



## BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

# BOCC MEETING MINUTES

9:00 AM

**WEDNESDAY May 21, 2025**

Barnes Sawyer Rooms  
Live Streamed Video

Present were Commissioners Anthony DeBone, Patti Adair and Phil Chang (via Zoom).  
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 9:05 am and noted the temporary absence of Commissioner Chang, who joined the meeting via Zoom at 9:29 am.

### PLEDGE OF ALLEGIANCE

### CITIZEN INPUT:

- Christina Hall expressed her appreciation for the County's attention to the displacement of unauthorized encampments from China Hat, saying that the County's Road Department and Sheriff's Office along with the City of Bend collaborated to address concerns, including finding alternate locations for displaced campers. Saying this was a complex and politically fraught issue, she appreciated that it was addressed cooperatively and with respect.
- Greg Bryant commented on the Board's decision to discontinue the County's DEIA committee and said DEI efforts serve to promote fair treatment and the full participation of everyone.

Commissioner DeBone spoke to his youth in the suburbs of Detroit, Michigan and his experience with a growing societal acceptance of diverse cultures. He stated his desire to serve everyone and make sure that all are welcomed and included.

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

- 1. Approval of a Notice of Intent to Award a contract to Steele Associates Architects for design of the Gray Courthouse Improvements Project
- 2. Approval of an Intergovernmental Cooperative Purchasing Agreement with Pend Oreille County
- 3. Authorization to relinquish mineral rights associated with real property located at 54785 Pinewood Avenue, Bend
- 4. Approval of Board Order No. 2025-021 reappointing Gregory Colvin as Justice of the Peace Pro Tempore
- 5. Consideration of Board signature on letter appointing Christina Maier for service on the Project Wildfire Steering Committee
- 6. Approval of the minutes of the BOCC April 21, 2025 meeting
- 7. Approval of the minutes of the May 9, 2025 Legislative Update meeting
- 8. Approval of the Minutes of the May 2, 2025 BOCC Legislative Update meeting

ADAIR: Move Board approval of the Consent Agenda as presented

DEBONE: Second

VOTE:	ADAIR:	Yes
	CHANG:	(not present)
	DEBONE:	Chair votes yes. Motion Carried 2 – 0

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**ACTION ITEMS:**

**9. Presentation by Deschutes Trails Coalition on the Stewardship Grant Closeout Report and request regarding use of remaining grant funds**

Robert Tintle, Chief Financial Officer, introduced Jana Johnson, executive director of the Deschutes Trails Coalition (DTC), who presented a report on the DTC stewardship grant and sought authorization from the Board to retain and utilize unspent funds. Johnson reviewed that in January of 2022, the Board granted \$600,000 in Transient

Room Tax (TRT) funds to the Trails Coalition for a variety of projects. At this time, \$17,248 of unspent grant funds remains from two of the projects, and the DTC seeks approval to allocate those funds for trail crew operations in the Deschutes National Forest.

Commissioners DeBone and Adair reiterated their displeasure that the DTC had awarded \$80,444 of the grant funds to the Deschutes Land Trust to support the purchase of the 1,100-acre Spectre Ranch for a nature preserve and recreation area. Both Commissioners felt that the expenditure was outside the grant's intended purpose.

Commissioner Chang joined the meeting remotely at 9:29 am.

Noting that two of the funded projects were able to be accomplished under budget, Commissioner Chang suggested allowing the use of the unspent funds for trail crew operations for the specific benefit of the two organizations which together saved \$17,248. Discussion ensued regarding whether and how the use of those funds could be targeted to help develop certain trails in the Newberry National Volcanic Monument and/or assist with Oregon Equestrian Trails work in the area of its Chief Paulina and Three Creek Meadow corrals.

ADAI: Move to approve an amendment to contract No. 2022-187 with the Deschutes Trails Coalition allowing the use of \$17,248 in remaining grant funds to support trail crew operations as discussed

CHANG: Second

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

**10. Public Hearing and consideration of emergency adoption of Ordinance No. 2025-006 amending County Code regarding Transient Room Tax collections**

Robert Tintle, Chief Financial Officer, presented recommended amendments to County Code Section 4.08 regarding the imposition of the Transient Room Tax. Explaining that the proposed changes will update the Code language and bring it into alignment with State regulations, Tintle said the changes include modifying the term "Transient Room Tax" to "Transient Lodging Tax" and widening the applicable facilities term from "hotel" to "Transient Lodging Facility." Additionally, definitions will be added for short-term rentals and for the platforms used to offer, book and manage those.

