

MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS
Livestream: <http://facebook.com/BentonCoGov>
Tuesday, October 24, 2023
9:00 a.m.

Present: Pat Malone, Chair; Xanthippe Augerot, Commissioner; Nancy Wyse, Commissioner; Vance Croney, County Counsel; Rachel McEneny, County Administrator

Elected Official: Jef Van Arsdall, Sheriff

Staff: Jenn Ambuehl, Debbie Bauer, Rick Crager, Marilee Hoppner, Debbie Sessions, Finance; Chris Campbell, April Holland, Lacey Mollel, Damien Sands, Rebecca Taylor, Ahmed Zibare, Health; Dawn Dale, Don Rogers, Sheriff's Office; Tomi Douglas, Natural Areas, Parks & Events; Cory Grogan, Public Information Officer; Amanda Makepeace, BOC Staff; Sean McGuire, Sustainability; Erika Milo, BOC Recorder; Keith Nicolson, Gary Stockhoff, Public Works

Guests: Carolyn Ashton, Melissa Fery, Teagan Moran, Lorelle Sherman, Oregon State University Extension Service; Ken Eklund, Disposal Site Advisory Committee; Luke Glaze, Chris McQueen, Salem for Refugees; John Harris, Horsepower Productions; Kristi Schrock, Fair Board; Ryan Vogt, Oregon Cascades West Council of Governments

1. Opening:
1. Call to Order

Chair Malone called the meeting to order at 9:01 a.m.

2. Introductions
3. Announcements

No announcements were made.

2. Review and Approve Agenda

No changes were made to the agenda.

3. Comments from the Public

No comments were offered.

4. Work Session

4.1 Corvallis for Refugees (CFR) Presentation – Chris McQueen, Luke Glaze; Salem for Refugees

Glaze explained that Salem For Refugees (SFR) is opening an office in Corvallis. A refugee is anyone who has been forced to flee their country due to persecution, war, or violence. Strategies to address the crisis include: voluntary repatriation (preferred), local integration (gaining citizenship in the host country), or resettlement in a third country. SFR is one of six resettlement

agencies in Oregon. Oregon averages about 1,200 refugee arrivals per year, and SFR works with 25% of those refugees. Glaze described the SFR mission and vision.

McQueen explained that since March 2023, CFR has supported the resettlement of six families from Afghanistan, Sudan, Syria, and El Salvador. Good Neighbor volunteer teams work with the family for about a year. Resource teams help refugees with English language, legal needs, healthcare, housing, employment, education, and transportation. CFR seeks more community partners and partnership for grant writing. McQueen shared the story of a family who escaped death threats and violence in the Sudan, and received wraparound services from the entire Corvallis community. Other service providers include Oregon Department of Human Services, WorkSource, Corvallis Multi-Cultural Literacy Center, Corvallis School District, Corvallis Police Department, Altrusa Corvallis, Vina Moses Center, Dial-a-Bus, Operation School Bell, Samaritan Health Services, InterCommunity Health Network, Furniture Share Corvallis, Johnson Family Dental, and Benton Community Health Centers. The greatest challenges for refugees are housing and employment. Refugees are placed in communities by World Relief, the national resettlement agency, depending on type of need.

4.2 Update from Oregon Cascades West Council of Governments (COG) – Ryan Vogt; Meg Walker, Oregon Cascades West Council of Governments

Vogt reported that COG's new building is open at 1121 Northwest Ninth Street, Corvallis. The Corvallis Area Metro Planning Organization (CAMPO) currently shares the building. COG and Community Services Consortium (CSC) have a final design that includes all of CSC's Benton County staff occupying 50% of the building; CSC plans to be moved in by January 1, 2024. COG is serving many veterans currently. COG received a \$1.2 million grant for carbon reduction to finish design plans for the Corvallis-to-Albany multi-use pathway.

COG is leading broadband conversations, including area mapping and design with contractor Solarity. Broadband maps are complete. COG and Lane Council of Governments have brought more broadband funding into Oregon. Benton County has less need for broadband than Lincoln and Linn Counties, but still shows 1,750 locations as non-served or underserved. Next, COG will work with internet service providers to pursue grants. COG has extended its contract with Solarity to help establish multiple County broadband task forces. So far there has only been multi-county advocacy; now the project needs to move to local advocacy. COG will ensure that the task forces include Benton County staff.

