



Board of Commissioners

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ADDENDUM 1 TO THE AGENDA

BOARD OF COMMISSIONERS MEETING

Tuesday, March 19, 2024, 9 AM

Additional Materials

7.1 Approval of Revised Disposal Site Advisory Committee (DSAC) Bylaws

March 14, 2024, 11:59 AM, Email Correspondence and Disposal Site Advisory Committee (DSAC) Bylaws Edits and Comments from DSAC Chair Ken Eklund

Old Business

7.2 20 minutes – Update Regarding Adult Drug Treatment Court – Presiding District Court Judge Matthew Donohue; Rick Crager, Assistant County Administrator

This item will be heard at 12:00 PM.

New Business

8.1 15 minutes – Permanent Position Reclassification Process – Debbie Sessions, Marilee Hoppner, Financial Services; Tammy Webb, Human Resources; Laurel Byer, Public Works

8.2 30 minutes – Semiannual Finance Report for the Period Ending December 31, 2023 – Rick Crager; Assistant County Administrator; Debbie Sessions, Jenn Ambuehl; Financial Services

ADDITIONAL MATERIALS

From: Ken Eklund [REDACTED]
Sent: Thursday, March 14, 2024 11:59 AM
To: AUGEROT Xanthippe <Xanthippe.Augerot@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MAKEPEACE Amanda <amanda.makepeace@bentoncountyor.gov>; MCENENY Rachel <rachel.mceneny@bentoncountyor.gov>
Subject: Comment on edits to the DSAC Bylaws, to add as Addendum to the Tuesday packet

Hello Commissioners, Administrator, and Amanda,

Thank you for including me in Tuesday's meeting concerning proposed changes to the bylaws for the Disposal Site Advisory Committee.

I have developed my own proposed draft of DSAC bylaws changes, for your consideration – that is attached as a PDF. I'd like for this alternate draft to be included as an Addendum to the meeting packet, as it contains some important ideas for language that should be in the Bylaws. I thank you for your consideration and look forward to the opportunity of discussing them at Tuesday's meeting.

All best,

Ken Eklund

**BYLAWS
DISPOSAL SITE ADVISORY COMMITTEE**

ARTICLE 1

Name

The name of this organization shall be the Disposal Site Advisory Committee (the "Committee").

ARTICLE 2

Authority and Responsibility

Under the authorities and responsibilities in Oregon Revised Statutes (ORS), the Benton County Board of Commissioners (Board) hereby establishes and charges a Board-appointed Disposal Site Advisory Committee (Committee) to advise the Board and support the County in fulfilling their mandates under ORS 459.320-330. The Committee is a public body that reports to the Board through the Benton County Community Development Department (Department).

NOTES **Article 2** In surveying the bylaws of other organizations, I found that they often placed the organization's authority and responsibility in a separate Article, and I think that is a useful clarification for us as well.

ARTICLE 3

Function

~~The Committee shall assist the Benton County Board of Commissioners in the planning and implementation of disposal site management, including (but not limited to) the following~~ Pursuant to ORS 459.325-330, the Committee's functions (duties) shall include:

(1) Reviewing with the permittee (owner, operator, franchisee) of the regional disposal site issues including, but not limited to, siting, operation, closure, and long-term monitoring of the regional disposal site; and

(2) Providing a forum for community member comments, questions and concerns about the regional disposal site and promoting a dialogue between the community and the owner or operator of the regional disposal site; and

(3) Preparing an annual written report summarizing the local community member's concerns and the manner in which the owner or operator is addressing those concerns. The report shall be considered by the Department of Environmental Quality in issuing and renewing a solid waste permit under ORS 459.245 (Issuance of permits).

(4) Receiving and reviewing notification(s) by the permittee of proposal(s) to apply for changes to any state or local permit, pursuant to ORS 459.330.

The Board may direct the Department Director to bring additional duties before the Committee relating to its functions above.

NOTES **Article 3** The edits aim to provide simplicity and clarity for Committee members re their core functions as set out in ORS 459.325, and to include the responsibility derived from ORS 459.330.

ARTICLE 4

Membership

Section 1. Number and Selection: The Committee shall consist of eleven (11) members, appointed by the Board of Commissioners, as follows:

~~The ten (10) members of the Solid Waste Advisory Council;~~ Ten (10) members at large selected from among at least each of the following groups, to the extent feasible:

1. Residents residing near or adjacent to the regional disposal site;
2. Owners of real property adjacent to or near the regional disposal site;
3. Persons who reside in or own real property within Benton County;
4. Employees of the permittee; and
5. Local organizations and citizen interest groups whose majority of members either:

- Are electors of Benton County; or
- Own real property in Benton County.

NOTES Article 4a We keep the “eleven members, no minimum” language in the existing bylaws; this allows each iteration of the Board to determine for itself what the optimum (and minimum) membership goals should be and to execute on these goals. Prescribing a minimum would create a situation where what happens on (or to) the Committee creates obligations for the Board. Also, these bylaws should not establish a minimum, because Benton County government historically has had a hard time attracting and retaining membership for the Committee, and recent actions by Benton County government have made that problem even more acute, as will be illustrated later.

The language regarding the pool of potential members is what is in effect now (via the Solid Waste Advisory Council bylaws). The language complies with ORS 459.320.

One (1) designated employee of the permittee.

Any employee of the permittee appointed to the Committee shall assist the Committee in reviewing the regional disposal site and in responding to community comments, questions and concerns, and shall assist in promoting a constructive forum for dialogue between the community, the Committee and the owner or operator of the regional disposal site. The designated employee of the permittee shall promptly notify the Department and the Committee when the permittee proposes to apply for a change to any state or local permit, pursuant to ORS 459.330.

NOTES Article 4b This new language clarifies the expectations that Benton County government has for the designated employee (and any other members who are permittee employees). It is necessary to clarify the importance of these expectations, because currently the permittee seems to be unclear about them. The permittee’s designated employee last attended a DSAC meeting in July 2022. The permittee’s designated employee has never to my knowledge notified the Committee of a proposed change to any of its state or local permits.

The Board of Commissioners may appoint ex officio members entitled to participate in proceedings of the Committee but not to vote, including but not limited to: the Community Development Director or **their** designee; a collection and a disposal franchise holder; a person holding a permit; and a person lawfully

engaged in providing recycling or reuse service or the promotion or education for such service.

Section 2. Terms of Office: Terms for members of the **Committee shall be two (2) years**. Members may not serve more than two (2) successive terms; partial terms shall not be counted toward the successive term limit. The term of the designated employee of the permittee shall be 2 years. Terms begin on January 1 and end on December 31.

Section 3. Responsibilities: Committee members shall regularly attend meetings of the Committee and any meetings of the subcommittees to which they are appointed, and shall fulfill other duties as appointed by the Chair.

Section 4. Termination of Membership: The Board of Commissioners may remove Committee members as follows:

- (1) Failure to attend three or more consecutive regular committee meetings.
- (2) For cause following public hearing, for reasons including, but not limited to:
 - (a) Commission of a felony;
 - (b) Corruptness;
 - (c) Intentional violation of open meetings law;
 - (d) Failure to declare conflicts of interest;
 - (e) Incompetence.
- (3) Without cause pursuant to Benton County Code chapter 3.035.

Section 5. Vacancies: The Board of Commissioners shall make appointments to fill vacancies as they occur. Such appointments shall be for the duration of the unexpired term of that position.

NOTES **Article 4c** The remainder of Article 4 bylaws do not need to be changed more than what's shown above; no narrative about any shortcomings of them has been brought forward.

ARTICLE 5

Officers

The following officers shall be elected from the Committee membership during the first meeting of each calendar year:

Chair: The Chair shall have the responsibility of conducting all meetings and hearings in an orderly manner. The Chair may not initiate a motion, but may second, and shall vote on each issue after the question is called. However, in the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Vice Chair: The Vice Chair shall be responsible for conducting the meetings and hearings in the absence of the Chair.

