



## BOARD OF COMMISSIONERS

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

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# BOCC MEETING MINUTES

9:00 AM

**WEDNESDAY April 23, 2025**

Barnes Sawyer Rooms  
Live Streamed Video

Present were Commissioners Anthony DeBone and Phil Chang. Also present were County Administrator Nick Lelack; Senior Assistant Legal Counsel Kim Riley; and BOCC Executive Assistant Brenda Fritsvold.

This meeting was audio and video recorded and can be accessed at the Deschutes County Meeting Portal website [www.deschutes.org/meetings](http://www.deschutes.org/meetings).

### **CALL TO ORDER:**

Chair DeBone called the meeting to order at 9:00 am and shared that Commissioner Adair is attending the Oregon ACT and Modal Advisory Committee meeting in Keizer today.

### **PLEDGE OF ALLEGIANCE**

### **CITIZEN INPUT:**

- Ron Boozell encouraged talking about diversity, equity and access issues and said he expects the County's DEIA Committee to be reinstated.

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

1. Approval of Resolution No. 2025-011 accepting the annual Oregon Department of Revenue CAFFA assessment and taxation grant

2. Approval of a revised amendment to the Behavioral Health Provider Services Agreement with PacificSource Community Solutions
3. Approval of Order No. 2025-015, setting a temporary speed limit of 45 MPH on NW 19th Street between NW Odem and NW Sedgewick Avenues
4. Approval of Document No. 2025-362, a contract with Helion Software for Assessment and Taxation software
5. Consideration of Board Signature on letter thanking Thomas Spear Jr., for service on the Public Safety Coordinating Council
6. Approval of the BOCC March 19 and April 2, 2025 meeting minutes
7. Approval of the minutes of the April 11, 2025 BOCC Legislative Update meeting

CHANG: Move Board approval of the Consent Agenda as presented

DEBONE: Second

VOTE:	ADAIR:	(absent)
	CHANG:	Yes
	DEBONE:	Chair votes yes. Motion Carried 2 – 0

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#### **ACTION ITEMS:**

##### **8. Annual Update from Visit Central Oregon**

Laura Skundrick, Management Analyst, introduced the presentation from Visit Central Oregon (VCO), which each year receives Transient Room Tax (TRT) funding from the County.

Scott Larson, president and CEO of Visit Central Oregon, presented a financial update, noting that VCO currently has \$834,603 in reserves.

Commissioner DeBone spoke to the possibility of using TRT funds to guarantee a certain level of revenue for a new flight operator at Redmond Municipal Airport. Larson agreed it is important to support flight services and described efforts to attract visitors who spend more money while in Central Oregon.

Continuing, Larson explained how revenues received from Travel Oregon are utilized and presented information on advertising and marketing expenditures, saying that VCO's website and visitor guide are its main ways of connecting with potential and repeat visitors. He shared that VCO recently completed drafting a

5-year strategic plan and has issued an RFP for marketing services.

Tom O'Shea, chair of the VCO Board, stressed the importance of targeting grants to proven tourism generators, promoting off-season tourism in partnership with Visit Bend while taking care to not duplicate efforts, and determining future growth sources.

Commissioner DeBone commented that Sisters hosts the world's largest outdoor quilt show, and Mount Bachelor has added bicycle trails and zip lines to attract visitors in the off-ski season.

In response to Commissioner Chang, O'Shea expected the coming year to be good for tourism in Central Oregon, despite the economic uncertainties.

## **9. Public Hearing: Temporary Hardship Dwelling Text Amendments**

Nicole Mardell, Senior Planner, explained the procedures for the hearing.

*The public hearing was opened at 10:05 am.*

Mardell provided background on the staff-initiated text amendments relating to temporary hardship dwellings. Explaining that the County allows property owners to temporarily utilize a secondary dwelling for the care of a property owner (or relative) with a medical condition, she said the secondary dwelling can be a recreational vehicle/RV, manufactured home, or, in a resource zone, an existing building under certain conditions.