Augerot noted that many locations in Benton County have internet service, but not at the recommended minimum speed, which is harder to secure funds for. Augerot wants to increase those speeds.

Vogt shared that COG administered the first phase grant, but Broadband Action Teams are being organized by a different entity. COG will play a role on the task force, but has not been asked to lead. Vogt is still serving as Interim Director of the Corvallis-Benton Economic Development Office. The position is open until filled and oversees the lending program, two metropolitan planning organizations, the broadband effort, rural outreach, and Redline Brokerage. COG recently issued three small business loans and has six prospects underway.

4.3 *Small Farm Program Updates – Carolyn Ashton, Lorelle Sherman, Teagan Moran; Oregon State University (OSU) Extension Service (ES)

Ashton explained that OSU ES received State funding to hire a statewide Extension Christmas Tree Specialist. ES also hired a Master Gardener Coordinator for Linn-Benton Counties.

New faculty member Sherman shared her background in forestry. Sherman meets with farmers and small woodlands groups including the Benton County Small Woodlands Association, as well as the Oregon Department of Forestry and the Oregon Department of Fish and Wildlife. Sherman will offer private landowner planning workshops about the Private Forest Accord and a new program called Foraging Your Woodland.

Moran added that in December 2023, ES will add Ted Anderson, a Small Farms faculty member for Benton, Linn, and Polk Counties. Moran helps coordinate farmer networks such as the Willamette Women's Farmer Network, the Regional Farmer Network, and the Military Veterans Farmers Network. Staff member Melissa Fery is working on an Agritourism network. ES will offer farm direct marketing workshops and meetings. ES is partnering on an agritourism impact study in the Willamette Valley. ES works with the OSU Agriculture Mental Health Program to reduce farmer suicide rates. ES also addresses the aging-out of farmers by holding information sessions for farmers aged 70 and above. Moran holds information sessions for farmers and ranchers about new funding sources. Kayla Bordelon is the local fire specialist; Fire and ES staff meet in the Forestry and Natural Resources Group.

Augerot urged ES to fill the vacant Watershed Extension Specialist position. Water quality and quantity is an increasing concern.

Moran noted ES also works with Benton Soil and Water Conservation District, Natural Resource Conservation Services, and the OSU Permaculture program.

{Exhibit 1: Small Farms Programs Presentation}

Chair Malone recessed the meeting at 10:20 a.m. and reconvened at 10:30 a.m.

5. Consent Calendar

5.1 Approval of the 2024 Fee Schedule for Environmental Health, Order #D2023-076

MOTION: Wyse moved to approve the Consent Calendar of October 24, 2023.
Augerot seconded the motion, which **carried 3-0.**

6. Public Hearing

PH1 In the Matter of a Public Hearing Regarding Amending Benton County Code, Chapter 9, Ordinance #2023-0321– Tomi Douglas, Natural Areas, Parks, and Events

Chair Malone opened the Public Hearing at 11:06 a.m.

Staff Report

Douglas explained that the Wild & Exotic Animal Ordinance (EAO) was enacted in 2021 after local animal advocates called attention to the suffering of animals in traveling shows. After approval, flaws were discovered in the EAO, such as the use of Latin taxonomic categories, which inadvertently included some domestic livestock; also, the EAO was difficult for staff to enforce without an animal science background. In August 2023, the Board asked staff to draft an

amendment that would solve some of these challenges and avoid creating unintended barriers for 4-H, Future Farmers of America (FFA), and Rodeo programs at the Benton County Fairgrounds.

Public Comment

Kristi Schrock, rural Benton County resident and Fair Board Member, expressed concern that in the proposed amendment, Benton County Code 9.805(4) still contains the phrase, “The animals listed . . . are intended as examples and not to be construed as an exhaustive list, or limit the generality of each group of animals, unless otherwise specified.” Schrock felt this allows additional animals to be listed. The original EAO accidentally restricted horses; Schrock had not found written confirmation that horses were removed. The Prohibition section, 9.810(2)(a), originally listed associations whose members were exempt from 9.810(1). Some respected national and international associations have been struck, such as the Oregon Wildlife Rehabilitation Association and the National Wildlife Rehabilitation Association; Schrock asked that these be restored to the list. Educational institutions were added to 9.810(2)(a), but the term ‘educational’ is not well defined. The Benton County Rodeo Committee has been trying to encourage more groups to rent County facilities and generate revenue. Concerns were raised at the October 10, 2023 Board Meeting that touching is harmful to stingrays, but an accredited study was provided to the Board which shows minimal health differences between stingrays in touch-pools or natural habitats. There is also confusion about which animals are considered wild or domesticated.