ARTICLE 6

Subcommittees

Section 1. Creation of Subcommittees: The Committee shall have the power, with the concurrence of the Community Development Department, to create subcommittees with such responsibilities as the Committee directs.

Section 2. Naming of Subcommittees: The Chair, with the concurrence of the Community Development Department, shall appoint and charge each subcommittee with its responsibilities, shall appoint the members of the subcommittee, and shall appoint the chair of the subcommittee in the event the subcommittee consists of more than one person. The subcommittee chair shall be responsible for scheduling meetings, assigning specific tasks within the mandate of the subcommittee, and reporting to the Committee concerning the work of the subcommittee.

ARTICLE 7

Advisors

The Committee and the subcommittees may call on lay community members and professionals as advisors without voting rights to provide technical assistance, participate in deliberations, and attend meetings to the extent deemed appropriate by the Chair.

ARTICLE 8 Meetings

Section 1. Regular Meetings: Meetings shall be held quarterly, or more frequently when called by the Chair of the Committee or the Board of Commissioners. To aid scheduling and public participation, the time and date of regular meetings shall be in a predictable pattern, unless rescheduled.

NOTES **Article 8a** It's necessary to add this provision, in order to protect the public's ability to engage with and participate in DSAC meetings and to enable Committee members to govern their own schedule. In 2022 and 2023, the Department mandated irregular dates and times for "regular" meetings that had no pattern other than the convenience of Department staff, leading to friction.

Section 2. Special Meetings: Special meetings may be called by the Chair or by the Board of Commissioners by giving the members and the press written or verbal notice at least 24 hours before the meeting. The Department and the Committee shall jointly schedule meetings with the goals of supporting member attendance and facilitating timely action.

NOTES **Article 8b** It's necessary to add this provision, in order to protect the Committee's ability to respond to special circumstances. In 2023, the Department refused to jointly schedule or staff a duly called Special Meeting, in violation of Section 5 of these bylaws, leading to friction.

Section 3. Quorum: A quorum shall consist of a majority of the sitting members of the committee. All business conducted with a majority vote of the quorum shall stand as the official action of the Committee.

Section 4. Voting: Each Committee member shall have one vote. In the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Section 5. Staffing: Staff for recording the proceedings of the Committee shall be provided by the County.

NOTES **Article 8c** It's necessary for Section 5 to make clear that staffing Committee meetings is a support function of the County. Historically, the county has not upheld this function: in September 2022 it cancelled DSAC's regular meeting for lack of staff; in November 2023, it cancelled DSAC meetings for lack of staff; on other occasions it has cited lack of staff as reason that meetings sought by the Committee could not occur, could not be rescheduled, etc., leading to friction.

Section 6. Agenda: ~~The Chair, with the assistance of the Community Development Director or their designee, shall prepare the agenda of items requiring Committee action, and shall add items of business as may be requested by individual Committee members and/or the Board of Commissioners.~~ The Committee's agendas shall be developed jointly by the Chair and the Community Development Director or their designee, consistent with the functions of the Committee. The Chair and the Community Development Director or their designee shall add items of business as may be requested by individual Committee members, the Community Development Department and the Board of Commissioners.

Final agenda decisions shall be made by the Chair, in consultation with the Community Development Director or their designee, with the goal of supporting Committee member interests to the extent feasible for the Department.

NOTES **Article 8d** Historically, the Department has exercised control over the Committee's agenda, despite what the bylaws clearly state – and this has led to friction. Other frictions include inexperience on the part of the Chair/Committee and the Department's censure of inquiry into matters that Benton County government or Republic Services deem sensitive. Going forward, the bylaws should strike a balance between the Committee/Chair's need for productive guidance regarding its state responsibilities per ORS 459.325, and its need to have control over its own activity flow. Self-control is vital for the Committee, as its members are volunteers; if these bylaws permit the Department or the Board to effectively reduce their status to "unpaid staff," then successful attraction and retention of members will be impacted. The recommended text for Section 6, in blue above, seeks to find this balance that will keep the Department in an active guidance role yet within limits of respecting the Committee's need for self-determination of its activity flow.

Section 7. Notice: All members shall be given written notice of time, date, location, and purpose of the meetings at least three (3) days before a regular Committee meeting, and written or verbal notice one (1) day before a special meeting. In the event a member is provided with less than three (3) days written notice of a regular meeting, or less than one (1) day actual notice of a special meeting, and objects to the proceedings based on a lack of adequate notice, all business conducted at that meeting shall be reconsidered at the next regular meeting or at a special meeting called with adequate notice.

Section 8. Minutes: Minutes recording all motions and subsequent action including the number of yes or no votes on each issue shall be taken. In addition,

all conflicts of interest shall be noted. Minutes of all meetings shall be maintained by the Community Development Department.

ARTICLE 9

Public Records and Meeting Law

The Committee is a public body for the purposes of ORS Chapter 192, and is subject to the statutory procedures related to public records and meetings.

ARTICLE 10

Parliamentary Procedure

The current edition of Robert's Rules of Order shall govern the Committee where not inconsistent with these bylaws or any special rules of order the Committee shall adopt.

ARTICLE 11

Conflict of Interest

A conflict of interest shall be declared by any member who has a conflict of interest as defined by Oregon law prior to taking any action on the matter causing the conflict.

ARTICLE 12

Bylaw Amendments

These bylaws may be amended by the Board of Commissioners upon its own motion. Prior to an amendment, the Board of Commissioners may request a recommendation from the Committee which may recommend changes at any regular meeting of the Committee by a two-thirds vote of the sitting membership, provided that the recommended amendment has been submitted in writing to the Committee members no later than three days before the regular meeting.

ARTICLE 13

Code of Conduct and Ethics

Section 1. Conduct Guidelines: Committee members and County staff shall behave ethically and respectfully in all administrative actions and communications and during all Committee activities.

Section 2. Conflict Resolution: The Chair, aided by the Community Development Director or their designee, shall address conflicts among Committee members, county staff and the public and guide conflict resolution with fairness and impartiality.

Section 3. Training and Orientation: Newly appointed Committee members shall undergo an orientation program that includes training on the Committee's mission, functions, and conduct. The orientation program shall be developed jointly by the Department and the Committee.

NOTES Article 13 This Article needs to be added to the Bylaws, to make clear to staff and to Committee members what their mutual expectations are regarding conduct. In recent history leading up to now, Department leadership and staff have not held to these standards of conduct. There are too many examples to list, but they typically include staff using normally collaborative bureaucratic functions in a hostile and unilateral manner to impede or halt Committee activities – what are known as “microaggressions” (although many are not so micro). An example would be: imposing a new schedule upon the Committee, without consulting the Committee (or the Chair). And then a second would be: dismissing without comment the attempts to collaborate out of that conflict. A third would be: publishing on the Committee web page that the Committee is no longer accepting written concerns from the community. And so on. Given the conflicts inherent to the process of landfilling, the Board should recognize that these Bylaws need to account for a situation in which the Department is hostile to the duties the Committee is seeking to perform, and to limit the bureaucratic power of such a Department to delay or halt the state-mandated work of the Committee through such micro- or macro-aggressions.

ARTICLE 14

Facilitating Activities; Transparency

Benton County leadership and staff shall cooperate with the Committee to facilitate the activities of the Committee. They shall respect Committee goals and shall not unreasonably delay, circumvent, impede or withhold information, resources, access, or other elements of government operations requested on behalf of the Committee.

