



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY February 11, 2026

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Phil Chang, Anthony DeBone and Patti Adair. 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.

CALL TO ORDER: Chair Chang called the meeting to order at 9:00 am.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT: None

COMMISSIONER ANNOUNCEMENTS:

- Commissioner Adair announced that Judge Crutchley will be conducting marriage ceremonies this Friday in advance of Valentine's Day.
- Commissioner DeBone attended the 120-year celebration of the Association of Oregon Counties in Salem yesterday. While in Salem, he met with the Governor and others regarding CORE3 and the Highway 97 corridor.
- Commissioner DeBone attended a town hall hosted by Sheriff Rupert last night.
- Commissioner DeBone attended EDCO's annual luncheon last Thursday.
- Commissioner Adair reported that of the 50 states, Oregon is ranked 47th for business friendliness.

- Commissioner Chang shared that he was also in Salem earlier this week speaking with legislators about the needed safety improvements to Highway 97.

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

1. Approval of Document No. 2026-0031, a Notice of Intent to Award Contract for the Supply and Hauling of Crushed, Uncoated Rock for Chip Seal 2026
- ~~2. Approval of Resolution No. 2026-004, Rescinding Resolution No. 90-081 Regarding Issuance of Gate Permits (removed for separate consideration)~~
3. Consideration of Board Signature on letters reappointing Patti Gentiluomo and Ariel Cowan for service on the Project Wildfire Steering Committee
4. Consideration of Board Signature on letters reappointing Robert Townsend, Jon Bullock, Jackson Dumanch and Jennifer Glover (Alternate) for service on the Statewide Transportation Improvement Fund Advisory Committee
5. Consideration of Board Signature on letters thanking Iman Simmons, Andrew Davis, Kristin Thomas, and Casey Bergh for service on the Statewide Transportation Improvement Fund Advisory Committee
6. Approval of the minutes of the January 14, 2026 BOCC meeting and the January 15, 2026 BOCC Annual Retreat

DEBONE: Move Board approval of the Consent Agenda as amended to remove item #2 for separate consideration

ADAIR: Second

VOTE: DEBONE: Yes
 ADAIR: Yes
 CHANG: Chair votes yes. Motion Carried 3 - 0

2. Approval of Resolution No. 2026-004, Rescinding Resolution No. 90-081 Regarding Issuance of Gate Permits

Referring to the application for a gate permit which was recently submitted by Jason Bethers and supported by two Commissioners, Commissioner Adair wanted to make sure that rescinding Resolution No. 90-081 will not impact the issuance of that permit. Commissioner Chang shared his understanding that the rescission will serve to pause the submittal of new gate permits while the County develops a more comprehensive and balanced policy which addresses the use of public roads and the needs of residents on local access roads. Commissioner

DeBone stated his support for proceeding with the rescission as the start of a broader community discussion on gate permits.

DEBONE: Move Board approval of Resolution No. 2026-004, Rescinding Resolution No. 90-081 Regarding Issuance of Gate Permits

ADAIR: Second

VOTE:	DEBONE:	Yes
	ADAIR:	Yes
	CHANG:	Chair votes yes. Motion Carried 3 – 0

ACTION ITEMS:

7. Public Hearing (continued) on a proposed amendment to Deschutes County Code to allow recreational vehicle (RV) parks as a conditional use in the Tumalo Commercial Districts

Audrey Stuart, Associate Planner, explained the procedures for the hearing, the purpose of which is to clarify that the Board's proceedings were following a legislative procedure. All comments and materials submitted previously remain part of the record.

Commissioner Chang stated that this item was previously processed as a quasi-judicial matter, which prohibited ex parte communications outside of the formal public hearing. It has since been determined to be a legislative matter which involves no such restriction on ex parte communications.

The public hearing was opened at 9:18 am.

Stuart described the proposed amendments to County Code to allow an RV park as a conditional use in the Tumalo Commercial District on a lot which abuts Highway 20 and is sized between 2.3 and five acres. Explaining that just one property could potentially be eligible to have an RV park under the proposed changes, Stuart reviewed the history of the application and noted that the Hearings Officer had recommended it for approval.