In addition to updating references and reorganizing content for readability, the proposed changes would clarify that a hardship dwelling could be used for an aged person or for one who is infirmed. They would also: clarify the term "existing building" in terms of a temporary hardship use; make clear that if a property has a temporary hardship dwelling it can have no other secondary dwelling; and extend the term of each permit and renewal period from one year to two.

Mardell said after holding a public hearing on these changes, the Planning Commission voted 6-0 to recommend approval of the amendments except for allowing the use of existing buildings as a hardship dwelling in the RR-10 and MUA-10 zones.

*There being no one who wished to speak, the public hearing was closed at 10:14 am.*

The Board was in consensus to conduct deliberations on the proposed amendments at this time.

Commissioner Chang said it is important to offer this opportunity and to safeguard against abuse of the opportunity.

The Board reviewed the relevant policy decisions, as follows:

- Expand the opportunity to use an existing secondary building (e.g., a shed, barn or other accessory structure) as a temporary hardship dwelling—already permitted in the EFU and Forest zones—to unincorporated communities and the Rural Commercial zone. Mardell noted that State regulations do not allow the use of accessory buildings as temporary hardship dwellings in the RR-10 and MUA-10 zones.

Will Groves, Planning Manager, added that such uses would still be subject to setbacks and other regulations.

- Modify the definition of the term “existing building,” which is currently defined as a building in existence on or before March 29, 2017, to be a building for which final inspection approval was received at least two years before the application to convert it to a temporary hardship dwelling is submitted.
- Limit the modification of existing buildings when used for temporary hardship dwellings to minor improvements in the existing building floor area (such as the installation of kitchen facilities) to ensure the use can be converted back to a non-residential use if the temporary hardship dwelling is no longer needed.
- Impose certain requirements on RVs used as temporary hardship dwellings relating to a vehicle’s condition, components and siting, including that it must have a toilet and a sink.

In response to Commissioner Chang, Groves confirmed that the County has a process for decommissioning medical hardship dwellings when no longer needed or allowed. He added that it may be possible to transition some of these dwellings to an ADU, subject to required permits and inspections.

CHANG: Move Board approval of the proposed amendments to County Code relating to temporary hardship dwellings

DEBONE: Second

VOTE:	ADAIR:	(absent)
	CHANG:	Yes
	DEBONE:	Chair votes yes. Motion Carried 2 – 0

Mardell said staff will return with a draft ordinance for the Board’s formal action.

**10. Public Hearing: Reconsideration of the Deschutes County 2040 Comprehensive Plan**

Senior Planner Nicole Mardell reminded that the Board previously agreed to hear this matter limited *de novo* and explained the restriction on testimony provided during the hearing. She reviewed that subsequent to the Board's adoption of Ordinance No. 2024-007 which formally approved the County's 2020-2040 Comprehensive Plan, an appeal was filed by Central Oregon LandWatch (COLW) to the Oregon Land Use Board of Appeals. Mardell summarized information from the petitioner's brief concerning the County's repeal and replacement of its 2011 Comprehensive Plan, including COLW's assertion that some of the Plan's policies violate statewide planning Goal 14.

Speaking to the intersection between the 2040 Comprehensive Plan and County Code with respect to cluster and planned developments, Mardell said the County does not intend to amend its Code as part of this process.

*The public hearing was opened at 10:44 am.*

Rory Isbell, representing Central Oregon LandWatch, said several policies in the updated Comprehensive Plan violate statewide land use planning Goal 14, which controls urbanization. Speaking to the process used by the County to update its Comprehensive Plan, he reminded that as it embarked on this effort, the County had sought input on the entire Plan, not just what staff was proposing be changed.

Continuing, Isbell asserted that some policies in the updated Plan are not in compliance with Goal 14, particularly Policy 3.3.6.a., which allows unlimited conversion of rural farm and forest lands for residential, industrial, and commercial uses, and Policies 9.2.1-9.3.15. He stated COLW's opposition to the urbanization of rural lands and reminded that uses for exception areas cannot be extended without a new goal 14 exception.