NOTES **Article 14** This Article needs to be added to the Bylaws, to make clear to staff and to Committee members what their mutual expectations are regarding facilitating performance. This Article works hand-in-hand with Article 13 above. In recent history leading up to now, Department leadership and staff have not held to these standards of facilitation. Again, there are too many examples to list, but they typically include the Department or the Board citing some external situation or internal mistake as a reason to slow or halt the Committee's performance of its activities. An example would be: citing an activity such as the Benton County Talks Trash convening as a reason that the Committee must not perform its state-mandated work. In cases like these, it's apparent that the external activity will not perform the Committee's work (BCTT explicitly did not hear community concerns about the landfill, for example), so preventing the Committee from performing its duties effectively while this external situation goes on prevents them from being done at all. A second example would be: publishing on the Committee web page that the Committee is no longer accepting written concerns from the community. A third would be: blocking the Committee's request for public records necessary to do its state-mandated work. and so on.

Department leadership and staff have also used their privileged position to generate conflict with the Committee through non-facilitation, as in the confrontation that occurred in the October 2023 meeting when the Department Director chose to impose a limited agenda upon the Committee not in advance, but as a surprise at the meeting's start. Given the conflicts inherent to the process of landfilling, the Board should recognize that these Bylaws need to account for situations in which the Department is hostile to the duties being performed by the Committee; the Bylaws must therefore limit the bureaucratic power of such a Department to delay or derail the state-mandated work of the Committee through non-facilitation.

ARTICLE 15

Adherence

Both Benton County leadership and staff and Committee members shall individually respect these bylaws and treat them as binding.

NOTES Article 15 This Article needs to be added to the Bylaws, to make clear to staff and to Committee members what their mutual expectations are regarding these bylaws. This Article works hand-in-hand with Articles 13 and 14 above. Historically, Department leadership and staff have not shown respect for the Committee's bylaws: in many of the examples already cited, the Department leadership and staff performed in ways that are contrary to the current bylaws, in some cases acting in ways that are directly contrary to the bylaws. An example would be the several occasions in which the Committee wished to meet in order to get work done, but these legitimate calls for meetings were not respected by Department leadership and staff and ignored (or, on one occasion, met with a threat of legal action).

It's instructive to view the current action to revise the Committee's bylaws as a direct consequence of the Department's disregard for current bylaws, because in every case where the Committee relied upon or attempted to rely upon an existing Bylaw, the staff-proposed changes to the existing bylaws would remove the Committee's ability to rely on the bylaws. The Committee would no longer be able to call for a meeting, for example, without the approval of the Department Director. The staff-proposed changes to the existing bylaws really just appear to be the Department trying to "bring the bylaws up to date" with powers the Department has already exercising to limit, delay, or halt the state-mandated work of the Committee.

My experience over the past two years has been that Benton County government has rules that it will not hesitate to invoke against volunteers, but does not itself feel bound to follow those same rules. "Rules for thee, but not for me!" This has led to friction.

ARTICLE 16

Support of Diversity and Inclusion

Section 1. Support of Differences: In keeping with the County's Core Values of Equity and Inclusion, Benton County leadership and staff and fellow Committee members shall respect and support Committee members whose backgrounds, ages, abilities, work experience, learning levels, social and professional folkways, views, and cultural norms differ from theirs. No Committee member or members should be made to conform to unreasonable standards or protocols.

Section 2. Public Presentation: In keeping with the County’s values of and support for equity, inclusion, transparency, and building social connections and resources that build a sense of place and fosters belonging, Benton County leadership and staff shall join with Committee members in creating and maintaining respectful and accessible forums, interfaces, announcements and communications, and other elements of public presence for the Committee.

NOTES Article 16 This Article needs to be added to the Bylaws, to make clear to staff and to Committee members what their mutual expectations are regarding diversity and inclusion. This Article works hand-in-hand with Articles 13, 14 and 15 above.

On the face of it, there should be no problem with Benton County government adding this Article to the bylaws. This Article cites the values toward diversity and inclusion which Benton County government has adopted and professes to follow. That has not been my experience on the Committee, however.

In order to be truly inclusive, the Department needs to accept that the volunteer members of the Committee will not necessarily arrive with experience of how government administration wants to work and what cultural expectations the government bureaucracy wants to follow. This often appears coded as “being professional” – a term which government employees can invoke, since it is integral to their culture, but which the public at large understands differently or not at all. To date, there has been zero tolerance for the “unprofessional.”

Again, too many examples to list, but a typical one goes as follows: a Department member performs a microaggression on a Committee member; the Committee member protests the microaggression in common language (“Hey! What’s going on?”), not the carefully coded passive language of government; the Department member then takes exception to the response, typically characterizing it as being “unprofessional” or “offensive” (whereas the inciting microaggression was not). This has led to friction and this non-inclusivity is a serious deterrent to volunteer attraction and retention for Benton County government.

ARTICLE 17

Continuous Improvement and Evaluation

Section 1. Periodic Self-Evaluation: The Committee shall conduct periodic self-evaluations to assess its effectiveness, identify areas for improvement, and may implement strategies to enhance its performance. The results of any evaluation or assessment shall be provided to the Community Development Director and to the Board of Commissioners if requested.

Section 2. Feedback Mechanism: Subject to the concurrence of the Board of Commissioners and the Community Development Director, the Committee may establish a mechanism for obtaining feedback from the community and constituents to inform its continuous improvement efforts.

ARTICLE 18
Whistleblower Protection

Section 1. Reporting and Protection: Committee members or staff may anonymous report any observed breaches of ethical standards or unlawful activities without facing retaliation.

Section 2. Inquiry Procedure: Upon receipt of a reported violation, Benton County government shall activate a just and unbiased procedure to examine the issue and implement necessary measures to address concerns.

NOTES **Article 18** This Article needs to be added to the Bylaws. Currently, there has been no way for Committee members to report infractions of the sort cited above without suffering consequences. This has led to friction and is a serious deterrent to volunteer attraction and retention for Benton County government.

Adopted this __ day of __, __.

Signed this __ day of __, __.

Xanthippe Augerot, Chair

Nancy Wyse, Vice Chair

Pat Malone, Commissioner

Approved as to form:

Vance M. Croney, Benton County Counsel

OLD BUSINESS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 03/19/24

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Finance

Contact Name * Rick Crager

Phone Extension * 5417666246

Meeting Attendee Name * Rick Crager, Judge Matthew Donuhue

Agenda Item Details

Item Title * Adult Drug Treatment Court Program Update

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 20 minutes

Board/Committee Involvement * Yes No

Advertisement*

- Yes
 No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

In August 2023, Judge Donuhue provided an update on the ADTC Program. At the time, the state had elected to suspend the Benton County program and opt to explore other ways in which it could be delivered with a new service provider and without any significant fiscal impact to the County.

Since that time, the ADTC Policy Group has been working on options to restart the program. There has been a service provider that has expressed interest in supporting the County and currently has experience in Lane County. In order to make this work, the County in partnership with the State, would need to apply and receive a federal grant to support the program.

With the help of CFM, the policy group has identified a Adult Treatment Court Grant Program through the Federal Department of Justice. The County could apply for a planning and implementation grant for up to \$900,000. The grant would require a 25% match, however, it has been verified that in-kind match can be provided through existing staff efforts at the county and state. The state will have a program manager to administer the program, and the County would need to donate as in-kind support from procurement, accounting, budgeting, and grant management. However, it is estimated this could be completed with existing staff.

The biggest obstacle will be space, however, with the acquisition of the new Children and Families Building, there will be an opportunity that could enable a successful contractor to access space at the Humphrey Hoyer Building. The biggest obstacle will be timing of space availability since the earliest it could be available would be Spring 2025. A secondary option is the current leased space that the County will vacate in July and will have the option to sub-lease until 6/30/25. This could be a temporary solution until the Spring of 2025 since the County will hold the lease until June 30, 2025.

Options *

The purpose of this update is to provide the Board of Commissioners with an update on where the group stands and address any questions or concerns on continuing to move forward. Additionally, we would like to get the blessing to begin working on a grant application with the assistance of CFM. Per policy, the BOC will have to give formal approval before the grant is submitted in May.