Commissioner Chang stressed that the decision before the Board is not to allow a specific RV park in Tumalo, but rather to amend County Code to allow such parks through the conditional use permit process. Explaining that the conditional use process requires the evaluation of site- and neighborhood-specific suitability and compatibility, he said some applications for conditional use permits are

denied, e.g., a marijuana dispensary in Tumalo was not allowed because it failed to meet necessary criteria.

Adam Smith, representing the applicant, asserted that RV parks are already allowed in the County and said the proposed amendments seek to change only the nature and manner of how these would be permitted in the Tumalo Commercial District. He addressed issues raised in comments submitted by others, including questions about the purpose of the continued hearing, and stressed that the proposal would not necessarily result in the development of an RV park. He referred to concerns relating to traffic and said the proposed changes are consistent with the Tumalo Community Plan, particularly as that involves tourism-related economic activity. He noted that County Code requires that any RV park connect to a central sewer system.

Saying that an RV park is not an urban use and that RV parks do not negate the rural character of any area, Smith stressed that the property owned by the applicant is already zoned for commercial use. Noting that each RV would be limited to a maximum 30-day stay, he said RV parks offer a lower-cost vacation option for many people.

Commissioner DeBone acknowledged Smith's statement that RV parks are already permitted as a conditional use in the Tumalo Commercial District. Smith said the proposal seeks only to change the nature of which RV parks are allowed in the Tumalo Commercial District.

- Linda Barbaro said an RV park does not belong adjacent to an established neighborhood of single-family homes, and negative impacts on traffic would result. Adding that in future years, the owner may cite the housing shortage and attempt to turn the park into permanent housing, she asked that all of the Commissioners visit the site and surrounding area before making a decision.
- Karl Findling vehemently opposed the proposal, saying that Tumalo's already-congested business district and non-standard street designs would constrict the turning radiuses needed for larger vehicles and force them onto residential streets. He said an RV park would be culturally incompatible with the area, visually degrade the Tumalo community, and be more of a burden than a benefit.

In rebuttal, Smith stressed that the property owned by the applicant is zoned commercial and as such can be used for more intense purposes than an RV park, including for building homes that could be used as short-term rentals, for example. Saying that restrictions on land use can frustrate economic

development opportunities, he referred to a study commissioned by the County which concluded that more RV parks are needed to meet the demand.

In response to Commissioner Chang, Stuart said most RVs have onboard wastewater facilities, and staff proposed that any RV park be required to connect to a central sewer system. She added there is no practical way to serve separate RV stalls with a site-specific sewer.

There being no one else who wished to speak, the public hearing was closed at 10:05 am.

The Board was in consensus to close the record at this time and proceed to deliberations.

A break was announced at 10:08 am. The meeting resumed at 10:18 am.

Stuart guided the Board through the relevant decision points, as follows:

1. Did the applicant adequately address all relevant Deschutes County Comprehensive Plan policies, Statewide Planning Goals, and legal and technical arguments?

A majority of the Board was in consensus that the applicant has adequately addressed all relevant Deschutes County Comprehensive Plan policies, Statewide Planning Goals, and legal and technical arguments.

3. With regard to potential traffic impacts, has the applicant demonstrated compliance with Transportation Planning Rule OAR 660-012?

A majority of the Board was in consensus that the applicant has demonstrated compliance with Transportation Planning Rule OAR 660-012PC.

4. Is the proposal consistent with the Tumalo Community Plan?

A majority of the Board was in consensus that the proposal is consistent with the Tumalo Community Plan.

2. Are there policy reasons to approve the proposed amendments?

For this deliberation point, Stuart reviewed factors of the applicant's position as well as points raised by those opposed to it.

Noting that he has driven through the area and walked Tumalo's neighborhoods, Commissioner DeBone said a conditional use application may require future

improvements to address some of the concerns regarding an RV park. He spoke to the opportunity to use private property to establish a business for the provision of services.

Commissioner Chang saw no reason to block this Code change at the policy level, said that an RV park should be potentially allowed as a conditional use in a commercial zone, and reiterated that many of the concerns raised about this proposal could be addressed in a conditional use process if that is initiated.