Commissioner DeBone noted that cluster developments allow for limited development while preserving desired open space. Isbell said allowing such developments outside of UGBs constitutes extending a UGB into a rural area, thereby frustrating the purpose of having a UGB.

Commissioner DeBone spoke to private property rights and to rules which limit what some property owners can do on their land.

Commissioner Chang argued that allowing development of rural farmland requires bestowing new property rights very different from the rights previously held for decades.

Commissioner DeBone said over time, case law narrows private property rights, further limiting these.

Discussion ensued of proposed and approved rezones of property from resource land to rural residential or other zones to allow their development.

Commissioner Chang found COLW's argument that unlimited rezones violate Goal 14 to be valid, especially as the County has no process for considering such rezones except for on a case-by-case basis which does not allow for gauging their cumulative impacts on the rural landscape over time.

Commissioner DeBone said all of the rezones approved by the BOCC have been done according to the criteria determined by the County and as reviewed by a Hearings Officer. Adding that since 1979, the statewide land use system has been one-size-fits-all and referring to the reality of development pressure, he noted there is no land use designation for "open space" and objected to telling property owners that their land must remain as resource because that benefits others although it is the owner who pays property taxes on it.

Commissioner Chang said it is not taking away property rights to not rezone a property from exclusive farm use to rural residential, but approving such a rezone does grant new property rights.

- Joe Craig shared the definition of Goal 14 and said urban sprawl negatively affects wildlife and the natural environment. He opposed spot zoning of farm and forest land, believed that such rezoning violates Goal 14, and spoke against allowing more intense development—including cluster housing—outside of UGBs.

Assuring that he understands the values Craig is representing, Commissioner DeBone reminded that only 21% of the property in Deschutes County is privately owned. He explained that in 1973 when all of the land in Oregon was zoned by the State, it was not feasible to evaluate every single parcel. This resulted in some parcels being zoned as "resource" without regard to what zoning would be most appropriate for them given their particular characteristics.

Saying that the State's land use planning system protects farmers, Commissioner Chang said when land is vulnerable to being rezoned from Exclusive Farm Use (EFU), this vulnerability drives up the cost of EFU-zoned land and makes it very challenging for farmers to practice that craft and trade.

- Mary Powell, representing the League of Women Voters of Deschutes County, said the League does not support the 2040 County Comprehensive Plan because it

allows unlimited rezoning of agricultural and forest lands for residential, commercial and industrial uses and does not protect wildlife habitat, transportation infrastructure or water resources from the impacts of development. She urged the Board to readdress policies 9.2.1-9.3.15 to meet Goal 14 requirements.

- Mary Wallis stated that she values natural resources and does not want to live in an area that has urban sprawl. Adding that she opposes spot zoning, she spoke to the negative effects of having fewer resources available for farming and urged ensuring that the Comprehensive Plan protects land zoned for exclusive farm use.

Explaining that the MUA10 zone allows only one dwelling per ten acres, Commissioner DeBone said the system has many checks and balances to protect open space and accommodate agricultural uses while allowing the rezoning of properties which cannot be farmed for a profit. He added that housing prices rise in the absence of sufficient opportunities for residential development.

Commissioner Chang said 5,000 or 6,000 of the more than 30,000 housing units outside of the county's incorporated cities are empty for most of the year. Adding that one of the reasons he voted against the 2040 Comprehensive Plan is because he does not believe it incorporates or reflects the substantial public comment provided during the update process, he reminded that under State law, UGBs must be expanded to meet the 20-year projected growth requirements of their communities.