Fiscal Impact *

- Yes
 No

2040 Thriving Communities Initiative

Mandated Service?* Yes No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values*

Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- N/A

Explain Core Values Selections*

The ADTC provides supports to vulnerable populations in receiving services that enable them to address their drug dependencies and addictions as they navigate the legal and justice system.

Focus Areas and Vision*

Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- N/A

Explain Focus Areas and Vision Selection*

Ensures that individuals that have entered the justice and correctional systems have the opportunities to receive the services they need in recovering from drug dependencies and addictions, and work to successfully reenter the community.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations* Staff recommends that the BOC approve the ADTC Policy Group to continue moving forward in exploring a new model for the ADTC and take the steps in preparing to apply for a Bureau of Justice Assistance grant in May.

Meeting Motions* I move to ...
N/A

Staff Recommendation

Staff recommends that the BOC approve the ADTC Policy Group to continue moving forward in exploring a new model for the ADTC and take the steps in preparing to apply for a Bureau of Justice Assistance grant in May.

Meeting Motion

N/A

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Comments (optional)

If you have any questions, please call ext.6800

**Department
Approver**

DEBBIE SESSIONS

<p>1.</p> <p>Department Approval</p> <hr/> <p>Comments</p> <p>Signature</p> <p><i>Debbie Sessions</i></p>	<p>5.</p>
<p>2.</p> <p>Counsel Approval</p> <hr/> <p>Comments</p> <p>Signature</p> <p><i>Vance M. Chokey</i></p>	
<p>3.</p> <p>County Administrator Approval</p> <hr/> <p>Comments</p> <p>Signature</p> <p><i>Rachel L McEneny</i></p>	
<p>4.</p> <p>BOC Final Approval</p> <hr/> <p>Comments</p> <p>Signature</p> <p><i>Amanda Hakepeace</i></p>	

NEW BUSINESS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 03/19/24

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Board of Commissioners

Contact Name * Rick Crager

Phone Extension * 5417666246

Meeting Attendee Name * Debbie Sessions, Laurel Byer, Tammy Webb and Marilee Hoppner

Agenda Item Details

Item Title * Permanent Position Reclassification Process

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 15 minutes

Board/Committee Involvement * Yes No

Advertisement*

Yes

No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

Beginning in the 2023-25 biennium, the Financial Services Department changed the process of establishing new permanent positions and reclassifications of existing positions. The past practice required the Board of Commissioners (BOC) to approve any new permanent position established in the County. This was required because of the additional fiscal impact created to the County that was not approved in the Adopted Budget. However, while reclassifications of existing positions also resulted in fiscal impacts, they were not approved by the BOC, but rather by administrative action. This has now been rectified through the establishment of a new process attached to this agenda checklist.

To date, the Chief Financial Officer (CFO) and Human Resources Director have worked to mitigate fiscal impacts created through reclassifications by taking limited duration or temporary actions (work out of class) that fit into the current budget and shift the decision of permanency to the biennial budget development process. Or, creating what is called a permanent finance option that enables departments to establish permanent reclassifications or new positions so long as they reduce cost in other existing positions to ensure cost neutrality. However, there will be situations where the County receives new sustainable resources in the middle of a budget period that would enable long-term permanency of a reclassification or new position. In such cases, the BOC would need to approve, as it is creating a new, unanticipated fiscal impact to the county that will impact future budgets,

This request represents the first position under the new process in which staff are recommending permanent reclassification of an existing position.

The Public Works Department GIS Engineering Tech position (Technical Specialist I) has grown beyond how it was originally mobilized, and the public's needs have changed. There is an advanced level of skills applied to the position and there is substantial variety and complexity where those skills are utilized. New procedures, processes, and tools are developed in order to support the Engineering & Survey group's GIS needs. For example, a new app was developed in order to collect data in the field on tablets instead of paper inspection reports. Also, others in the group, especially the interns, rely on this position as a resource for assistance with using ArcGIS. The work diversity is considered heterogeneous in that there are responsibilities that require varying and diverse knowledge. Also, that knowledge is used to complete complex projects and assignments that affect the public and the staff of the County. This position also plans and conducts assignments with minimal oversight or review. In the near future, this position will act as a back-up to the GIS Coordinator as there are critical routines that need to be "two deep."

The Financial Service Department has conducted an analysis of the Road Fund (source of funding for position) to determine if it has the long-term financial resources to sustain the fiscal impact of the reclassification permanently. The fiscal impact is estimated to be, when at the maximum of the scale, approximately \$17,000 per year. Based on our review, there is adequate resources to support this additional cost now and moving forward in future biennia.

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Options*

Option 1: Approve the request to permanently reclassify the existing staff from a Technical Specialist 1 to a Technical Specialist 3.

Option 2: Approve an alternative solution of placing the current staff in a work out of class as a Technical Specialist 3 until the budget development process begins and consideration will be given to approve a permanent reclassification.

* Not approve the request, reducing the ability for management to address current workload need in an efficient manner. It will likely result in reassignment of duties to other staff that may interfere with the ability to meet their current responsibilities.

Fiscal Impact*

- Yes
- No

Fiscal Impact Description*

The fiscal impact of this action is estimated at approximately \$17,000 per year once it has reached maximum capacity. However, this increase in cost can be addressed with current and available resources and will be managed within the estimated expenditure limitation of the 2023-25 Adopted Budget.

2040 Thriving Communities Initiative

Mandated Service? * Yes
 No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values *

Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- N/A

Explain Core Values Selections * N/A

Focus Areas and Vision *

Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- N/A

Explain Focus Areas and Vision Selection * N/A

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations * Staff recommend the Board of Commissioners approve the request to permanently reclassify the position from a Technical Specialist 1 to a Technical Specialist 3.

Meeting Motions * I move to ...
...approve a permanent reclassification of Position 500294 from a Technical Specialist 1 to Technical Specialist 3.

Staff Recommendation

Staff recommend the Board of Commissioners approve the request to permanently reclassify the position from a Technical Specialist 1 to a Technical Specialist 3.

Meeting Motion

I move to approve a permanent reclassification of Position 500294 from a Technical Specialist 1 to Technical Specialist 3.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Position Request Process.pdf

121.25KB

Comments (optional)

