



Board of Commissioners

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**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 16, 2025, 9:00 AM**

Present: Pat Malone, Chair; Gabe Shepherd, Vice Chair; Nancy Wyse, Commissioner; Vance Croney, County Counsel; Rachel McEneny, County Administrator; Rick Crager, Assistant County Administrator

Elected Officials: Ryan Joslin, District Attorney; Jef Van Arsdall, Sheriff

Staff: Rachel Bulder, Maura Kwiatkowski, Board Staff; Jason Jannesen, Community Development; Sean McGuire, Sustainability; Erika Milo, Board Recorder; Jo Missler, Tammy Webb, Human Resources; Damien Sands, Health Department; Gary Stockhoff, Public Works/Community Development

Guests: The Honorable Joan Demarest, Benton County District Court; Heidi Hagler, Corvallis Rural Fire Protection District Board

1. Call to Order and Introductions

Chair Wyse called the meeting to order at 9:00 AM and introductions were made.

2. Review and Approve Agenda

The following items were added under **9. Other:**

9.1 Letter of Support for Corvallis Rural Fire Protection District – Gabe Shepherd, Commissioner

9.2 Withdrawal of Benton County Board of Commissioners Decision on Land Use Appeal LU-24-027 – Nancy Wyse, Commissioner

3. Announcements

No announcements were made.

4. Comments from the Public

Heidi Hagler, Board member of the Corvallis Rural Fire Protection District, requested a letter of support from the Board of Commissioners to include in the District's application to the Oregon Seismic Rehabilitation Grant Program. The \$650,000 grant would provide seismic rehabilitation for Locke Fire Station.

5. Consent Calendar

- 5.1 Appointments to the Home, Opportunity, Planning, and Engagement (HOPE) Advisory Committee, Order No. D2025-075**
- 5.2 Approval of the November 12, 2024 Board of Commissioners Goal-setting Meeting Minutes**
- 5.3 Approval of the October 21, 2025 Board of Commissioners Meeting Minutes**
- 5.4 Approval of the November 10, 2025 Board of Commissioners Goal-setting Meeting Minutes**
- 5.5 Reappointment of Fred Edwards to the Linn Benton Housing Authority, Order No. D2025-077**
- 5.6 Reappointment of Cornelia Levy-Bencheton to the Courthouse Preservation Committee, Order No. D2025-078**
- 5.7 Reappointments to the Disposal Site Advisory Committee, Order No. D2025-079**
- 5.8 Reappointment of Charlene Carroll and Ankit Koirala to the Environment and Natural Resources Advisory Committee, Order No. D2025-080**
- 5.9 Reappointment of Greg Hamann and John Wilson to the Planning Commission, Order No. D2025-081**
- 5.10 Reappointment of David Coulombe to the Property Value Appeals Board, Order No. D2025-08**

MOTION: Malone moved to approve the Consent Calendar. Shepherd seconded the motion, which **carried 3-0.**

6. Old Business

6.1 Second Reading and Adoption, Ordinance No. 2025-0327, Setting Fees for Permits, Inspections, and Services Provided by the Community Development Department Building Division - Jason Johannesen, Building Official, Community Development; Gary Stockhoff, Interim Community Development Director

MOTION: Shepherd moved to conduct the second reading and adopt Ordinance #2025-0327, setting fees for permits, inspections, and services provided by the Community Development Department Building Division. Malone seconded the motion, which **carried 3-0**.

Counsel read the Ordinance aloud (short title: Building Division Fees). The Ordinance becomes effective on January 15, 2026, and the fees become effective on February 1, 2026.

7. New Business

7.1 Approval of the 2026-27 Behavioral Health Division Plan and Budget for Submission to the Oregon Health Authority - Damien Sands, Behavioral Health Division Director, Health Department

Sands explained that the Board, as the local Mental Health Authority (MHA), is responsible for ensuring availability of a full continuum of publicly funded Behavioral Health services. An MHA must ensure system adequacy, strategic direction, public transparency, and compliance with law and contracts. The local plan being presented helps demonstrate that accountability.

Historically, the State has utilized a contracting process called the County Financial Assistance Agreement (CFAA). Those State contracts included very prescriptive service elements. This local plan is a first attempt to provide the flexibility to blend funds and services for a more effective system of care. The plan is not a funding request, promise to expand services, or a policy manual. It is a strategic plan for the Behavioral Health Division, a tool for public accountability, and a shared reference point for Oregon Health Authority (OHA), the Coordinated Care Organizations (including InterCommunity Health Network (IHN)), hospitals, courts, and community partners.

