



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

10:00 AM

WEDNESDAY October 19, 2022

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Patti Adair, Anthony DeBone, and Phil Chang. Also present were Nick Lelack, County Administrator; Kim Riley, Assistant Legal 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 Adair called the meeting to order at 10:00 a.m.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT:

- A voicemail was received from a resident questioning the effectiveness of public funds spent to address homelessness.
- An email was received from Joe Yetter, the Democratic nominee for Congressional District 2, regarding infrastructure needs and economic development opportunities.
- A voicemail was received from a resident expressing dissatisfaction with the Sheriff's Office.
- Rondo, a resident of Bend, expressed his support for expanding the Board of Commissioners to five members.

Further Discussion: none

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

Commissioner DeBone requested that the draft minutes of the October 5, 2022 BOCC Meeting be edited to clarify that the County's employee health plans do not cover discretionary abortions.

DEBONE: Move Board approval of the Consent Agenda with the requested change
CHANG: Second

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

1. Approval of Minutes of the October 5, 2022 BOCC Meeting

ACTION ITEMS:

2. Legislative Update from Senator Findley

Chair Adair welcomed Senator Findley and commented that the upcoming legislative session will be challenging.

Senator Findley expressed appreciation for the opportunity to address and confer with the Board in person, in addition to the many other communications which are shared throughout the year. He offered his assistance with advancing the County's legislative priorities.

Commissioner DeBone appreciated the Senator's visit and his advocacy at the state level. Commissioner Adair also voiced appreciation for the Senator's presence and the opportunity to engage with him.

Senator Findley referred to the Eastern Oregon Caucus, which has allowed for active, informal dialogue since early 2020. Noting the information-sharing value of the group, he said the goal is to have regular communication and he looked forward to resuming weekly calls as the legislature convenes in January.

Continuing, Senator Findley spoke of upcoming leadership changes in the form of a new governor, new presiding officers in the House, and new leadership in the Senate. He spoke to budget concerns amid lackluster revenue forecasts and said balancing the budget will be difficult.

The senator said the 2023 legislature will be faced with major issues, including the negative financial consequences experienced by counties as a result of

Measure 110. Other concerns relate to SB 762, which modified how the State manages wildfires and wildfire suppression. Although some of the changes were good, the legislation involved the development of a wildfire risk map with no local involvement or control. Senator Findley characterized the map as a failure and said it must be redone to give local planners an integral role in its development and to ensure that landowners receive credit for work they have done to harden their properties against wildfire risk.

Commissioner DeBone acknowledged that Deschutes County is a forested, drier area and thus naturally in a “high” risk category, particularly on hot days when subject to wind-driven events.

Commissioner Adair commented that the Wildfire Advisory Committee was established to evaluate the effects of 762. Noting broad support for some of the changes, such as requiring new construction to include fire-resistant materials, she said designating irrigated croplands as high risk is a concern. She shared information on an open house offered by Forestry and OSU for property owners whose land has been designated as high or extreme risk, and agreed that those who have done everything they can to mitigate their risk cannot be required to do more.

Senator Findley added that attention must also be directed to the issue of insurance rates, especially for those who have proactively hardened their property. Commissioner Adair was concerned about rising insurance rates and companies possibly deciding to not issue wildfire coverage. The senator agreed that the State must protect against companies increasing rates or cancelling policies based on the risk map.

Commissioner Chang concurred that property owners should receive credit for having taken steps to address or mitigate the risk from wildfire damage. With respect to SB 391, he shared a proposal that persons wanting to build a new ADU before it's determined if their property is in a high or extreme risk area be allowed to proceed by conforming to the applicable fire-resistant requirements for the presumed classification. Senator Findley supported this idea and offered to put it forward at the legislative level.

Continuing, Senator Findley touched on the matters of homelessness, mental health and the housing crisis. Commissioner Chang said while land supply is a factor in housing availability and affordability, so are regulatory constraints and the lack of adequate funding for infrastructure.

Commissioner DeBone said that the County's new courthouse project has been affected by inflation, with the result that its cost has escalated beyond the initial

estimate. He announced that for the next legislative session, Deschutes County will be represented by lobbyist Doug Riggs.