If you have any questions, please call ext.6800

**Department
Approver**

RICK CRAGER

BOC Initial Approval

- Approvals Required** Counsel
 Finance
 HR


Counsel Approver VANCE CRONEY

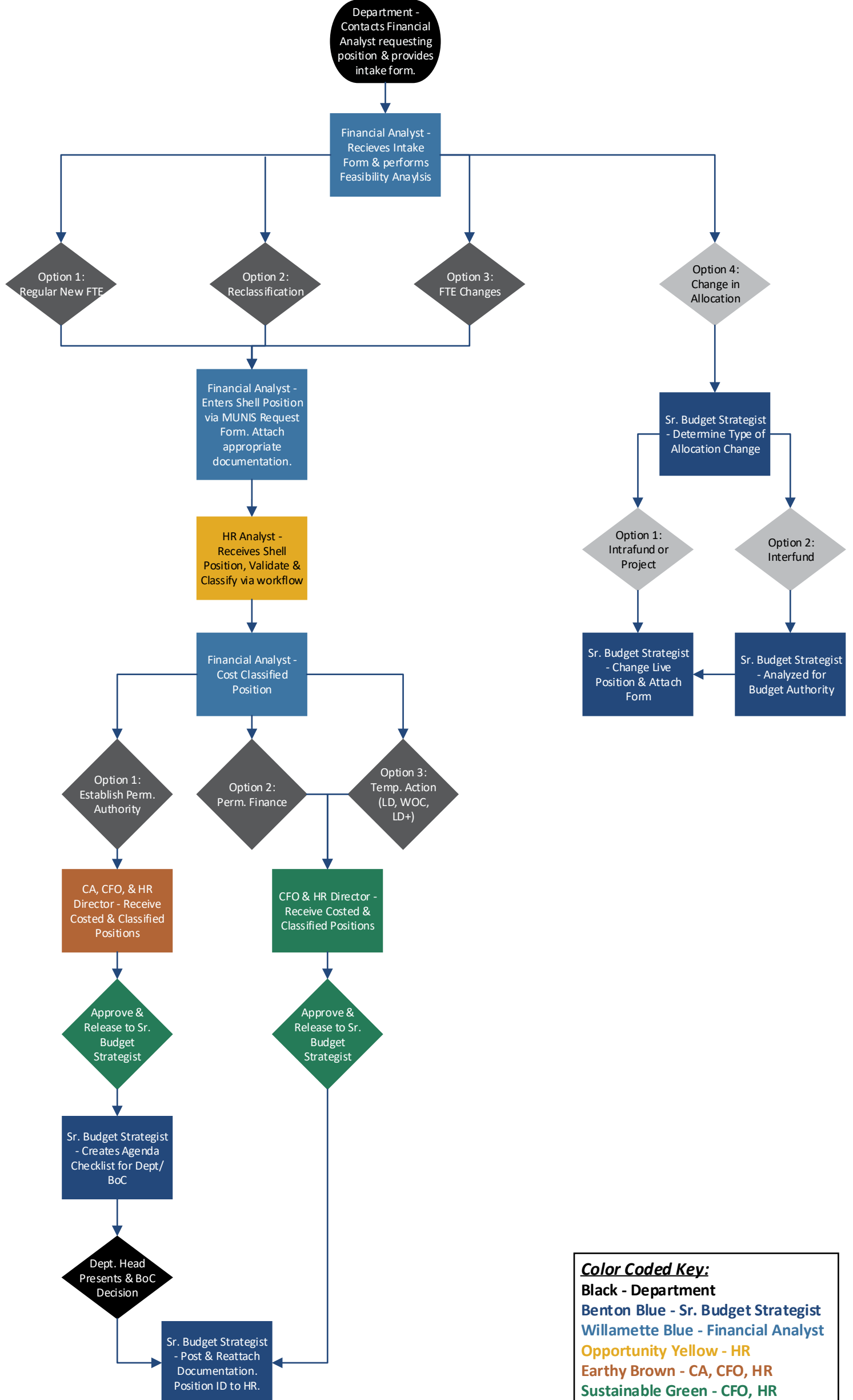
HR Approver TRACY MARTINEAU

Finance Approver DEBBIE SESSIONS

County Administrator Approver RACHEL MCENENY

Comments

<p>1.</p> <p>Department Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	<p>5.</p> <p>County Administrator Approval</p> <hr/> <p>Comments</p> <p>Signature </p>
<p>2.</p> <p>Counsel Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	<p>6.</p> <p>BOC Final Approval</p> <hr/> <p>Comments</p> <p>Signature </p>
<p>3.</p> <p>Finance Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>4.</p> <p>HR Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	



Color Coded Key:
 Black - Department
 Benton Blue - Sr. Budget Strategist
 Willamette Blue - Financial Analyst
 Opportunity Yellow - HR
 Earthy Brown - CA, CFO, HR
 Sustainable Green - CFO, HR

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 03/19/24

View [Agenda Tracker](#)

Suggested Placement * New Business

Department * Finance

Contact Name * Rick Crager

Phone Extension * 5417666246

Meeting Attendee Name * Rick Crager, Jenn Ambuehl and Debbie Sessions

Agenda Item Details 

Item Title * Semiannual Finance Report for the Period Ending 12/31/23

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 30 minutes

Board/Committee Involvement * Yes No

Advertisement*

Yes

No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

In accordance with Section 5.1 of the County Finance and Budget Policies, for each six-month period ending June 30 and December 31, the Chief Financial Officer (CFO) shall prepare and present a report to the Board of Commissioners on the state of the budget, approved capital improvement plan projects and the general financial condition of the County and service districts.

Included with the agenda checklist is the semiannual report for the period ending 12/31/23, which includes an update of the County Budget, Service District Budgets, and Capital Spending for both the Capital Improvement Program and Major Capital Projects (not including Road Fund Projects)

Options *

This report provides information to the Board of Commissioners on the status of the County and Service District Budgets and outlines any concerns or budget risk for the period ending 12/31/23. Overall, budget revenues and expenses are trending in the right direction with a few concerns in dedicated revenues for Community Development and Records and Elections, as well as dedicated revenues and expenses for Natural Areas, Parks, and Events. There are a few other areas we will continue to monitor to ensure the trending corrects itself. At this point in the biennium, there is no recommendation to make any adjustments to the budget, but to continue to monitor and review again at the one-year mark of the biennium.

Fiscal Impact *

- Yes
- No

2040 Thriving Communities Initiative

Mandated Service? * Yes
 No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

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Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values *

Select all that apply.

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- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- N/A

Explain Core Values Selections * N/A

Focus Areas and Vision *

Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- N/A

Explain Focus Areas and Vision Selection * N/A

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations * Staff recommend the Board of Commissioners accept receipt of the semiannual finance report for the period ending 12/31/23.

Work Session Motions * I move to ...
...accept receipt of the semiannual finance report for the period ending 12/31/23 in accordance with Section 5.1 of the County Finance and Budget Policies.

Staff Recommendation

Staff recommend the Board of Commissioners accept receipt of the semiannual finance report for the period ending December 31, 2023.

Meeting Motion

I move to accept receipt of the semiannual finance report for the period ending December 31, 2023 in accordance with Section 5.1 of the County Finance and Budget Policies.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

2023-25 Budget and Financial Report - Quarter 1

229.86KB

030824.pptx

Comments (optional)

If you have any questions, please call ext.6800

**Department
Approver**

RICHARD CRAGER

1.

Department Approval

Comments

Signature




Rick Crager

2.

Counsel Approval

Comments

Signature



Vance H. Chokey

3.

County Administrator Approval

Comments

Signature



Robert L. McSwain, Butte County Administrator

4.

BOC Final Approval

Comments

Signature



Amanda Makepeace

2023-25 BENTON COUNTY BUDGET

SEMI-ANNUAL FINANCE REPORT FOR THE PERIOD ENDING 12/31/23



BENTON COUNTY FINANCIAL POLICY

In accordance with Section 5.1 of the County Finance and Budget Policies:

For each six-month period ending June 30 and December 31, the CFO shall prepare and present a report to the Board of Commissioners on the state of the budget, approved capital improvement plan projects and the general financial condition of the County and service districts.

REPORTING FRAMEWORK

In examining the most effective way in providing the Board of Commissioners a clear, concise, and informational report, the 2023-25 reporting framework has been adjusted as follows:

- Structured to follow the 2023-25 Budget Development presentation by Department.
- Focus on financial benchmarks and identification of revenue and expenditures actuals to date that aren't meeting benchmarks.
- As opposed to detail information related to each fund, provide summary overview of areas not meeting benchmarks.
- General overview of CIP Projects, and major capital projects (not including Road Fund Projects).
- Provide information from audited financial statement to give status of County financial position.

