing was informational.

Commissioner Adair added that bullfrog eggs are supposed to be destroyed in June. Congressman Bentz said his staff will follow up with Fish and Wildlife for numbers.

- Commissioner DeBone reported that the board of the La Pine Parks & Recreation District has resigned en masse, along with the district's director. The Board of County Commissioners now has the responsibility of appointing new board members.

Commissioner Chang spoke to the need to hear from all sides regarding the conflict which led to the resignations before any new appointments are made.

EXECUTIVE SESSION: None

ADJOURN:

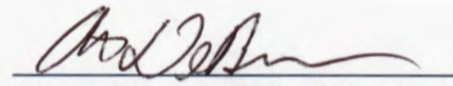
Being no further items to come before the Board, the meeting was adjourned at 11:36 am.

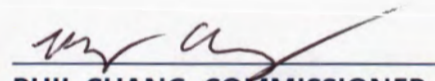
DATED this 13th day of November 2024 for the Deschutes County Board of Commissioners.


PATTI ADAIR, CHAIR

ATTEST:


RECORDING SECRETARY


ANTHONY DEBONE, VICE CHAIR


PHIL CHANG, COMMISSIONER