Referring to Measure 110, Commissioner Chang agreed that some changes are warranted, particularly with respect to incentivizing treatment for persons with substance abuse problems. He referred to delays in funding behavioral health specialists and said the effects of this treatment support have yet to be determined.

3. Consideration of Document No. 2022-762, a License Agreement with the Ike Abbas Trust for Right of Way Encroachments on 11th Street (Terrebonne)

Cody Smith, County Engineer, explained that the Ike Abbas Trust owns property at 925 Central Ave in Terrebonne, where several privately-owned items such as structures, fences and propane tanks encroach on the adjacent 11th Street right-of-way. After meeting with a representative of the property owner, staff prepared a revocable license agreement that would require the removal of items whose presence conflicts with the planned 11th Street improvements and/or the long-term operation of 11th Street as a public road. The agreement, which allows for certain unoffending encroachments to remain within the right-of-way, has been accepted and signed by the property owner.

Commissioner DeBone said the proposal appears to be a good compromise.

Commissioner Chang inquired regarding the length of time that these encroachments were present and the possibility of other encroachments on County right-of-ways. In response, Smith said while he could not speak to the entire history of this specific encroachment, it appeared that the 60-foot right-of-way had been established many decades ago but went unused because the highway later followed a different alignment. Smith added that modern GIS technology has made it possible to research and identify these kinds of boundaries with much greater ease and accuracy.

DEBONE: Move Board approval of Document No. 2022-762

CHANG: Second

VOTE: DEBONE: Yes

CHANG: Yes

ADAIR: Chair votes yes. Motion Carried

4. Deschutes County Benefits Renewal for the 2023 Plan Year

Whitney Hale, Deputy County Administrator, and Trygve Bolken, Human Resources Analyst, presented the matter of employee benefits for Deschutes County for the 2023 plan year. Hale reviewed the recommended vendors and renewal rates for the plan's stop loss coverage, third party administrator, life and disability insurances, employee assistance program and flexible spending accounts. Hale and Bolken then explained the seven proposed changes for the 2023 plan year, which the Employee Benefits Advisory Committee voted 14-1 to support.

Commissioner DeBone did not support the proposed change to remove the plan exclusion for abortion services.

Commissioner Chang said employees have indicated they want this benefit and the cost would be minimal. He added that not offering this benefit makes the County out of step with other employers.

Commissioner DeBone accepted making this decision at the Board level based on the values that he brings to the office. Commissioner Adair agreed with the reference to values and supported continuing this section of the plan as grandfathered to exclude coverage for abortion services unless certain condition(s) are met.

Commissioner Chang said denying this benefit will not affect the number of abortions undergone by employees or their dependents; rather, it would only serve to send the inappropriate message that the County will not extend financial support in the face of this hard and difficult decision.

Saying that the County offers excellent health care benefits, Commissioner Adair noted that in 2014, the Affordable Care Act made all birth control free of charge.

Commissioner DeBone agreed that the County has a robust self-funded health care plan which is very cost-effective and operates with a healthy reserve.

Commissioner Adair added that the overall cost of the employee health care program in 2023 will rise by 9.1%, which is a much lower increase than is being experienced by other plans.

DEBONE: Move Board approval of the recommended changes to the plan with the exception of the recommended change to remove the plan exclusion for abortion services

ADAIR: Second

Additional Discussion: Commissioner Chang reiterated that the County has the opportunity to add a benefit which would mirror that offered by other

employers, and which County employees have asked for. He was disappointed this would not be approved.

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

CHANG: Move Board approval to renew stop loss coverage services with Sunlife, the current provider, and deductible limits for the 2023 plan year.

DEBONE: Second

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

DEBONE: Move Board approval to renew third party administrator services with PacificSource, the current provider, for the 2023 plan year.

CHANG: Second

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

CHANG: Move Board approval of County Administrator signature of the final Deschutes County Employee Benefits Health Plan documents and service agreements for the 2023 plan year.

DEBONE: Second

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

5. Consideration of Board Signature of Document No. 2022-790, an amendment to SunWest Builders Contract No. 2022-197 to establish the Guaranteed Maximum Price for the remodel of 244 Kingwood Avenue in Redmond, OR, and related site improvements

Lee Randall, Facilities Director was joined by Briana Manfrass and Shaun Clifford from Pinnacle Architecture and Kevin Link and Adam Bowles from SunWest Builders.

