



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY February 28, 2024

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Patti Adair, Tony DeBone and Phil Chang. Also present were County Administrator Nick Lelack; Assistant Legal Counsel Kim Riley; and 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 a.m.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT:

- Ryan Rudnick repeated his opposition to the housing for male parolees on Wilson Avenue and proposed that this program be relocated to the County's public safety campus, which has abundant vacant land available. He said this change would restore public trust and be in everyone's best interest.

Commissioner DeBone thanked Rudnick for researching possible alternate locations and submitting this proposal.

Commissioner Chang said Rudnick has essentially proposed to create an annex to the jail on the County's public safety campus, which he did not consider appropriate

as it would house persons who have been released under supervision in the shadow of the jail.

Commissioner Adair said she understood the community's concern and hoped the Board will revisit its decision on this matter.

- Ashley Schreiber asked that the location of the program at 640 Wilson be re-evaluated as the current site is inappropriate given its proximity to schools, families and parks.
- Tom Gugg spoke regarding the low-barrier housing to include level 2 and level 3 sex offenders in the Larkspur neighborhood. He asked if the displaced tenants were able to find alternate housing, objected that this neighborhood is targeted for such uses, and strenuously opposed operating this program at this location.

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

1. Approval of Board signature on letters appointing Smita Mehta and Lisa Keown; reappointing Michael Fisher, Jason Gritzner and Chris Converse; and thanking Nancy Gilbert, Chuck Newport and Carey Kraybill for service on the Upper Deschutes Watershed Council Board or Directors
2. Approval of minutes of the February 16, 2024 BOCC Legislative Update meeting

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

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

ACTION ITEMS:

3. Central Oregon Veterans Outreach Application for Property Tax Exemption

Lynne McConnell, Housing Director for the City of Bend, explained that Oregon law authorizes local jurisdictions to offer a nonprofit property tax exemption to organizations which provide affordable rental housing. The Bend City Council adopted this program last July and is now accepting applications from interested organizations.

Kerry Bell, Middle-Income Housing Coordinator for the City of Bend, said nonprofit organizations can apply for this property tax exemption which is applicable to both certain affordable housing developments and to vacant land

which is intended to be developed into affordable housing. The City anticipates receiving an application from Central Oregon Veteran and Community Outreach (COVO) for eight tax lots which have been deed-restricted for affordable rental housing.

Commissioner DeBone asked about the process for the required annual certification. Bell explained that if COVO's application is approved, it would thereafter annually apply for certification for the purpose of reporting that the same conditions continue in order to receive the property tax exemption for another year. All annual certifications would be done by and through the City with no input or action needed from the County.

Les Bivens, COVO Board President, asked for the County's support of COVO's application for this property tax exemption, saying that if it is approved, all funds not paid in taxes would be used for property maintenance and to help maintain low rents.

Commissioner Chang said the reduction in revenue to the County is well worth the benefits which would result.

In response to Commissioner DeBone, Assistant Legal Counsel Kim Riley confirmed that 9-1-1 and the Deschutes County Sheriff's Office would be impacted by reduced revenues along with the County's General Fund if the exemption is approved. The total estimated amount of reduced revenues to all County departments and functions would be \$7,242.93 for the upcoming year.

CHANG: Move to support the application from Central Oregon Veterans Outreach which seeks a nonprofit property tax exemption for properties it owns in the City of Bend

DEBONE: Second

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

4. Approval of County Administrator signature of revised County Policy No. BLDG.-3, Donation of Property policy

Deputy County Administrator Whitney Hale explained the proposal to transfer the County's policy pertaining to the donation of property from the Building policy section to the General section. At the same time, staff recommends that the approval limits be changed such that the County Administrator be able to

approve non-light fleet donations with a value more than \$2,000 but less than \$5,000, with donations valued at more than \$5,000 requiring Board approval.

Road Director Chris Doty reviewed the proposed new language regarding the donation of non-DCSO surplus light fleet vehicles, explaining that the County utilizes proceeds from these sales to defray the cost of new vehicles. Adding that the County's light fleet is highly sought after due to the knowledge that it has been well-maintained, he advised that the donation of any light fleet vehicles to qualified nonprofit entities shall be conditioned on the requesting department specifying the replacement revenue source to backfill the vehicle sale revenue loss resulting from the donation.

DEBONE: Move approval of County Administrator signature of revised County Policy No. BLDG-3, Donation of Property Policy and re-name BLDG-3 to GA-24, Donation of Property Policy

CHANG: Second

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

5. Acceptance of an Emergency Response grant from the State of Oregon Office of Developmental Disabilities Services

Paul Partridge, IDD Program Manager, requested authorization to accept a one-time grant from the Oregon Department of Human Services' Office of Developmental Disabilities Services which would be used to help clients prepare for future emergency situations.

DEBONE: Move approval of Chair signature of Document No. 2024-174, accepting an Emergency Response grant from the State of Oregon Office of Developmental Disabilities Services

CHANG: Second

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

6. Application for Wolf Depredation and Financial Compensation Grant Funds

Jen Patterson, Strategic Initiatives Manager, reviewed that the Board established a Wolf Depredation and Financial Compensation Committee in May of 2023,

which has been working to conduct outreach, develop processes and formulate depredation compensation rates per State requirements.