Commissioner Adair did not support the proposed changes to allow RV parks in Tumalo.

DEBONE: Move approval of an application for text amendments to Deschutes County Code to allow RV parks as a conditional use in the Tumalo Commercial District

CHANG: Second

VOTE:	DEBONE:	Yes
	ADAIR:	No
	CHANG:	Chair votes yes. Motion Carried 2 - 1

8. Public Hearing: Residential Commingled Recycling Collection Service and Rate Adjustments for Wilderness Garbage and Recycling, Bend Garbage and Recycling, High Country Disposal

Tim Brownell, Director of the Solid Waste Department, summarized the proposal to provide residential comingled recycling collection services in outlying areas of the County. If approved, recycling collection services would be added at a cost of \$6.00 per month for residences of all affected areas. This service would not be optional—everyone who elects to receive garbage collection services would have to pay for recycling collection whether or not they set out materials to be recycled.

The public hearing was opened at 11:00 am.

- Deane Tolley expressed strong support for this service, saying she has waited years for it to be offered and that it isn't easy for some people to self-haul recyclables off-site. She was willing to pay for recycling collection services.
- Kym Lavell also spoke in favor of this service, which would save trips to La Pine a few times each month, and said she knows of no one in her community who does not want this.

- Ellen Jones stated her strong belief in the principle of recycling and her desire to have the option of curbside pick-up. She noted that not everyone is willing to self-haul their recyclable materials to the transfer station.
- Laura Schlarb said curbside collection has been desired for years, and many people may not recycle because of the time and effort involved to transfer their own recyclables to La Pine or Bend.
- Becca Phelps supported the proposal as it would help recyclables from going into the landfill, thereby reducing waste and furthering environmental sustainability. She believed the services would be well-utilized.

In response to questions, Republic Services general manager Erica Haitsma confirmed that the company offers conditional senior and fixed income discounts for residents of Bend and Redmond. She agreed to find out if those discounts are offered to other customers beyond those cities.

There being no one else who wished to speak, the public hearing was closed at 11:18 am.

Commissioner DeBone referred to the learning curve inherent in understanding what can be recycled and what cannot and said while not everyone is excited about paying for curbside recycling collection, it is good to know that many support this.

Noting that she has recycled her whole life, Commissioner Adair asked about the value of recycling compared to the cost. Brownell said the cost of collecting and transferring recyclable materials is increasingly being paid by companies that buy these materials to use in the manufacture of other products.

Commissioner Chang said paying \$6 per month for curbside pick-up of recycling in outlying areas is a bargain.

ADAIR: Move approval of Board Order 2026-003 authorizing for the expansion of franchised collection of commingled recyclables in specifically identified regions of the unincorporated areas of Deschutes County

DEBONE: Second

VOTE:	DEBONE:	Yes
	ADAIR:	Yes
	CHANG:	Chair votes yes. Motion Carried 3 – 0

9. Consideration of approval for Road Department submittal of a Better Utilizing Investment to Leverage Development (BUILD) Planning Grant Application for U.S. 97 South Interchange at Deschutes River Woods project

Cody Smith, County Engineer / Assistant Road Director, requested that the Board authorize the Road Department to submit a federal BUILD planning grant application through the U.S. Department of Transportation for planning work on the U.S. 97 Deschutes River Woods South interchange project, saying that the application is due on February 24th.

Commissioners asked questions about the project’s purpose and timing, and how the planning effort would position the County for construction funding in the future.

Smith explained that the project would establish a secondary evacuation route for the Deschutes River Woods community and also address existing safety deficiencies on U.S. 97 associated with turning movements near the High Desert Museum. Noting that data for the most recent five-year period showed 28 reported crashes in the project vicinity, he estimated that if planning funding were secured, planning could begin in 2027 and take several years, with overall implementation potentially a decade or more depending on construction funding availability.

Smith added that the County is partnering with ODOT to draft and finalize the grant application, with the County serving as the applicant. A letter of support has already been received from Congressman Bentz’s office.