Part One of the plan describes Benton County's current Behavioral Health system, including County services, IHN, Good Samaritan Regional Medical Center, law enforcement and the courts, schools, tribes, housing providers, and some State partners. To reduce fragmentation, the plan emphasizes coordination.

Part Two of the plan describes local Behavioral Health's core service areas. Crisis services requirements are issued by OHA and mandated through the local MHA.

Recently, there has been much discussion of 24 hours per day/seven days per week mobile crisis response. The State preferred a different service array. Now Benton has two responders for after-hours care, and a downtime crisis team available during the day. Also, 988 is the national hotline for suicide prevention, which has taken over the local crisis line. Starting in March 2026, the 988 number will be the County's sole avenue of communication from the community.

Benton's other services include outpatient community-based care, forensic and involuntary services, and residential and housing supports. It can be challenging to find a place where a person with behavioral health needs can remain for an extended period. The Behavioral Health Division works with Public Health and is developing its own infrastructure for housing. Children and Family Services works with young adults aged 14-25 and all adults. The plan discusses the interface between the services and the demographics.

Part Three is the Community Needs Assessment, which includes the Community Health Assessment and the Community Health Improvement Plan. Staff aim to create continuity by incorporating those existing plans within the local plan. Staff have received input from additional stakeholders about key areas of need, and have done extensive community partner engagement. One area of opportunity is client access to various levels of care. The state currently has a 60% shortage at higher levels of care, so the County has to manage individuals who would do better in a higher level of care. That stresses the system, providers, and the individual. It is critical to address co-occurring needs for mental health care and substance use.

Sands described behavioral health challenges such as housing instability and suicide. Suicide risk has risen exponentially over the last decade. Despite good prevention and intervention work by Public Health, clinicians, and the crisis team, the Health Department still struggles to address why suicide rates are higher, especially in certain age ranges. Response needs to be immediate.

Justice-involved individuals cycle through multiple systems. The County is effectively treating those with behavioral needs in a judicial setting. The challenge falls on law enforcement to address those individuals. The Benton County Jail is not the right environment for individuals who are there due to a behavioral health condition. Frontline community non-profit organizations are dealing with individuals who should be at higher levels of care, but instead are on the streets, needing more complex support than the organizations can provide.

Malone asked whether the State was working to increase capacity for Adults-in-Custody who need high levels of care.

Sands noted a Federal lawsuit against the State requiring compliance with guidelines on the management of a State Hospital. The resulting Mossman Order established time

parameters on individuals moving through that system. However, individuals do not always fall within a time-limited process, making it difficult to meet some people's needs. Also, there was a movement in the 2000s to have restorative community supports in which individuals could be kept at the lowest levels of care. Oregon's population grew substantially during the last few decades, but capital expenditure on mental health did not match growth. However, the State legislature approved a policy option package of funds devoted to capital expenditures to build. It will probably take another one-to-two years to expand service at higher levels of care, secure residential treatment, and set up a smaller hospital in Junction City. It would be at least 5-10 years before capacity increases.

Part Four of the plan discusses unmet needs and critical gaps. There is limited outpatient capacity for high-acuity adults. The County needs more robust crisis response infrastructure, including funding to expand Crisis Center hours. There are gaps for youth who need more inpatient but less residential care. There are limited resources for substance use and behavioral health. There are limits on court-based programs that divert people from the system, such as Mental Health Court and Drug Treatment Court.

There are also challenges with the County's data and metrics infrastructure, which currently provides only basic metrics. Staff are discussing re-organization to provide capacity for more robust metrics. The State has reduced service elements, but wants a large amount of local data, which is challenging. Local metrics will include crisis response timelines, follow-up after crisis, forensics, aid-and-assist compliance, and speed of access to outpatient care. Prevention outcomes and housing stability also need to be tracked.

Part Six contains the budget. Most of the funding derives from OHA's CFAA, and from IHN (based on the Medicaid population, which can vary). OHA will have major funding decreases. The remaining funds are private insurance and self-pay. In coming years, the County's ability to be financially responsive, nimble, and maximize available funds will be critical to offset changes in the system.

Part Seven covers technical assistance. The State has new reporting expectations. OHA will provide some support. Financial outcome alignment is also needed, ensuring that the County's funds match the State funds the County received.

Shepherd commented that the Association of Oregon Counties and the State are still negotiating the CFAA. The latest update stated that any agreement would backdate payments to the now-expired contract. Shepherd asked whether the County could financially sustain services until the contract was resolved.

Sands replied that the State extended the contract by six months, to be paid January 1,

2026. Assuming this budget is accepted, the County is financially able to sign the contract.

Shepherd noted the County has struggled to recruit enough staff for the Crisis Center due to the lack of people seeking these types of jobs. Shepherd asked when Crisis Center operating hours might be extended.