Tintle reviewed other proposed changes, including adding a fee for the initial registration of a lodging facility and requiring annual renewals. These fees will be used to offset the administration of the Transient Lodging Tax program.

In response to Commissioner DeBone, Tintle said notices of today's public hearing were either emailed or mailed to all owners and managers of properties known to be used and/or available for public lodging.

*The public hearing was opened at 9:50 am. There being no one who wished to speak, the public hearing was closed at 9:51 am.*

ADAIR: Move approval of first and second reading of Ordinance No. 2025-006  
by title only

CHANG: Second

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

Chair DeBone read the title of the ordinance into the record two times.

ADAIR: Move adoption of Ordinance No. 2025-006 amending Title 4.08, Transient Lodging Tax, of the Deschutes County Code, by emergency to take effect on September 1, 2025

CHANG: Second

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

**11. Board direction to schedule a hearing in response to the complaint by Amy Varner against Rodney Dieckhoff, President of the Four Rivers Vector Control District**

Commissioner DeBone recused himself from participating in the discussion of this matter.

Dave Doyle, County Counsel, reviewed the complaint submitted by Amy Varner against Rodney Dieckhoff, President of the Four Rivers Vector Control District, and sought Board direction as required by State statute. Explaining that the Board is mandated to hold a public hearing in this case unless the involved parties withdraw the complaint, Doyle said he will work with staff to schedule a public hearing on a date that works for all of the parties.

## **12. Cascade East Transit Presentation: Fare Policy and other updates**

Bob Townsend, Cascade East Transit (CET) Director, shared an update on a recent fare policy approved by COIC as well as other updates on CET programming and initiatives, including extended service hours starting June 2<sup>nd</sup> and the launch of a new Route 8 in northeast Bend. Adding that CET is considering adding a route to directly serve the Redmond Municipal Airport or one that would serve the Deschutes River Woods area, he said in July, CET will begin to notify the public that a transit pass will be required for service starting in September. This summer, the CET Board will consider a proposal to implement fares starting October 1<sup>st</sup> after not having collected fares on many routes for five years.

In response to Commissioner Adair, Townsend said the La Pine-Sunriver route has not been re-established. Noting that all routes are dependent on funding availability, he explained CET's efforts to maximize ridership where that can be done.

Responding to Commissioner DeBone, Townsend said it's expected that 25% of riders will pay a \$2.00 one-way full fare price and others will pay a reduced rate of \$1.00 per trip.

Discussion ensued regarding Oregon's Statewide Transportation Improvement Fund (STIF). Townsend explained that while CET is heavily reliant on STIF dollars for rural service, it also receives grants. It anticipates collecting \$750,000 to \$1 million in fares in the upcoming year, which will be used for operating costs.

Responding to Commissioner Adair, Townsend said requiring riders to use a transit pass will help to track and deny service to those who have been banned for inappropriate behavior.

## **13. Resolution regarding public use fire restrictions on unprotected lands and County-owned lands**

Kevin Moriarty, County Forester, sought Board approval of Resolution No. 2025-013 to impose public use restrictions starting June 1st to help prevent fire starts. Explaining that the resolution would prohibit any open fires except in designated areas, Moriarty listed other restrictions, including on the use of chainsaws during certain hours.

- ADAIR: Move approval of Resolution No. 2025-013, declaring a state of emergency and imposing public use restrictions on all unprotected wildlands within

unincorporated Deschutes County, and all lands owned by Deschutes County  
CHANG: Second

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

*A break was announced at 10:46 am. The meeting resumed at 10:51am.*

**14. Consideration of second reading of Ordinance No. 2025-005: Temporary Hardship Dwelling Text Amendments**

Will Groves, Planning Manager, said since the Board approved first reading of Ordinance No. 2025-005 on May 7<sup>th</sup>, staff discovered a minor clerical error in Exhibit C. As now presented for second reading and adoption, Section X.1. in Exhibit C has been corrected to remove the word "medical" from the term "temporary dwelling for medical hardship" so it instead refers to temporary hardship dwellings in alignment with the other sections.

ADAIR: Move approval of second reading of Ordinance No. 2025-005 by title only  
CHANG: Second

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

Chair DeBone read the title of the ordinance into the record.

ADAIR: Move adoption of Ordinance No. 2025-005 amending Title 18 of the Deschutes County Code relating to Temporary Hardship Dwellings  
CHANG: Second

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

Groves said the ordinance will take effect on August 19<sup>th</sup>.