DEBONE: Move to authorize the Road Department to submit an application for a Better Utilizing Investment to Leverage Development (BUILD) Planning Grant for the U.S. 97 South Interchange at Deschutes River Woods project

ADAIR: Second

VOTE: DEBONE: Yes
 ADAIR: Yes
 CHANG: Chair votes yes. Motion Carried 3 - 0

10. Proposed Road Name Assignment (Horned Owl Trail)

Tarik Rawlings, Senior Transportation Planner, presented a request to assign the name of Horned Owl Trail to a shared access driveway, explaining that the Cloverdale Fire District requested this access be named to facilitate quick emergency response if needed. The access is shared by five property owners.

ADAIR: Move approval of Board Order 2026-004 assigning the name of Horned Owl Trail to an existing unnamed gravel driveway stemming east from Cloverdale Road

DEBONE: Second

VOTE: DEBONE: Yes
ADAIR: Yes
CHANG: Chair votes yes. Motion Carried 3 – 0

11. FY 27 Cannabis Advisory Panel Budget Recommendations

Jen Patterson, Strategic Initiatives Manager, presented the Cannabis Advisory Panel's fiscal year 2027 budget recommendations, saying that CAP met on January 26th to receive updates from departments which were allocated funds last year and to consider the submitted proposals for next year from Community Development's Code Enforcement division, Community Justice's Juvenile Justice division, Health Services, and the Sheriff's Office.

Patterson reported an estimated \$183,000 in cannabis tax revenue for fiscal year 2027 and \$190,000 in funding requests. CAP recommends allocating \$20,000 to the Community Development Department, \$33,000 to Community Justice, \$50,000 to Health Services, and \$80,000 to the Sheriff's Office.

Commissioners discussed trends and operational issues related to enforcement and illegal grow operations, including that enforcement is becoming more difficult due to grow operations moving indoors.

Commissioner DeBone reported statewide marijuana tax revenue figures shared through the Association of Oregon Counties and described year-to-year variations between 2022 and 2025.

DEBONE: Move approval of the recommended allocations from the Cannabis Advisory Panel for FY 2027

ADAIR: Second

VOTE: DEBONE: Yes
ADAIR: Yes
CHANG: Chair votes yes. Motion Carried 3 – 0

OTHER ITEMS:

- Commissioner Chang relayed a request from the Central Oregon Irrigation District that the County declare a severe drought for 2026, explaining that a declaration from the County would facilitate asking the Governor to issue a related executive order under the provisions of ORS 536.

Commissioner DeBone supported declaring a drought. In response to Commissioner Adair, Commissioner Chang proposed that the Board receive a presentation from representatives of the Oregon Water Resources Department on current and projected groundwater conditions and reservoir levels in the Deschutes basin.

- Commissioner Chang spoke to improvements needed at the intersection of OR-126 and Helmholtz Way, and also in Redmond at 35th and Highland. Strategic Initiatives Manager Jen Patterson said this will be discussed at tomorrow’s legislative update meeting.
- Patterson presented requests from the Redmond Fire District for letters of support for two Congressionally-directed appropriations to fund a ladder truck and vehicle exhaust capture systems.

DEBONE: Move approval of the two requested letters of support for the Redmond Fire District as described

ADAIR: Second

VOTE:	DEBONE:	Yes
	ADAIR:	Yes
	CHANG:	Chair votes yes. Motion Carried 3 – 0

- Patterson presented the finalized tri-county letter discussed last week by the Board to be used for state and federal advocacy regarding needed safety improvements to Highway 97. Commissioner DeBone shared that he had brought this up on Monday during a group meeting with the Governor in Salem.

EXECUTIVE SESSION:

At 12:14 pm, the Board entered Executive Session under ORS 192.660 (2) (e) Real Property Negotiations.

At 12:29 pm, the Board exited Executive Session and directed staff to proceed as discussed.

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 12:29 pm.

DATED this 11th day of March 2026 for the Deschutes County Board of Commissioners.



PHIL CHANG, CHAIR

ATTEST:



RECORDING SECRETARY



ANTHONY DEBONE, VICE CHAIR



PATTI ADAIR, COMMISSIONER