Sands replied that initial schedule projections depended on components such as the County's ability to financially endure without using the General Fund or levies. When the County first proposed these services, OHA stated that such programs would be completely funded by a legislative policy option package. That funding was not approved or revived. Later, the County and IHN discussed a model in which IHN would pay part of that cost. Staff still recommend that approach. However, IHN will only pay for its membership (consisting of Medicaid members). The County's IHN membership constitutes 60% of its general service population, leaving 40% still to be served. There is funding for crisis services to operate during the week, but not for swing shift and overnight. The State has developed a policy option package for the short legislative session, but the financial climate will be very challenging. Also, the County has just gone through a rulemaking process for crisis and stabilization centers, based on OHA's language. The rules currently state that a medical model must be incorporated, requiring a 24/7 model with either a nurse practitioner or a medical doctor on site to perform physical assessments. That financial model is prohibitive for the general services the County wants to provide. OHA acknowledges making an error, and a legislative amendment is needed to proceed, so Lane County will seek a language change in the short legislative session.

If neither of those issues change, Behavioral Health will be in a precarious place. Staff can also pivot to offer alternative services. One of those pathways is the respite model. The County has a critical need for detoxification services; currently, any individual needing those services has to be moved out of the area. If a detoxification program could be housed on the Crisis Center second floor, that would hugely benefit the community and provide a revenue line for the County.

Holland added that in early 2026, Health will expand Crisis Center hours and start the stabilization program on the first floor. The County cannot move to 24/7 staffing without the other 40% of the funding.

Sands emphasized making it clear to OHA that without these additional funds, no Oregon crisis centers will be able to operate overnight. The State needs to recognize General Funds as the means to ensure this, as was initially promised.

Malone recommended adding this item to Crager's list of projects seeking State or Federal funding.

Wyse suggested that the plan be posted on the County website once it is approved. Many community members are concerned about behavioral health, especially the County's gap areas. Making the plan available would help the public see that the County has a plan to address service gaps. Wyse recommended reading Parts One and Two of the plan to clarify Public Health Department structure and operations.

MOTION: Malone moved to approve the Benton County Behavioral Health Division Local Plan and Budget for submission to the local Health Authority. Shepherd seconded the motion, which **carried 3-0**.

Chair Wyse recessed the meeting at 9:56 AM and reconvened at 10:03 AM.

7.2 Updates and Revisions to Personnel Policy Nos. P300, P400, and P600 - Tammy Webb, Interim Human Resources Director; Jo Missler, Senior Human Resources Analyst, Human Resources

Missler explained that several old policies had been consolidated and reorganized for ease of use. Missler highlighted some proposed changes to Policy 300 [see packet pages 109-117 for details]. These include adding a purpose and rationale statement, pay equity references, and reference to de minimis food and non-alcoholic beverages provided by the County. Under Section 3: Employee Evaluations Required, staff incorporated both policies and updated the pay plan to be consistent with current policy and pay process.

Section 6*: Newly Hired Employees incorporates the pay analysis and criteria and is updated for the current pay plan. Another new section adds at-will employee benefits for increase at the end of six months of trial service.

[*Recorder's note: Missler stated 'Section 5'; however, the correct number is '6'.]

Section 9: Exceptional Performance Recognition expands criteria and allows for step increases for one-time spot awards. This lets managers recognize employees for an exceptional project or area without creating a step increase (which would be reserved for exceptional performance overall).

Webb noted this would apply to non-represented staff only. This change has been reviewed by the Policy Oversight Committee and posted for employee comment.

Shepherd asked whether there was a mechanism for exceptional pay increase for union-represented employees.

Missler replied that the Oregon Nurses Association (ONA) contract has a mechanism for an exceptional performance award.

Webb added that the American Federation of State, County, and Municipal Employees (AFSCME) and the Benton County Deputy Sheriff's Association (BCDSA) do not have this element. In previous bargaining sessions, AFSCME was not interested in that option.

Missler shared that the step increases now align with this process, including new steps 10-12 exclusively for exceptional increase. This is not part of the AFSCME salary range.

Webb stated that currently, the only form of exceptional increase is a step increase. The only way to access the new steps is through an exceptional increase. This change clarifies existing policy around the step increase and provides managers another way to give a one-time spot award for exceptional performance in a particular area. Current policy allows for an exceptional increase, but how that is handled is not clear, so the decision defaults to the Human Resources director.

Shepherd expressed discomfort that this new program seemed to provide an opportunity to non-represented employees that was not available to represented employees.