**15. Continued Public Hearing: Reconsideration of Deschutes County 2040 Comprehensive Plan Update**

Planning Manager Will Groves reminded that the continued public hearing on the reconsideration of Ordinance 2024-007, related to the adoption of the Deschutes

County 2040 Comprehensive Plan update, will be limited *de novo* with only testimony related to the petitioner's brief submitted by Central Oregon LandWatch allowed.

Rory Isbell, Central Oregon LandWatch (COLW), explained that COLW's appeal of the Plan is based on non-compliance with Goal 14 (Urbanization) of the statewide land use planning policy. COLW argues that the Plan violates Goal 14 in several respects, including by allowing the unlimited rezoning of rural agricultural and forest lands without Goal 14 review, and by extending the MUA and RR zones to non-exception areas without determining new goal exceptions. COLW takes particular issue with unlimited rezones of rural land for residential, industrial and commercial uses, which increases wildfire risk and strains both groundwater supplies and the provision of public services, including transportation and public safety.

Saying that Goal 14 requires an orderly growth path for land within an urban growth boundary, Commissioner DeBone asked how rezones which are disconnected from or even remote from a UGB can be construed to be "urbanization."

Responding that Goal 14 recognizes land on both sides of a UGB, Isbell said this goal applies to County land use decisions which allow residential, commercial and industrial uses outside of UGBs.

Discussion ensued regarding if Goal 14 applies to rural resource lands upon their conversion to residential, commercial or industrial uses and whether such conversions constitute urbanization, even for developments having a ten-acre minimum density in accordance with the MUA10 and RR zones.

In response to Commissioner DeBone, Isbell said the County created the MUA10 and RR zones to accommodate recognized exception areas which were already developed with rural residences or rural industrial uses. Continuing to rezone rural farm and forest land for such uses, however, can result in new urban population growth and development outside of UGBs.

Commissioner DeBone said some land which is zoned as resource land cannot be profitably farmed. Isbell said while COLW would welcome a large-picture process whereby all property zoned as resource land in the County is considered as to the appropriateness of its zoning, COLW does not support allowing individual rezones to be pursued and approved in the absence of a holistic review and consideration.

Commissioner Chang reminded that rezones of rural property change the use of land which could be farmed or used for grazing, and can drive up the cost of land zoned exclusively for farm use.

Adam Smith, testifying on behalf of Pohaku Farms, said COLW's appeal of the County's 2040 Comprehensive Plan update challenges provisions which were contained in the Plan since before the update. Adding that amendments to zoning maps are a necessary planning tool, he said some properties in Deschutes County are improperly zoned EFU, and there must be a process for rezoning properties which are inappropriately zoned.

In response to Commissioner DeBone, Smith said no one buys property in Deschutes County expecting that it can be rezoned as doing that would be too financially risky with no guarantee of success.

Commissioner Chang said the allowable development on any property affects its value and hence its selling price.

Referring to COLW's claim that approximately 3,000 acres of farm and forest land were rezoned in Deschutes County over the last 12 years, Commissioner Adair said this works out to an average of about 250 acres each year of the County's total 1,955,000 acres.

Smith added that applicants for rezones have repeatedly prevailed when their applications are challenged on the basis of Goal 14 violations.

Commissioner Chang objected to considering rezones of rural land on a case-by-case basis and not on the cumulative impacts of different rezones.

- Dorinne Tye supported COLW's appeal of the 2040 Comprehensive Plan in the interest of protecting resource land, farm use and wildlife habitat. She urged the Board to listen to its constituents and protect valuable natural resources from unwarranted development.
- Mari Fleishmann stated her support for COLW's appeal and agreed with the need to protect forest and farmlands from development sprawl.
- Mark Stockhamp opposed COLW's appeal of the 2040 Comp Plan, saying that thousands of acres in Oregon are zoned incorrectly. Noting that Bend Parks & Rec recently requested a rezone of property outside of Bend's city limits, he said private property owners should be allowed to apply for rezones, especially for land erroneously zoned as forest or farmland.

*There being no one else who wished to speak, the public hearing was closed at 11:54 am.*

Following discussion, the Board was in consensus to leave the written record open until 4:00 pm on Wednesday, May 28th.