Lee Randall explained this amendment to the contract is specific to the 244 Kingwood Avenue property; staff will return in four to six weeks for further action on the property at 236 Kingwood. Randall shared the background of this project and said this amendment would establish the guaranteed maximum price for the remodel of 244 Kingwood and related site changes to address accessibility issues. He stated that efforts will be made to maximize the number of parking spaces for visitors.

With respect to the project budget, Randall said the team worked hard to find efficiencies and secure guarantees on the costs. He reviewed the proposed funding sources and said Mosaic Medical, which will occupy just over 1300 square feet, will contribute \$215,000 towards the needed tenant improvements.

Commissioner DeBone appreciated that this investment will result in a professional remodel and offer work opportunities for persons in various trades. Saying this facility is needed to provide mental health services in the north county, Commissioner Chang emphasized the money saved by repurposing existing buildings for this use.

Responding to Commissioner Adair, Mr. Randall anticipated a six-month construction schedule with completion in May.

DEBONE: Move Board approval of Document No. 2022-790 amending Deschutes County Contract No. 2022- 197 with SunWest Builders for the Remodel of 244 Kingwood, Redmond, Oregon and related site improvements

CHANG: Second

VOTE: DEBONE: Yes

CHANG: Yes

ADAIR: Chair votes yes. Motion Carried

OTHER ITEMS:

- Commissioner DeBone encouraged property owners to conduct fuels reduction/defensible space efforts while the weather allows.

- Commissioner DeBone said current property tax information is now available online and shows updated rates and collection amounts.
- Commissioner Chang announced that the Community Renewable Energy Program Advisory Board awarded \$1 million to the Mount Bachelor rough chip boiler project. He hoped that the County will consider resubmitting for renewable energy projects in the new grant cycle that will soon open up.
- Commissioner Chang attended a meeting of the Local Government Advisory Committee convened by the Association of Oregon Counties where the discussion focused on how to solve aid & assist population challenges.
- Commissioner Chang reported that the Oregon Finance Authority facilitates financing for nonprofits for capital projects at 79% of the interest rate charged by commercial banks.
- Commissioner Chang attended a City Club presentation on ranked choice voting.
- Commissioner DeBone attended the Redmond Economic Development Board meeting where the Heart of Oregon Corps presented information on their work.
- Commissioner DeBone participated in the Association of Oregon Counties' exchange program and said he will attend the AOC conference in Eugene next month.
- Commissioner Chang shared that the Oregon Conservation Corps, which provided \$1 million to support youth workforce development, will offer field trips to showcase current projects.
- Commissioner Adair attended the Mothers Against Drunk Driving fundraising walk. She emphasized the importance of not driving impaired and reminded that ride sharing services are available.
- Commissioner Adair said she and Kristie Bollinger walked the neighborhood near the possible safe parking site and talked with residents about the proposal.
- Commissioner Adair recognized the Fair Association as an amazing group of volunteers who do great work.
- County Administrator Nick Lelack announced that the first community open house on the 2040 Rural Deschutes County Update will take place tonight at the Deschutes County Services Center. To follow are open houses in Sisters on October 20th; Sunriver on October 24th; and Redmond on October 25th.

EXECUTIVE SESSION:

At the time of 11:50 a.m., the Board went into Executive Session under ORS 192.660 (2)(e) Real Property Negotiations. The Board came out of Executive Session at 12:20 p.m. to direct staff to proceed as directed.

At the time of 12:25 p.m. the Board went back into Executive Session under ORS 192.660 (2)(i) Employee Evaluation. The Board came out of Executive Session at 1:30 p.m. with no action taken.

ADJOURN: Being no further items to come before the Board, the meeting was adjourned at 1:30 p.m.

DATED this 2nd Day of November 2022 for the Deschutes County Board of Commissioners.



PATTI ADAIR, CHAIR



ANTHONY DEBONE, VICE CHAIR



PHIL CHANG, COMMISSIONER

ATTEST:



RECORDING SECRETARY