Responding to questions from Wyse, Missler replied that a union member on the Policy Oversight Committee helped review the changes, which were also posted for general employee comments on the Bee (County intranet site). There is already a mechanism for exceptional increases; the new part is defining the process for managers and providing the ability to award a spot increase instead of a step increase, which is very similar to the option in ONA's contract. This topic arose during AFSCME contract bargaining, but AFSCME focused on higher priorities.

Shepherd felt that an employee going up a salary step was very different from a one-time bonus that could be awarded once a year. When staff mentioned this option to AFSCME during bargaining, did staff also mention that the County might allow these spot awards to non-represented employees? Shepherd believed that AFSCME members might want to participate in this program.

Webb replied that the County brought this topic up at the bargaining table during several contract cycles. AFSCME was well aware of the option and had not expressed interest. The spot award was intended for a one-time project an employee worked on that had an impact or moved the County forward. Also, it would allow a manager to reward staff without greatly impacting the budget.

Policy 400 Section 1: Position Management [packet pages 118-123] was consolidated from several previous policies. Section 2: The Decision Band Method describes the County's current classification structure, which replaces old language about the point factor system. The policy was also updated for the new method for departments to

request positions.

Missler explained that in Policy 600: Health and Welfare Benefits [packet pages 124-132], staff consolidated elements from several policies. Section 2 added more discussion of employee benefits and how employees are affected. Section 3: No-Cost and Low-Cost Additional Coverages would bring parity by allowing non-represented employees to receive \$50,000 of life insurance coverage, the same amount received by BCDSA and AFSCME members. Currently, non-represented employees receive \$10,000 of coverage. This change would not increase the County's insurance rates.

Missler noted that in the old version of P300 Section Six: Deferred Compensation, staff added a contribution percentage and eligibility information. Section Seven discusses the retirement program. Also, staff added an enrollment process for new employees or employees experiencing mid-year qualifying changes.

MOTION: Malone moved to approve the updates and revisions to the personnel policies numbered P300, P400, and P600. Shepherd seconded the motion, then asked that Policy P300 be put into a separate motion. Malone and Wyse concurred. Wyse amended the motion as follows: to approve policies P400 and P600. The motion **carried 3-0**.

MOTION: Wyse posed the question for consideration of policy #P300, which **carried 2-1 (Shepherd opposed)**.

7.3 In the Matter of Setting Fees for Planning Services Provided by the Community Development Department Planning Division, Order No. D2025-076 - Gary Stockhoff, Interim Director; Shannon Bozigar, Program Coordinator; Toby Lewis, Senior Planner/Floodplain Administrator; Community Development Department

[This item was heard after Item 8.1]

Stockhoff explained that instead of raising all fees a certain percentage, staff examined current fees and total cost recovery, re-established an hourly rate, and determined a maximum fee based on the number of staff hours to complete each type of application. Staff also evaluated whether the County should subsidize some fees. Staff found that Community Development was recovering about 61% of its costs. With the new fees, the department will recover 67%. Staff created four categories (A-D) for applications which the County will subsidize to align with policy goals and public interests. For instance, the floodplain permit fee was kept lower to encourage application. The same format will be used to analyze fees for other departments in 2027.

Shepherd requested more details on the 'public safety, public interest, or compliance' rationale for County subsidization.

Bozigar provided an example from Category A, medical hardship: if the property owner has a family member who is ill, the owner could build an additional dwelling to care for that person, when zoning otherwise might not allow it. Category B incentivizes community compliance with County regulations, such as floodplain permits.

MOTION: Malone moved to adopt Order #D2025-076, Setting Fees for Planning Services provided by the Community Development Department Planning Division. Shepherd seconded the motion, which **carried 3-0**.

8. Work Session

8.1 Adult Treatment Court Program Update - The Honorable Joan Demarest, Judge of the Benton County District Court; Rick Crager, Assistant County Administrator

[This item was heard before Item 7.3]

Judge Demarest reported tremendous progress since the last update. Benton County had a Drug Treatment Court (DTC) from approximately 2000 to 2023. Involved parties have sought several grants to revive the program, but funds did not become available. Demarest explored starting without program funds. The preferred term now is Adult Treatment Court (ATC); the change acknowledges that there are many more factors in addiction than just drugs. The County provided a building for the program. Emergence Addiction and Behavioral Services will provide treatment without additional external funding, recovering funds from insurance and the Oregon Health Plan. Another key is having urinalysis (UA) tests to ensure compliance. Thanks to the treatment provider's partnership with a UA tester, UAs will be included in treatment costs.