*A lunch recess was taken at 11:59 am. The meeting reconvened at 1:00 pm.*

**16. Work Session: Preparation for Public Hearing - Clear and Objective Housing Text Amendments to Deschutes County Code Section Title 17 (Subdivisions)**

Will Groves, Planning Manager, explained the State mandate that local governments apply only clear and objective standards, criteria, and procedures to applications for housing projects with the aim of expanding the supply of housing. As this requirement takes effect on July 1, 2025, staff has been working to update language in Deschutes County Code to comply. Groves described the process undertaken to draft the necessary Code amendments, saying that the general approach was to retain existing regulations where possible and simply convert discretionary language into policy-neutral, clear and objective language. In certain limited circumstances, alternative standards or criteria have been proposed. Groves said along the way, other amendments were also proposed to broadly remove ambiguity from implementing sections of the Code and maintain conformity across all development standards.

Groves summarized the public comments received when the proposed amendments came before the Planning Commission, saying these included the need for flexibility in the Code and the desire to ensure that less common development options are preserved.

The public hearing on this matter has been scheduled for May 28<sup>th</sup>.

**17. Work Session: Clear and Objective Housing Text Amendments – Goal 5 (Title 18)**

Tanya Saltzman, Senior Planner, explained the proposed amendments to Title 18 of Deschutes County Code to ensure clear and objective standards with regard to the protection of Goal 5 resources (natural resources, scenic areas, and open spaces), with some overlap of regulations for cluster and planned developments. The proposed amendments incorporate feedback from the Oregon Department of Land Conservation and Development, Oregon Department of Fish and Wildlife, and other interested stakeholders.

Saltzman stressed that the proposed amendments do not alter the County's acknowledged Goal 5 inventories or impact areas. As required by the State, the County will continue to allow residential construction in areas with Goal 5 resources subject to standards and criteria that maintain the same level of protection as the discretionary process that was previously used (and which remains an option for most applicants).

Saltzman listed the specific sections of Title 18 affected by proposed changes and provided examples of the changes, including where discretionary standards were retained alongside new clear and objective standards in order to preserve flexibility by allowing limited exceptions in some cases.

Chair DeBone noted the public hearing on this matter is scheduled for May 28<sup>th</sup>.

#### **18. Nomination process to form a committee to draw Commissioner District Maps**

Nick Lelack, County Administrator, reviewed the Board's decision to convene a seven-member committee for the purpose of drawing Commissioner district maps. As already decided by the Board, two of the committee members will be appointed by Commissioner DeBone, two by Commissioner Adair, and three by Commissioner Chang.

Commissioner Adair shared that she has heard from Lane County that having five districts works well there.

Commissioner Chang supported establishing some expectations for who will be appointed to the committee in the interest of securing geographic representation across the County. Saying that more than 75% of the county's population lives in incorporated areas, he wished to guard against skewing the committee with a bias which may not represent most of the population. While he believed that only persons who have no political party affiliation or are independent should be selected, he said if the other Commissioners choose to appoint persons affiliated with one a political party, he would want to counterbalance that. He further suggested discussing whether the Board will be open to appointing committee members who are interested to run for a Commissioner position in the future.

Saying she did not think it would be appropriate to appoint someone who is interested to run for a Commissioner position, Commissioner Adair wanted the process to be fair and balanced.

Commissioner Chang supported deferring the matter of developing district maps to the expanded five-member Board.

Discussion ensued as to whether the district maps should go before the voters in May or November of 2026, with the consensus that May would be preferred. Lelack said in that case, the committee will be expected to present a proposal to the Board in January in view of the February deadline for the May ballot. With this timeline in mind, the Board was in consensus to appoint members to the committee in July.

Lelack referred to the interest expressed by some college students to participate in this process. The Commissioners supported accommodating those requests.

Discussion ensued regarding the Commissioner's selections of committee members. Commissioner Adair was confident in the BOCC's ability to appoint seven people who are fair, intelligent, and capable of making wise decisions, and who together will develop a proposal that is fair and balanced.

In response to Commissioner DeBone, Lelack said an RFP could be issued to seek a facilitator, or the committee could facilitate itself with staff support. The BOCC was interested to consider an RFP for facilitation services, depending on the estimated cost of those.

Saying he represents each and every citizen in the County, Commissioner DeBone reminded that the committee will be tasked with developing a proposed district map which the voters will ultimately approve or reject.

**19. Consideration of Administrative Policy GA-27, Temporary Safe Stay Area Guidelines, Rules, & Enforcement**

Kristie Bollinger, Property Manager, reminded that in October of last year, the County and the City of Bend jointly established a Temporary Safe Stay Area (TSSA) for homeless encampments in the area commonly referred to as Juniper Ridge. The legislation which established the TSSA required the development of administrative policies to address enforcement and monitoring strategies, reduction in unlawful access points, and rules regarding open flames. Bend approved its version of these policies on April 28, 2025; the draft County policy GA-27 would do the same.