Chair Malone closed the Public Hearing at 11:31 a.m.

Augerot stated she did not intend the sentence in 9.805(4) beginning, “The animals listed . . .” to remain in this version of the EAO. An open-ended list creates ambiguity. Augerot was not comfortable accepting the stingray study until she had read it; it is not best practice to pet stingrays. There is constant debate about which associations are science-based; Augerot was comfortable with the two credentialing organizations listed, because some other organizations have approved so-called educational exhibits without good records for animal handling. Conditions in transit and other parts of show operations should be taken into account, not just on-site exhibition. Augerot recommended striking the second sentence in 9.805(4), but leaving the rest of the EAO as proposed.

Wyse noted section 9.810(2)(c) exempts veterinary clinics and wildlife rescue and rehabilitation facilities.

MOTION: Augerot moved to enact Ordinance No. 2023-0321 as amended and conduct a first reading of the Ordinance. Wyse seconded the motion for discussion.

Wyse asked what would be done if an exhibitor brought an unlisted animal that the public considered exotic.

Augerot stated the current list was fairly exhaustive. The code can be changed again if necessary, but the Board wants to be supportive of 4-H, FFA, Rodeo, and others who have good animal welfare practices on site and when traveling.

Wyse noted this Ordinance was not directed at the Fair Board, FFA, 4-H, or similar groups, only at other shows that might come through Benton County. Rodeos do not use wild and exotic animals; horses and livestock are not impacted by the amended EAO.

Wyse clarified that the motion was on the amended Ordinance as further amended in the discussion today. The motion **carried 3-0.**

Counsel read the Ordinance aloud (short title). The item will return on November 7, 2023 under Old Business for a second reading, and will take effect 30 days after December 8, 2023.

7. Old Business

7.1 Discussion on Media Policy – Vance Croney, Rachel McEneny, Board of Commissioners Office

Counsel explained that after Grogan’s presentation of the new Media Policy at a previous Board Meeting, some news media outlets and members of the public raised questions. Counsel worked with Grogan and then-Acting County Administrator Crager to address those questions. The justification for declining interviews from media outlets was removed from paragraph 6(g)(i)-(vi), packet pages 77-78.

McEneny added that the policy was revised with feedback from media partners, the Board, and the public. Staff want to give media and the public reasonable expectations for timely public information; this revision provides a more transparent and accessible policy.

Wyse was comfortable with removing meeting times from the policy, as long as the media understands that it may take a little time for staff to find requested information.

McEneny explained that timetables were removed because every day is different, some information takes longer to access, and many staff telework. However, a Public Information Office is available to the media after business hours, and the County will make every effort to provide everyone with the right information.

Malone noted that the County cannot always accommodate the media request in time to meet media deadlines, because the goal is accuracy. It was never the Board’s intention to restrict communication with the media; the original policy was misinterpreted, and these revisions clarify the Board’s real intentions.

Augerot added the intent of policy was to provide full context and transparency about what the County can do to share objective and accurate information. Augerot was very disappointed that the previous policy was perceived as an attack on the media, which it was definitely not intended to be. The County removed the sections that seemed more prescriptive, and made the policy more flexible.

MOTION: Augerot moved to adopt the Media Policy as revised by staff. Wyse seconded the motion, which **carried 3-0.**

8. Departmental Reports and Requests

8.1 Order #D2023-077, Authorizing the Payment of Property Taxes to Certain Municipalities or Other Taxing Districts in Advance for the Tax Year 2023-24 as Authorized by ORS 311.392 – Debbie Bauer, Financial Services

Bauer explained that every year the County disburses the smaller County Service Districts’ share of property taxes in advance so the districts can provide services (mainly road maintenance) to constituents. The County provides this service to districts with \$16,000 or less in annual tax

revenue. The total amount paid out is \$128,334. The County will distribute funds before December 1, 2023, which provides a 3% discount.