The Benton County Probation Department can supervise fewer misdemeanors now, such as domestic violence and a limited number of controlled substance misdemeanors. One limiting factor is that a case must be eligible for supervised probation in order to participate in ATC. Housing is also crucial. The Sheriff's Office and the County have secured some housing.

In the past, if someone had a significant substance use problem, with subsequent UAs, the individual was terminated from the program. Now there is a better understanding of how addiction works, including the knowledge that relapse is a part of recovery, so ATC will not terminate people when they use. However, housing resources in the community all require sobriety; if the individual relapses, they become homeless, and the same problems arise again. ATC clients needed housing where a relapse would not automatically evict them. The County and the Sheriff's Office were able to commit some beds to ATC clients. For example, an individual could have a place to stay when they

leave residential treatment, to become stabilized in their sobriety before going to a facility with strict sobriety rules.

At the end of 2022, the DTC had fallen behind with best practices. Restarting the program will allow those involved to keep up with new developments. The program begins on January 14, 2026; staff hope to start with five to ten participants. The old DTC had a very narrow range of qualifying cases, but the current District Attorney's Office (DAO) is willing to consider a broader range of cases for ATC. Formerly, a participant had to pay restitution to the victim in full before they could complete treatment court. Now, the DAO will continue to process individuals on a case-by-case basis, so if an individual is not able to pay the full restitution before the end of ATC, there may be other options. Before, people were hesitant to participate when the amount of restitution was substantial. Now, the Court will work with those individuals.

The goal is a restorative justice process that helps victims feel more whole and helps offenders understand the impact of their conduct. Completion will include community service. The program will also require financial literacy education through free online tools.

The DAO and the Defense Consortium have identified several ATC candidates. The hope is to start with five men and five women; women typically are not included in such programs because they average fewer criminal charges than men. A great deal of treatment is gender specific. A transgender adult-in-custody may join whichever group feels comfortable.

Joslin reviewed one of the first candidates yesterday.

Counsel asked where participant beds were located.

Crager replied that the Community Corrections Plan was adjusted to allow the use of beds dedicated for parole and probation. Parole and Probation Captain Joel Pickerd, who also works on the Policy Oversight Committee, will work on this. Also, staff are working with the Behavioral Health Division on opportunities to utilize housing subsidy funds for beds.

Counsel noted that relapse no longer resulting in automatic removal from ATC was a significant change, and asked whether there was a maximum number of relapses allowed.

Demarest replied that depends on the case. If someone relapses occasionally, but still demonstrates progress, they will not be terminated. However, if the individual fails to appear at ATC and a warrant is issued, and the individual does not return to courtroom activities within a certain period of time, that person will be released. An individual can also reapply for ATC.

Demarest acknowledged the Oregon Judicial Treatment Court specialists and the Judicial Department funding. The treatment coordinator began work at the beginning of summer 2025. ATC materials, such as the policy manual and legal documents, have been revised. Crager has also suggested using opioid settlement funding for supervised probation, to be discussed in future. At present, ATC can only operate UAs on weekdays; with more funding, this could be done seven days a week. It would also be good to provide childcare when individuals go to treatment or court.

9. Other

9.1 Letter of Support for the Corvallis Rural Fire Protection District (CRFPD) – Gabe Shepherd, Commissioner

MOTION: Shepherd moved that the Board of Commissioners approve this letter of support for the CRFPD's seismic rehabilitation grant. Malone seconded the motion, which **carried 3-0**.

{Exhibit 1: Draft CRFPD Letter of Support}

9.2 Withdrawal of Benton County Board of Commissioners Decision on Land Use Appeal LU-24-027 – Nancy Wyse, Commissioner

Wyse explained that the Board's November 17, 2025 decision approving the Conditional Use Permit application by Republic Services (LU-24-027) had been appealed to the Land Use Board of Appeals (LUBA) by a group of petitioners. Oregon Revised Statutes (ORS) 197.830(13)(b) allows the Board of Commissioners to withdraw for consideration any decision that is appealed to LUBA. Wyse would like to reconsider the decision at a later date. Once County Counsel has notified LUBA of the withdrawal, the County will have jurisdiction over the decision again.

MOTION: Wyse moved to withdraw the Board of Commissioners' decision in LU-24-027 for consideration by the Board at a later date, and to authorize County Counsel to file a notice of withdrawal of the decision for reconsideration with the Land Use Board of Appeals, and direct staff to place an item on the agenda for the regular meeting on January 6, 2026 regarding a reconsideration of the decision. Malone seconded the motion, which **carried 3-0**.

10. Adjournment

Chair Wyse adjourned the meeting at 11:07 AM.



Pat Malone, 2026 Chair



Erika Milo

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