- Sandra Fox said that the Comprehensive Plan violates Goal 14, which requires that new industry, housing developments, and commercial uses be confined to UGBs. She was concerned about the risk of wildfire and the effects of further development on wildlife and stated her support for preserving farmland and forests. She concluded that the growth of the County's population has resulted in increased traffic and overwhelmed the health care system.
- Ashley Karitis expressed deep concern that the County's 2040 Comprehensive Plan falls short of protecting the County's forest and farm lands and fails to comply with Goal 14. Saying that spot zoning is notoriously unsustainable and disrupts farming operations in addition to increasing the cost of farming, she supported protecting wildlife habitat and groundwater levels. She concluded that while plenty of developable land exists within the UGBs for future housing, the county's resources cannot support 400,000 people.

*There being no one else who wished to speak, the public hearing was closed at 12:01 pm.*

The Board was in consensus to leave the written record open until Wednesday, May 21<sup>st</sup> and to continue the public hearing to the same date.

*A lunch recess was announced at 12:05 pm. The meeting reconvened at 1:00 pm.*

## **11. Annual Update: Economic Development of Central Oregon (EDCO)**

Management Analyst Laura Skundrick introduced the presentation from Economic Development of Central Oregon (EDCO), which each year receives video lottery funds from the County.

EDCO CEO Jon Stark said EDCO focuses on recruiting and serving businesses in five key industries: headquarters and administrative centers; high technology; lifestyle products; advanced manufacturing; and science and research. He presented information on EDCO programs and activities, including investor engagement and coaching companies on how to reach their goals, and reported on pending projects by industry.

Stark next reviewed EDCO's operating budget, noting revenue sources from membership fees, grants, and contracts. He narrated a chart showing EDCO's recent and current funding requests to the County, listed by the various chapters (Sunriver-La Pine, Redmond, etc.), and shared employment and unemployment data along with area GDP numbers for Crook, Deschutes and Jefferson counties. He stated EDCO's intent to return to the BOCC at the midpoint of the fiscal year to inquire about the status of video lottery fund revenues and whether any surplus revenues could be awarded to EDCO.

Patricia Lucas from the Sunriver-La Pine chapter (SLED) reported the signing of the agreement for the incubator project in La Pine, which should be completed by next August. She also reported that the La Pine Community Health Center is 90% complete and said SLED is tracking the progress of nine projects totaling 67,000 sf.

Eric Strobel from the Sisters Country chapter spoke to the expansion of BASX out to Sisters from Redmond and reported on the establishment of a much-needed childcare facility.

Steve Curley from REDI reported on projects which are underway or will soon commence, including work on the 200-acre industrial lot on the west side of Redmond. He announced that the Made in Redmond tour is coming up on June 13<sup>th</sup>.

Brian Vierra, EDCO's Venture Catalyst, commented on the impacts of Artificial Intelligence (AI) and said industries which do not innovate will fail.

Stark concluded that EDCO has embarked on a new three-year strategic planning process and hoped the resulting plan will be finalized in late June.



## OTHER ITEMS:

- Jen Patterson, Strategic Initiatives Manager, presented a request from Stroke Awareness Oregon that the County sponsor a fundraising event.

Commissioner DeBone noted that the Board has \$10,000 available in video lottery funds specifically for event sponsorship.

The Board was in consensus to sponsor the "Leadership for Change" event hosted by Stroke Awareness Oregon at the bronze level (\$1,200).

- Commissioner Chang reported on the Wolf Depredation and Financial Compensation Committee meeting this past Monday, which included a rigorous and challenging discussion of how to allocate the \$50,000 in State funds to livestock producers and others.
- Commissioner DeBone shared plans to recognize the 50-year anniversary of the end of Vietnam War at next Wednesday's Board meeting.

Commissioner Chang spoke to the many people who have immigrated to the United States as refugees from a war-torn country.

**EXECUTIVE SESSION:** None

## ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 2:08 pm.

DATED this 28<sup>th</sup> Day of May 2025 for the Deschutes County Board of Commissioners.

  
ANTHONY DEBONE, CHAIR

**ATTEST:**

  
RECORDING SECRETARY

  
PATTI ADAIR, VICE CHAIR

  
PHIL CHANG, COMMISSIONER