MOTION: Wyse moved to approve authorizing the payment of property taxes to certain municipalities and other taxing districts as detailed in the attachment to Order #2023-077. Augerot seconded the motion, which **carried 3-0.**

8.2 Budget Note: Report on External Fleet – Gary Stockhoff, Keith Nicolson, Public Works; Marilee Hoppner, Financial Services

Crager reviewed the budget note about the ongoing financial liability of the Public Works External Fleet Program (EFP). The Internal Fleet Program (IFP) is funded through a fixed amount paid by each department. EFP is funded by fees for services to external organizations, so revenue varies. Mechanics' labor must be tracked as external or internal. Fleet also has fixed cost. In 2021, the County implemented Mercury forecasting software that helped distinguish internal from external cost and revenues. The pandemic slowed EFP business. In the 2019-21 biennium, the Enterprise Fund had a \$465,000 deficit; the Board approved American Rescue Plan Act funds to compensate. In the 2021-23 biennium, there was a \$600,000 deficit. It is hard to hire and retain a full slate of mechanics, which makes it difficult to break even; Fleet currently has two of seven positions vacant. Also, staff found a problem with the Mercury model: it is impossible to reach certain targets to make the EFP work, because the model considered total hours for every mechanic, with no pro-rating between internal and external business. Staff would have to spend all their time on EFP to make the model work. The only way to fix this flaw is to change the labor rate from \$132 per hour (as in the last biennium) to \$200 per hour, but this would probably be too expensive for Benton's current government clients, and is well above market rates. For 2023-25, staff budgeted \$150,000 in reserve in case of another Fleet deficit, and approved one additional mechanic, but the billable hours targets are simply not achievable.

To balance the Fleet budget this biennium, the County would need to charge \$208 per hour. The current approved rate is \$143 per hour. In January 2023, market value was about \$155 per hour; the County is still trending below that, so there is room to increase, but \$208 is not feasible. As of September 30, 2023, Fleet had an \$81,000 deficit, which would mean a \$650,000 deficit by the end of the 2023-25 biennium. This will be addressed in the December 2023 budget supplement. Crager described options, which need more development:

1. Continue EFP as is, try to be more efficient, and continue to subsidize.
2. Discontinue EFP. However, a great deal of fixed cost would still remain. If IFP bears the burden, rates would rise. Also, many jurisdictions depend on that service.
3. Consider a different approach, such as serving only smaller jurisdictions. A subsidy might still be needed, but possibly not as much. Or, seek regionalization, which could involve other partners such as the City of Corvallis and Oregon State University (OSU).

Stockhoff noted that one of biggest hurdles is recruitment. Employers in this field have become very competitive.

Augerot stated that for option two, the Board would need to know the names of the external clients and more about their ability to pay. On option three, OSU commissioned a report on a regional fleet model, but the Board never heard a result. Augerot would like to consider a larger regional partnership. The County could work more with the Linn-Benton Community College mechanics training program, to hire students before they graduate.

Stockhoff noted that many companies pay for a candidate's training, then hire them. The County has examined this option before, and works hard on recruiting. The first time regionalization was considered, OSU showed an interest in combining fleets, then withdrew. There has been initial discussion of teaming with Corvallis, but none recently.

Crager noted that Corvallis City Manager Mark Shepard recently expressed interest in discussing fleet regionalization.

McEneny stated that if the County transitions to an electrified fleet at some point, County mechanics must have the training and skillset to maintain those vehicles, and the County must have the infrastructure.

Stockhoff has examined this option. There are many restrictions about working on electric vehicle batteries; the current shop could not accommodate this activity. Staff will continue to examine options, but for now, it would be most cost-effective to outsource electric vehicle repair. Also, electric versions of road equipment are not available.

Wyse noted that Benton County's Fleet was rated in the top 10 nationally; the Board appreciates staff's good work. Wyse agreed with Augerot that it would be helpful to know who current clients are, and to know the other options for external partners if the County discontinued that service.