2023-25 BUDGET STATUS AS OF 12/31/23

BUDGET CATEGORY	2023-2025 ADOPTED BUDGET	2023-2025 SUPPLEMENTAL BUDGET	2023-2025 REVISED BUDGET	2023-2025 EXPENDITURES AS OF 12/31/23	2023-25 % EXPENDED AS OF 12/31/23
PERSONAL SERVICES	\$ 160,310,921	\$ -	\$ 160,310,921	\$ 35,639,525	22%
MATERIALS & SERVICES	\$ 135,128,119	\$ (2,340,543)	\$ 132,787,576	\$ 27,680,188	21%
CAPITAL OUTLAY	\$ 107,349,782	\$ 22,104,852	\$ 129,454,634	\$ 9,899,132	8%
TRANSFERS	\$ 27,665,885	\$ 4,007,105	\$ 31,672,990	\$ 4,483,505	14%
DEBT SERVICE	\$ 10,543,949	\$ -	\$ 10,543,949	\$ 1,225,700	12%
RESERVES	\$ 20,036,925	\$ (5,285,888)	\$ 14,751,037		
CONTINGENCY	\$ 24,840,779	\$ (1,052,011)	\$ 23,788,768		
TOTAL	\$ 485,876,360	\$ 17,433,515	\$503,309,875	\$ 78,928,051	16%

- Personal Services (staffing cost), including vacancy factors, is trending at approximately 3% below of where it would be expected at this point in the biennium. Some of this is attributed to administrative actions taken within the Community Health Centers.
- It is expected that the biennial budget will need to address unplanned fiscal impacts from staffing cost related to the management and unrepresented market study, and any contract negotiations that exceed what was built into the budget forecast.
- Materials and Services are trending approximately 4% below the estimated biennially and is partially driven by slower than anticipated construction cost.
- While at only 8% of estimated expenditures in Capital Outlay, the bulk of construction cost for the Crisis Center, Courthouse and District Attorney's Office, and Emergency Operation Center are anticipated in the second half of biennium.
- Both Transfers and Debt Service are in line with expenditure expectations and are based on timing of these transactions.

2023-25 DEPARTMENT BUDGET STATUS AS OF 12/31/23

DEPARTMENT	* TOTAL COUNTY REVENUES			** TOTAL COUNTY EXPENDITURES		
	2023-25 TOTAL FORECASTED	2023-25 ACTUALS AS OF 12/31/23	PERCENTAGE RECEIVED	2023-25 TOTAL ESTIMATED	2023-25 ACTUALS AS OF 12/31/23	PERCENTAGE EXPENDED
Board of Commissioners	\$ -	\$ -	0%	\$ 6,908,837.00	\$ 1,381,962.23	20%
Community Development	\$ 2,703,230.00	\$ 492,097.32	18%	\$ 7,469,741.00	\$ 1,377,186.09	18%
Assessment	\$ 824,250.00	\$ 114,203.25	14%	\$ 6,568,302.00	\$ 1,376,353.18	21%
District Attorney	\$ 1,305,180.00	\$ 187,689.43	14%	\$ 9,572,462.00	\$ 2,119,010.45	22%
Juvenile	\$ 523,040.00	\$ 36,216.28	7%	\$ 5,761,189.00	\$ 1,213,736.53	21%
Sheriff's Office	\$ 5,416,554.00	\$ 1,151,117.63	21%	\$ 45,735,827.00	\$ 10,822,738.14	24%
Records & Elections	\$ 1,379,360.00	\$ 327,828.81	24%	\$ 3,304,895.00	\$ 728,221.54	22%
Health Department	\$ 35,029,796.00	\$ 8,393,367.13	24%	\$ 46,035,591.00	\$ 8,505,998.21	18%
Public Works	\$ 61,419,058.00	\$ 10,251,168.11	17%	\$ 67,207,577.00	\$ 13,819,949.48	21%
Natural Areas Parks & Events	\$ 4,764,386.00	\$ 997,555.53	21%	\$ 9,763,721.00	\$ 2,427,672.68	25%
Non Departmental	\$ 142,796,894.00	\$ 40,495,361.75	28%	\$ 103,416,221.00	\$ 3,331,316.35	3%
Human Resources	\$ 282,684.00	\$ 57,416.38	20%	\$ 3,867,847.00	\$ 859,391.53	22%
Financial Services	\$ 29,827,596.00	\$ 6,449,566.75	22%	\$ 39,980,679.00	\$ 8,488,260.97	21%
County Counsel	\$ 851,123.00	\$ 243,893.00	29%	\$ 880,720.00	\$ 215,128.12	24%
Information Technology	\$ 2,589,866.00	\$ 656,505.14	25%	\$ 10,976,840.00	\$ 2,789,116.76	25%
Community Health Centers	\$ 63,043,240.00	\$ 13,043,222.81	21%	\$ 65,646,631.00	\$ 14,988,503.02	23%
TOTAL	\$ 352,756,257.00	\$ 82,897,209.32	23%	\$ 433,097,080.00	\$ 74,444,545.28	17%

Total County Revenue Benchmark

Percentage received is at no more than 1% below historical averages.

- Good: No More than 1% Below Average
- Watch: 1-3% Below Average
- Mitigation: More than 3% Below Average

Total County Expenditures Benchmark

Percentage of expenditure at or less 25% representing the current timeframe of biennium as of 12/31/23

- Good: 25% or Less
- Average: Above 25% to 27%
- Mitigation: Above 27%

* Total County Revenues do not include beginning balances or fund transfer ins.

** Total County Expenditures do not include budget for reserves, contingency, or fund transfer outs.

AVERAGE – CONTINUE TO MONITOR AND ASSESS FOR RISK

Juvenile Department Revenue: The Juvenile Department revenues are trending about 2% below the average for the last three biennia. While this threshold warrants potential mitigation, after further analysis it is determined the difference is due to the Juvenile Department having late billings against current state grant awards. It is anticipated that once these grant reimbursements are received, it will be in alignment with past trends.

Community Health Center (CHC) Revenue: The CHC is currently trending 1% below for both revenues and expenses. However, because the CHC is nearly 100% self-funded through these revenues, should revenues and expenses continue to trend in the same manner, it would result in over a \$5.0 million biennial deficit. The CHC and Financial Services Department have been working on this issue the last three months and will be coming to the BOC on April 2nd to deliver a rebalanced budget for the biennium. This rebalance is accomplished by a re-negotiated increase to state reimbursement rates, as well as a series of administrative actions that have reduced the biennial estimated expenditures.

District Attorney's Office Revenue: While the District Attorney's Office revenues are at approximately 9% below the average, this is due to the discontinuation of the Animal Defense Grant on 12/31/23, and the slower than anticipated receipt of funds from the CAMI Grant. We just learned that we will no longer be funded for the Animal Cruelty prosecutor after December 31, 2023. After accounting for these two situations, it would put the current revenue trend at 23% - aligned with past performance.

AVERAGE – CONTINUE TO MONITOR AND ASSESS FOR RISK

Non-Departmental Revenues - Non-Departmental Revenues are trending at 28% which is 5% below past history averages. Non-Departmental Revenues include the Discretionary General Fund Resource, Dedicated Program Revenues, Local Option Levy Funds, Dedicated for Capital Projects, and Internal Service Charges. The primary factor on slower collections is due to revenue contracts for Capital Projects either not finalized or delayed due to all stipulations not yet met on requirements of the project. The biggest contributor is the revenue agreement for the state’s cost share of the new courthouse.