Saying that the State offers a grant opportunity once a year to counties which have established Wolf Depredation and Financial Compensation Committees, she explained the proposal to apply for grant funding in the three designated categories, as follows:

- Category 1 – \$1,935 for compensation for the confirmed depredation of a yearling.
- Category 2 – \$5,371.50 for missing livestock (funded at 50% of the established depredation rates).
- Category 3 – \$45,000 to implement livestock management activities and nonlethal wolf deterrence techniques to prevent interactions between wolves and livestock or working dogs; \$5,000 for education and outreach efforts; and \$20,000 for preventative measures—these funds to be distributed to ranches and livestock owners as appropriate in the upcoming calendar year.

A County match of 10% is required for all received grant funds; staff proposes that this match be met by staff time dedicated to supporting the committee's meetings.

Commissioner Adair said the conception rate of cattle is dropping, in part because the presence of wolves stresses them. This results in fewer offspring which impacts ranchers although they cannot submit claims to recoup economic damages from lowered herd populations due to this reason. She commented on reported livestock losses in Deschutes County during the past year, including a two-year-old dairy heifer weighing 800 pounds.

Commissioner Chang said preventative measures will help thwart additional losses in 2024 and beyond, and in turn will help alleviate stress and financial loss in the community.

Patterson confirmed that while there is no State limitation on what kind of animal could be considered for depredation compensation, all depredations for which compensation is sought must be confirmed by ODFW.

Responding to Commissioner Chang, Patterson said she has been working with ODFW and staff at Long Hollow Ranch to document the missing livestock to the extent possible via movement patterns, tracking and marking, and other animal behaviors. She said future outreach efforts will include information on how to handle missing and presumed dead livestock, with an emphasis on the importance of involving ODFW as soon as depredation is suspected.

Commissioner DeBone clarified that livestock owners will have to document and apply for compensation in the case of killed or missing animals.

CHANG: Move to authorize staff to submit an application for Wolf Depredation and Financial Compensation Grant Funds

DEBONE: Second

VOTE: CHANG: Yes

DEBONE: Yes

ADAIR: *Chair abstains.* Motion carried 2 - 1 - 0

7. Work Session – Recreational Vehicles as Rental Dwellings

Tanya Saltzman, Senior Planner, reviewed work done on proposed changes to Deschutes County Code to allow recreational vehicles (RVs) as rental dwellings. Explaining that State law authorizes counties to allow rural property owners to rent space to one RV that is used for residential purposes, subject to certain criteria, Saltzman presented an overview of what the State law allows and basic requirements pertaining to essential services, inspections and siting standards.

Saltzman reported that applying the State’s eligibility criteria to the one-acre minimum lot size criteria suggested by staff, approximately 12,410 properties meet the zoning requirement, are at least one acre in size, and already have a single-family dwelling on the property. An additional 2,909 properties are currently vacant but meet the other criteria.

Peter Gutowsky, Community Development Director, said if the Board proceeds taking this proposal to a public hearing, staff asks that it consider if property owners should be required to provide a ramada to protect RVs from snow.

Continuing, Saltzman summarized the process undertaken by the Planning Commission to consider the amendments, which included a public hearing. At the conclusion of its process, the Planning Commission issued a recommendation against allowing RVs as rental dwellings.

In response to Commissioner Chang, Gutowsky confirmed that applicants would be subject to a land use permit estimated to cost several hundred dollars, a site authorization permit to verify that the septic system can handle the additional load, and a building permit for electricity. If required, adding a ramada would entail another building permit for a snow-rated structure.

County Administrator Nick Lelack suggested that CDD provide a matrix of what is required for a medical hardship RV, and what would be required for a rental RV beyond those requirements. This would help determine what additional burdens would be placed on CDD as a result of allowing RVs as rentals.

Commissioner DeBone was interested to hear how rental RVs will be differentiated from medical hardships.

Commissioner Chang supported proceeding to a public hearing without delay, saying this was an important opportunity to address critical housing needs in the community.

Commissioner Adair was comfortable proceeding with caution, given the groundwater concerns in South County. She wanted to know how many medical hardships have been authorized.

Commissioner DeBone sought more information on the idea of requiring a ramada, asking if there is a tax-assessed value associated with these structures.

Saltzman said according to the Assessor's Office, property improvements of \$22,000 or more trigger a reassessment, which could result in higher property taxes.

Commissioner DeBone summarized the requests for more information on medical hardships; whether or not a ramada is expected to withstand the same load as a permanent structure; and if adding a ramada would trigger a property valuation reassessment.

Commissioner Adair also wanted to hear from Todd Cleveland regarding the potential impacts on septic systems.

Commissioner Chang asked if staff has any information on how many RVs are being illegally used as permanent dwellings.

OTHER ITEMS:

- Commissioner DeBone announced his inability to attend the Board's joint meeting with the Historic Landmarks Commission next week.
- Strategic Initiatives Manager Jen Patterson reviewed the draft changes made to the Board's FY 2025 Goals and Objectives, per its direction. The Board was in consensus to approve the revised document.
- County Administrator Nick Lelack said staff and the County's lobbyist continue to monitor the remaining active bills in the current legislative session very closely.

EXECUTIVE SESSION: None

ADJOURN:

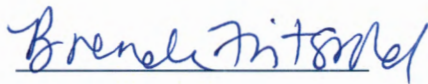
Being no further items to come before the Board, the meeting was adjourned at 11:24 am.

DATED this 27th day of March 2024 for the Deschutes County Board of Commissioners.

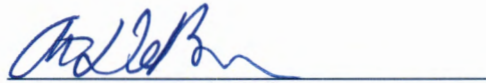


PATTI ADAIR, CHAIR

ATTEST:



RECORDING SECRETARY



ANTHONY DEBONE, VICE CHAIR



PHIL CHANG, COMMISSIONER