Malone felt it made sense to continue as currently, or regionalize. If other jurisdictions have the same challenges, expanding even slightly might save funds. The Kings Valley Fire Department uses County mechanics; EFP provides a service to smaller jurisdictions with less clout. The County rate has to be close to the job market. The County also needs to attract and retain mechanics with specialized expertise. Emergency vehicles must be maintained. A subsidy may be needed, but Malone would prefer it to be smaller. Malone favored continuing as currently and trying to fill the two positions to reduce the deficit.

Crager concurred that Fleet would continue to operate as currently, and the topic would be discussed again at the January 2024 Goal-Setting Meeting with more details on options. Community capacity is also a consideration, such as whether the County fills a niche the private sector cannot, and whether the County can bolster that capacity.

8.3 Budget Note: Community Health Centers (CHCs) Financial Viability – Lacey Mollel, Chris Campbell, Ahmed Zibare; Health Services

Crager reported that in January 2023, Financial Services projected that the CHCs would have a \$12.2 million deficit, plus contingency, for a total deficit of \$13.4 million. One approach that was used was a large application vacancy factor in the CHCs and Behavioral Health (BH), which offset the deficit by around \$6.5 million. Crager described strategies that were projected to increase revenue by \$6.1 million over the forecast, including: budget reductions, revenue recalibration, policy option packages, dedicated revenues, increasing provider panel size, and position elimination. These measures balanced the budget, but were very aggressive, raising some concerns. Crager praised staff for reducing costs by reframing professional service contracts and restricting travel, training, and other expenses. Other measures: the Alsea Clinic was temporarily closed. Staff are streamlining processes and removing duplications. All vacant positions are reviewed and, where appropriate, recalibrated or left vacant. The Drug Court Program was suspended and staff were reassigned.

The biennium started with a \$69.5 million budget; now, based on actuals, staff estimate \$60.9 million. Note that 35% for Linn County was deducted because Benton expected additional revenues from Linn (any additional fund balance can be transferred to Benton, but since there were no revenues, there was no transfer). Crager noted that the County did not cut Linn's funding by 35%.

The anticipated beginning CHC balance for this biennium was \$2.4 million, with projected earned revenues of \$67.1 million. Staff also built in contingency to have an ending balance. However, the actual beginning balance was \$1.9 million, and earned revenues through September 30, 2023 were \$51.5 million. Actual numbers fall short of the projection by 23.2%. Expenses are down 12%, but revenues are down further, for a remaining gap of 12.3%. Staff need to present a new, more realistic budget in January 2024. Staff are trying to renegotiate medical reimbursement rates (last done in 2002), but that will take at least a year. Leadership needs to discuss the future of the Alsea Health Clinic. Staff also must examine administrative costs. Staff will return at the January 2024 Goal-Setting Meeting with a more comprehensive recommendation of what services to change or cut, and how much to subsidize.

Augerot noted that about \$1 million of the beginning balance is restricted funds from House Bill (HB) 4004, designated for workforce incentive payments for BH, and the County has timelines to spend that, so that amount will not remain on the overall balance sheet.

Crager confirmed. Of that \$1.9 million, \$1.3 million is specific to BH services and \$300,000 is specific to the Linn County Health Clinic. The remaining \$600,000 is from HB 4004. The County must re-evaluate revenue projections to be more realistic, and determine whether that will require more expenditure reductions.

Chair Malone recessed the meeting at 12:06 p.m. and reconvened at 12:13 p.m.

8.4 Coordinated Homeless Response: Proposed Amendments to Home, Opportunity, Planning, and Equity (HOPE) Bylaws, Memorandum of Understanding (MOU), and Inter-Governmental Agreement (IGA) – April Holland, Rebecca Taylor; Health Services

Holland explained that at the last update, the Board identified a need to update the foundational documents of the four County Homelessness Response initiatives. Staff are presenting amendments to the HOPE Advisory Board (AB) bylaws. Additional time with partners is needed to update the MOU and IGA; staff will return with proposed edits to those pieces next week.

Taylor explained that these amendments arose from a review of the strategic plan, to ensure that the County moves in a strategic way with the House Bill (HB) 4123 implementation of a Coordinated Homeless Response system. Staff have clarified the roles of the HOPE AB and HOPE Executive Committee in relation to HB 4123 requirements and the operational and policy functions of the Coordinated Homelessness Response Office (CHRO). Staff clarified terminology, requirements, and CHRO operations, and defined the role of the HOPE AB, providing transparency for partners and the community. Taylor described the specific amendments that were addressed (see packet pages 158-161).