Summary of Non-Department Revenues

Non-Departmental Revenues	Forecast	Actuals	% Received
General Fund Discretionary	\$57.98	\$23.58	41%
Local Option Levy	\$18.79	\$8.75	47%
Dedicated Capital Project Resource	\$46.53	\$3.05	6%
Dedicated Internal Service Revenues	\$16.96	\$4.09	25%
Dedicated Program Revenues	\$2.55	\$1.03	40%
Total Non-Departmental Revenues	\$142.8	\$40.5	28%

Summary of General Fund Discretionary

DISCRETIONARY REVENUE SOURCE	2023-25 TOTAL FORECASTED	ACTUALS AS OF 12/31/23	PERCENTAGE RECEIVED	PERCENTAGE BENCHMARK
Property Taxes-General Fund	46,193,686.00	21,604,729.54	47%	47%
Transient Lodging Tax	444,000.00	65,372.42	15%	19%
Landfill surcharge	5,790,000.00	867,000.00	15%	21%
Cable Franchise	259,239.00	31,234.62	12%	13%
Cooperative Utility Payments	540,612.00	272,619.55	50%	56%
State Forest	120,000.00	-	0%	0%
Cigarette Tax	100,000.00	20,777.50	21%	24%
Marijuana Tax	160,000.00	19,907.99	12%	22%
Amusement Device	40,000.00	12,022.85	30%	36%
Liquor Tax	1,400,000.00	225,744.42	16%	19%
Court Fines/Fees	260,000.00	52,151.96	20%	20%
O & C	1,060,000.00	-	0%	0%
PILT	309,338.00	-	0%	0%
Interest Earnings	1,300,000.00	407,397.88	31%	11%
TOTAL	57,976,875.00	23,578,958.73	41%	41%

 **MITIGATION – ADD TO WATCH LIST FOR CONTINUED ANALYSIS**

Community Development Revenue: Revenues dedicated specifically to Community Development programs and activities are trending approximately 4% below past history. The primary driver to this decline is reduced building permit revenues created by the cooling of housing starts and new construction. Beginning in January 2023, these revenues began declining from what had been resources that ran consistent with expenses. While the Department had been prudent in preparing economic downturns, the surplus built in to the program of over \$1.0 million has now declined to \$540,000 over the 12-month period ending 12/31/23. This trend appears to be continuing into calendar year 2024, and if it remains unchanged without modification of expenses it could require additional General Fund discretionary reserves of approximately \$700,000. The Financial Services and Community Development Departments are currently re-evaluating both revenue and expenditure forecasts to determine what actions will be necessary to mitigate this issue.

Records and Elections Revenue: Overall revenues in the Records & Elections Department is down approximately 6% from historic averages. Documenting recording fees, which are the primary revenue source for operational costs for Records, have also seen a drop due to slower housing starts, and higher mortgage interest rates. Based on trends through 12/31/23, the biennialized shortfall of revenue is estimated to be over \$200,000 which could require the use of General Fund discretionary reserves. These revenues will continue to be monitored to determine if there are any opportunities to reduce impacts.

MITIGATION – ADD TO WATCH LIST FOR CONTINUED ANALYSIS

Natural Areas, Parks, and Events (NAPE) Revenues and Expenses – Both revenues and expenses are added to the watch list. While expenses are trending equal to the 25% mark in the biennium, both expenditures for Fairground Operations and Annual Fair are trending much higher than in the past. Some of this is driven by an unanticipated \$225K cost for a vehicle acquisition that was ordered several years ago, but due to supply chain issues, it was not received during that year. It was received and paid for during this biennium, but was not included in the current budget. There are also higher trends being experienced in contracted services, utilities, and temporary hires. Capital Outlay funded with Transient Lodging Taxes (TLT) is the only expenditure mitigating the overspending in other areas. It is anticipated that in order to balance the NAPE biennial budget and mitigate some of the shortfalls outlined in Fairground Operations and the Annual Fair, a shift of budgeted expenditures and revenues from TLT will need to be made.

Total NAPE revenues are at 21% as of 12/31/23 which is approximately 2% below its historic average. However, past averages include revenue which were greatly reduced during the pandemic. Using pre-pandemic averages, it would suggest NAPE averages would be at 25% this point in the biennium. The lower revenues are associated with the following:

- Annual fair revenues are at approximately 42% of what was projected for 2023-25. This is about 7-8% below what would be needed to support the existing fair budget.
- Charges for Services related from fairground operation revenues appear to be performing much better at 28%. At this point, two years ago, revenues were at 18% of what was budgeted.
- The biggest driver to lower revenue trend is the TLT which is at 15% compared to 19% in previous biennia. However, due to uncertainty of TLT estimates the last two biennia, using a performance benchmark against forecasted revenues are a bit misleading. Additionally, timing plays a significant role in TLT due to when the funds are received. As of 12/31/23, the County has only received one quarters worth of allocation for TLT which would suggest that using a straight-line methodology, the revenues are actually trending 2.5% higher than expected.

ANNUAL AND BIENNIAL SERVICE DISTRICT BUDGETS STATUS AS OF 12/31/23

SERVICE DISTRICT	* SERVICE DISTRICT TOTAL REVENUES			** SERVICE DISTRICT TOTAL EXPENDITURES		
	TOTAL FORECASTED	ACTUALS AS OF 12/31/23	PERCENTAGE RECEIVED	TOTAL ESTIMATED	ACTUALS AS OF 12/31/23	PERCENTAGE EXPENDED
911 Emergency Service District (Biennial)	\$ 8,096,325.00	\$ 4,285,720.45	53%	\$ 8,096,325.00	\$ 6,409.03	0%
Library Service District (Biennial)	\$ 7,222,981.00	\$ 3,915,389.35	54%	\$ 7,222,981.00	\$ 9,830.58	0%
OSU Extension Service District (Annual)	\$ 920,201.00	\$ 891,042.87	97%	\$ 830,108.00	\$ 222,259.01	27%
Alsea Service District (Annual)	\$ 267,119.00	\$ 228,467.94	86%	\$ 68,976.00	\$ 24,452.45	35%
Alsea Human Service District (Annual)	\$ 56,102.00	\$ 55,906.28	100%	\$ 47,927.00	\$ 1,911.23	4%
Alpine Service District (Annual)	\$ 67,650.00	\$ 55,851.30	83%	\$ 37,674.00	\$ 16,130.67	43%
Cascade View Service District (Annual)	\$ 201,182.00	\$ 180,832.18	90%	\$ 36,268.00	\$ 12,772.06	35%
Hidden Valley Service District (Annual)	\$ 43,965.00	\$ 37,541.18	85%	\$ 13,503.00	\$ 6,140.51	45%
South 3rd Service District (Annual)	\$ 31,380.00	\$ 12,780.66	41%	\$ 31,380.00	\$ 11,799.70	38%
TOTAL	\$ 16,906,905.00	\$ 9,663,532.21	57%	\$ 16,385,142.00	\$ 311,705.24	2%

* Service District Total Revenues includes both beginning balances and revenue projected.

** County Total Expenditures do not include budget for reserves or contingency.

CAPITAL IMPROVEMENT PROGRAM – AS OF 12/31/23

PROJECT NAME	BUDGET	EXPENDED	REMAINNG	PROJECT NAME	BUDGET	EXPENDED	REMAINNG
<u>Facility Projects</u>				<u>Capital Equipment and Assets</u>			
Avery Building - Fuel System Blast Wall	30,000	-	30,000	Fleet Capital - SUV replacement	27,000	27,000	-
Avery Building - Storage Barn	42,000	-	42,000	NAPE Operations- Portable Lifts	60,113		60,113
Avery Building - Truck Barn	35,000	-	35,000	NAPE Operations - Telehandler Forklift	116,500	116,500	-
Avery Building - Fleet Floor Drain	35,000	-	35,000	Total Equipment and Capital Assets	203,613	143,500	60,113
Countywide - LED Upgrade	15,750	14,623	1,127				
Countywide - Bike Lockers	28,000	-	28,000	<u>Transportation and Infrastructure</u>			
Historic Courthouse - Roof Replace	350,000	-	350,000	North Albany Park & Restroom	350,000	2,200	347,800
Historic Courthouse - Carpet Replace	63,000	-	63,000	Salmonberry Campground - Retaining Wall	40,000		40,000
Court Annex - HVAC replace	15,000	-	15,000	Countywide - Surface Preservation	300,000		300,000
Health Service Bldg. - HVAC Replace	48,000	-	48,000	Corvallis-Albany Pathway Project	123,179		123,179
Health Service Bldg. - Stair Repair	36,887	6,614	30,273	Total Transportation and Infrastructure	813,179	2,200	810,979
Humphrey Hoyer - Roof Replace	84,000	-	84,000				
Humphrey Hoyer Paint	18,500	-	18,500	<u>Systems Improvement</u>			
Humphrey Hoyer - Transition Center	43,173	-	43,173	Community Development Systems	75,000	-	75,000
Kalapuya Building -Bollards	26,000	-	26,000	Total Systems Improvement	75,000	-	75,000
Kalapuya Building - Zero Cut Curb	17,000	-	17,000				
Sunset Building - Gutter Replace	40,000	9,920	30,080	Unallocated	236,562	-	236,562
Sunset Building - Restroom Remodel	45,000	-	45,000				
Sunset Building - Flooring	38,000	-	38,000				
New Courthouse - Funding Reserve	661,336	-	661,336				
Total Facility Projects	1,671,646	31,157	1,640,489	TOTAL CAPITAL IMPROVEMENT PROGRAM	3,000,000	176,857	2,823,143