In response to Commissioner Adair, Bollinger said if someone's dog is not leashed, that would be addressed according to the specific circumstances of the situation.

ADAIR: Move approval of Administrative Policy GA-27, Temporary Safe Stay Area Guidelines, Rules, & Enforcement

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried 3 - 0

**20. Dedicate +/- 15.05 acres of County-owned property to public right-of-way in East Redmond associated with the CORE3 project, and authorize granting a Temporary Construction Easement to Central Oregon Intergovernmental Council**

Kristie Bollinger, Property Manager, described the request to grant County-owned property for public right-of-way to satisfy a condition of approval for the CORE3 project in Redmond.

ADAIR: Move approval of Board Order No. 2025-020 to authorize dedicating +/- 15.05 acres of County-owned property to public right-of-way in East Redmond associated with the CORE3 project, authorize granting a Temporary Construction Easement to Central Oregon Intergovernmental Council, and further authorize the Deschutes County Property Manager to execute the documents associated with the dedications to public right-of-way and temporary construction easement

CHANG: Second

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

**21. Treasury Report for April 2025**

Bill Kuhn, County Treasurer, presented the Treasury Report for April 2025, noting that the CPI index recently dropped to 2.4%.

**22. Finance Report for April 2025**

Robert Tintle, Chief Financial Officer and Jana Cain, Controller, presented the Finance Report for April 2025.

In response to Commissioner Adair regarding why the General Fund shows property tax receipts at 98% but DCSO shows these at 97%, Cain explained that Finance projects receipts of property tax funds for the General Fund while DCSO and 9-1-1 each figure their own projections for these, perhaps using a different methodology.

**OTHER ITEMS:**

- County Administrator Nick Lelack presented a draft letter from the Board listing top 2025 legislative session priorities of the County for the information and consideration of the Central Oregon delegation.

Commissioner Chang suggested also listing as priorities: HB 2954 –addiction prevention and the Healthy Schools program; HB 3131 and HB 2018 – infrastructure funding for housing and shelter put forward by the Regional Housing Council; and HB 3644 involving shelter and supportive services for homeless persons.

Commissioner DeBone said while these are important, he was leery of adding to the list.

Commissioner Adair said Deschutes County has contributed nearly \$3.2 million to the Terrebonne Sanitary District.

Lelack noted Commissioner DeBone and Adair’s concurrence to add HB 3131 and HB 2018 to the list.

Referring to HB 3644, Commissioner Adair said she has heard that low-barrier shelter does not work well. Commissioner Chang said low-barrier shelters can be an extremely effective component in the continuum of care.

ADAIR: Move approval of the revised letter listing priorities of Deschutes County for the 2025 legislative session to the members of the Ways & Means Committee, with copies being sent to the Central Oregon delegation

CHANG: Second

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

- Commissioner Adair shared that she had signed up to testify on SB702 this morning but was unable to due to the start time of the Board’s meeting. This bill would restrict sales of vape pens containing flavored tobacco to stores licensed by the Oregon Liquor and Cannabis Commission.
- Saying he toured the Newberry Mazama site yesterday along with Patricia Lucas from SLED, Commissioner DeBone explained that the Department of Energy awarded \$20 million to explore the feasibility of an enhanced geothermal system for possible power generation.
- Commissioners Chang and Adair attended J Bar J’s grand opening of its new Big Brothers / Big Sisters facility last Friday.
- Commissioner Chang reported that the Bend Metropolitan Planning Organization (BMPO) is finishing up revisions to its bylaws which will come to the BOCC in the near future.

**EXECUTIVE SESSION:**

At 3:18 pm, the Board entered Executive Session under ORS 192.660 (2) (e) Real Property Negotiations and ORS 192.660 (2) (d) Labor Negotiations.

The Executive Session concluded at 3:57 pm.

**ADJOURN:**

Being no further items to come before the Board, the meeting was adjourned at 3:59 pm.

DATED this 23<sup>rd</sup> Day of July 2025 for the Deschutes County Board of Commissioners.



**ANTHONY DEBONE, CHAIR**

**ATTEST:**



**PATTI ADAIR, VICE CHAIR**

  
**BRENEKE FITZGERALD**  
**RECORDING SECRETARY**

**PHIL CHANG, COMMISSIONER**