Taylor explained that Corvallis has an IGA with Benton County that supports CHRO. Taylor and Holland provided this information to Corvallis City Manager Mark Shepard, who will update the Corvallis City Council on November 6, 2023. County staff will attend the HOPE AB meeting, then return to the Board of Commissioners on November 13 or November 28, 2023. The current

HOPE Executive Committee supports these changes. Staff also informed the City of Philomath of the changes.

Augerot noted that the title of section E, 'Advisory Board Responsibilities Authority,' should read 'Advisory Board Responsibilities and Authority.' Augerot also noted that the terms of office for HOPE AB members are two years, but three-year terms often provide better staggering.

Holland offered to include term length in conversations with the other partners.

After discussion, it was determined that the item would return November 13, 2023 for approval of the MOU and IGA.

9. Information Sharing

9.1 Pat Malone, Board Chair

Malone noted the Great Oregon ShakeOut Drill will occur on October 19, 2023. Malone attended the Democratic Summit to prepare for the legislative short session in February 2024. Benton County has already begun conversations about seeking Behavioral Health (BH) funding in the short session. Preparation for the 2025 session is also underway. Malone attended some transportation meetings; a significant transportation funding package was passed in 2017, but was insufficient to fund all proposed projects, so another package will be developed. At the Summit, Malone sought Senator Sarah Gelser-Blouin's opinion on how Dial-a-Bus is performing.

9.2 Xanthippe Augerot, Commissioner

Augerot will moderate a panel on the House Bill 4123 process at the Association of Oregon Counties (AOC) 2023 Conference. Augerot is participating in AOC's ongoing Health and Human Services (HHS) workshops, and will participate in a joint Public Safety and Health and Human Services (HHS) meeting about Measure 110. AOC intends to use that joint meeting to reach a mutual understanding of how the current measure and proposed changes would affect different counties, and to encourage counties to take their own legislative approach to the changes, because the issue may be very divisive. Other meetings will discuss intersections of BH and the Justice System, but focus more on specific legislative changes needed to fully fund the BH system, fund Crisis Respite Centers around the state, create residential treatment facilities, consider civil commitment law changes, and address other challenges with the State Hospital and the Aid and Assist program. Several counties will present about best practices and policy solutions in those areas to help queue up legislation for the 2025 long session.

The Willamette Criminal Justice Council appointed Augerot to its Justice Reinvestment Grant Review Committee, which examined proposals from counties on using State reinvestment dollars in Law Enforcement, Crisis Centers, and BH programs to reduce recidivism and reintegrate individuals into the community. Augerot will attend the Youth BH Summit in November 2023. Last week, the Corvallis Police Department, Benton County, and InterCommunity Health Network started Situation Table training, a triage approach to problem-solving for people at high risk of becoming involved with the Justice System, Emergency Room, or Crisis BH.

Augerot spoke at the Linn-Benton Housing Authority (LBHA) Board retreat about Benton housing efforts. This helped build more linkages between Executive Order 5019 funding and the Housing Authority, where Benton is exploring a different approach to rapid re-housing to reach the target of 31 people or households rehoused by January 2025. Augerot felt the partnership

with LBHA would be fruitful. McEneny, Crager, and Augerot took a Dial-a-Bus (DAB) ride-along. Discussion focused on DAB's work as a 501(c)3 non-profit organization to help individuals with disabilities stay involved in community life. DAB goes above and beyond to provide transportation connectivity for people in Benton, which is not covered by Benton's contracts, so there is discussion of how the two bodies can continue to provide that level of service without a transit contract. Augerot hoped to engage the County's Developmental Diversity Office, more of Health Services, and the Oregon Cascades West Council of Governments Aging and Disability Services on that topic.

9.3 Nancy Wyse, Commissioner

Wyse will sit on a land use panel at the AOC Conference.

10. Other

No other business was discussed.

11. Adjournment

Chair Malone adjourned the meeting at 12:56 p.m.



Pat Malone, Chair



Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*