MAJOR CAPITAL PROJECTS (Non-Road Fund Projects)

PROJECT NAME	BUDGET	EXPENDED	REMAINNG	% EXPENDED
<u>Major Facility and Infrastructure Projects</u>				
Courthouse and District Attorneys Project ***	86,619,121	9,705,693	76,913,427	11.2%
Emergency Operations Center	8,833,334	2,678	8,830,656	0.0%
Behavioral Health - Children and Families **	5,614,972	100,000	5,514,972	1.8%
Benton County Crisis Center	8,926,594	1,234,577	7,692,017	13.8%
Alsea Water and Sewer Project	1,600,000	-	1,600,000	0.0%
Benton Area Transit Fleet Replacement	1,512,000	-	1,512,000	0.0%
Rural Sewer Infrastructure Improvement Project *	1,160,000	-	1,160,000	0.0%
Regional Public Safety Infrastructure Project *	963,000	-	963,000	0.0%
Monroe Health Clinic Replacement *	1,000,000	-	1,000,000	0.0%
Benton County Housing and Services ***	2,500,000	-	2,500,000	0.0%
Total Major Facility and Infrastructure Projects	118,729,021	11,042,948	107,686,073	9.3%

* Funded in Federal Fiscal Year 2024 for Congressional Delegated Spending Awards

** Partially Funded by 2024 Legislature

*** Fully Funded by 2024 Legislature

BUDGET RISKS GOING FORWARD

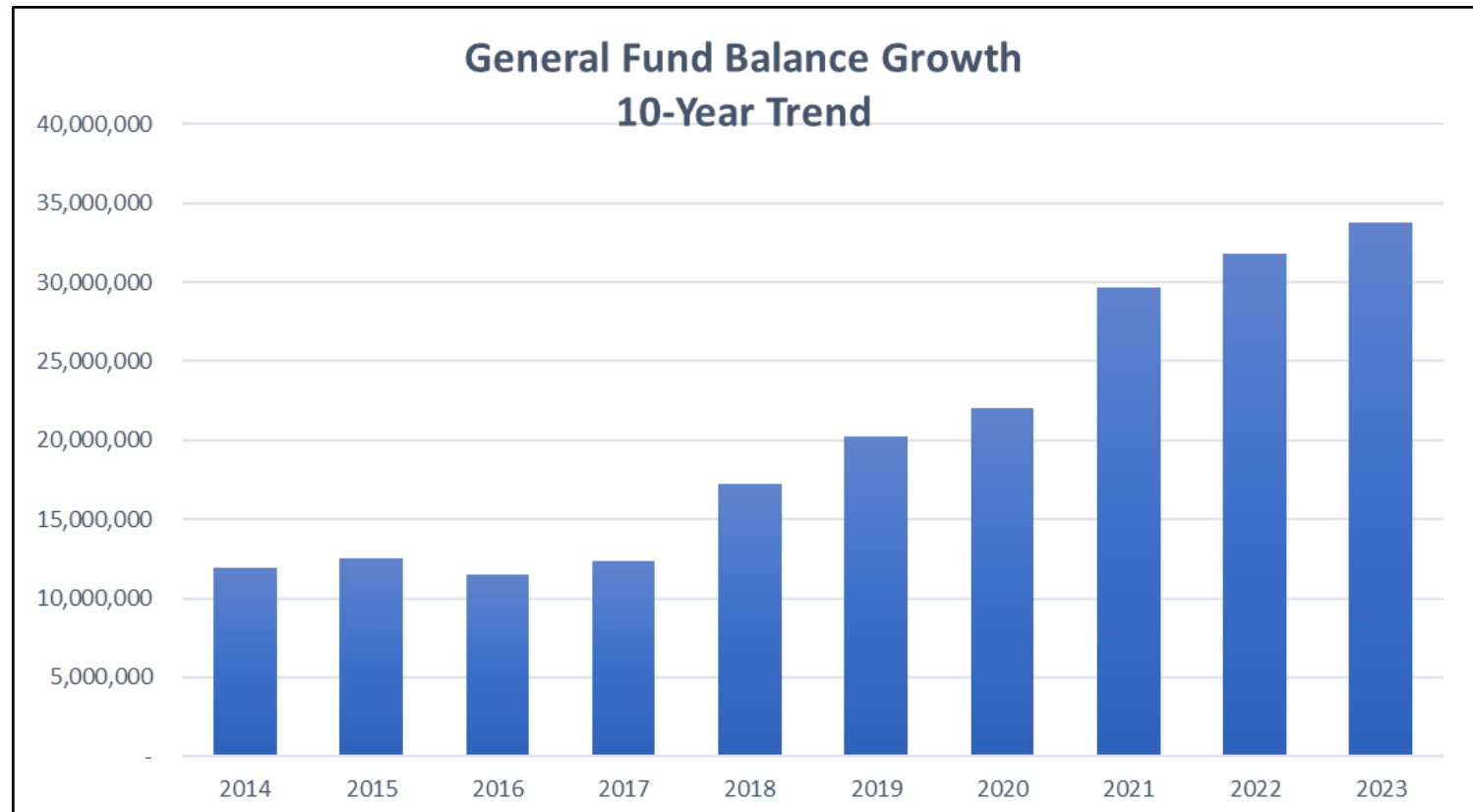
- The County has over \$121 million in major capital projects, not including Road Fund Projects, that it will be focused on over the next 2-3 years. With continued economic and global uncertainties, there could be additional budgetary constraints due to cost increases or unanticipated site or construction issues.
- The need to address salaries and compensation cost for staff, as well as the impacts of inflation on material and supplies, will continue to apply pressure on the current budget. While increases to the budget were approved to help address the recent market study on management and unrepresented salaries, increased costs related to pending labor contract negotiations, and the impacts of historically high inflation; it is likely, based on national trends, the estimated increase to the budget won't be sufficient to cover 100% of the fiscal impact.
- While the 2023-25 Community Health Center budget has been rebalanced, it is still vulnerable with a fund balance that is only about 25% of what best practices would suggest. This budget will require continued monitoring, and the CHC and County will need to focus on improved efficiency in productivity and cost containment.
- With the discontinuation of resources made available for the COVID-19 response and through ARPA, there will be increased pressure on discretionary General Fund to address unanticipated County needs as they occur. This will require increased discipline with Department budgets and a budget development process in 2025-27 that will likely be flat in terms of growth.
- PERS cost will need to be monitored closely to determine the offsetting impact of the County's PERS bonds expiring and the side accounts ending within the next several years. While the liquidation of this debt may provide opportunity for increased borrowing to address the County's need for a new jail, this will need to be analyzed against the impact of possible PERS rate increases.

Fund Balance for General Fund

Fund balance is intended to serve as a measure of the financial resources available in a governmental fund

183% Growth in Fund Balance Over Last 10 Years

Fiscal Year	Fund Balance	% Change
2014	11,903,602	4.9%
2015	12,490,872	4.9%
2016	11,483,676	-8.1%
2017	12,401,389	8.0%
2018	17,274,170	39.3%
2019	20,252,836	17.2%
2020	22,009,315	8.7%
2021	29,693,481	34.9%
2022	31,838,348	7.2%
2023	33,743,780	6.0%



QUESTIONS