



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY March 19, 2025

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Anthony DeBone, Patti Adair and Phil Chang. Also present were Deputy County Administrator Whitney Hale; Senior Assistant County Counsel Kim Riley; and BOCC Executive Assistant Brenda Fritsvold (via Zoom).

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 DeBone called the meeting to order at 9:00 am.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT:

Referring to requests from citizens to comment on the landfill matter, Chair DeBone said input on this subject will not be allowed as that matter is on today's agenda.

- Daniel Jones said he attended yesterday's meeting of the Forest View Special Road District which Commissioner DeBone also attended. Saying it was his understanding that Commissioners were not to speak about the complaint filed by Jones against the District pending a formal decision by the Board, Jones said Commissioner DeBone did speak to this matter and, in doing so, provided inaccurate information.

- Mary Rogers objected to the manner in which the decision to sunset the County's DEIA committee was made as there was no advance notice for citizen input.
- Diane Murray was deeply concerned about the decision made by the Commissioners on February 5th to dissolve the DEIA committee and the fact that this matter was added to the Board's meeting agenda at the last minute, which effectively circumvented citizen input. She spoke to the need for DEIA efforts in general and for this committee in particular.
- Linda Dykwel said DEIA efforts are racist and spur white people to hate other white people; that job hiring should be based on merit, not race; that planes are falling out of the sky due to DEIA practices; and that DEIA makes people not want to strive to be better because no education is needed to advance in their careers.
- David Wood stated his opposition to DEI and said the president has ordered that these efforts be dismantled. He wanted people such as pilots to be qualified and for promotions not to be based on race, and said success should be based on talent and abilities, not race.
- Penny Palmatier was pleased that the DEI committee was disbanded because DEI work is not needed and thus the committee is a waste of taxpayer funds. Saying that DEI has nothing to do with work performance, which must be judged based on the quality of the work done, she said in school, student grades are based on how well they perform, and DEI work detracts from the purpose of what schools are intended to accomplish.
- Matt Capozzi said a DEI committee enhances the County's operations and furthers leading with best practices that make the County's services accessible to all residents, thereby supporting the County's core mission. He supported proactive initiatives to respond to the needs of the community and encouraged that the committee be reinstated as it promoted a true meritocracy.
- John Kelley asked that the Commissioners reflect on DEI with compassion to address the needs of all residents and stated his disagreement with the decision to dissolve the DEIA committee.
- Louis Capozzi said DEI is not about promoting unqualified people to jobs, which is illegal. He said dissolving the DEI committee hurts the community, that the rationale given for doing so was nonsense, and that this situation drives division in local politics.
- Barb Cartmell was sad to see that the Board dissolved the DEIA committee, which worked to ensure that all residents are treated equitably. Saying it is best to hear all voices and ensure that everyone's input matters, she asked that the Board reconsider this decision.
- Robert Fish referenced Thomas Sowell's book "A Conflict of Vision" and said it is common for people who disagree to fail to communicate. Saying that some people believe that the concept of "fair" is nuanced and must be managed, he gave the examples of the game of golf and sentences handed down by courts to individuals convicted of crimes to illustrate how people view fairness from different perspectives.

- Amanda Merriman urged the Board to reinstate the DEIA committee or provide an alternate way for its vital work to continue. She said DEIA work improves service delivery across diverse populations, ultimately strengthening the health and well-being of the community overall.
- Dan Daley supported the decision to dissolve the DEIA committee. He appealed to the sense of fairness and good intentions that motivate people who support DEIA efforts, said that compassion and intelligence are the best tools to resolve this conflict, and said much injustice is committed when promotions are not earned.
- Margery Crawford agreed that the DEIA committee was unnecessary, said this was dissolved by the Board in line with the president's executive order, expected that HR should oversee hiring practices and ensure their adherence to law, and concluded that as a taxpayer, she did not want to pay for DEI work.
- John Boylen expressed concern and unhappiness with what is going on in the country and said the Board's rapid elimination of the DEIA committee allowed for very little discussion of the merits of the work the committee was doing.
- Laken Bose said decisions should not be dictated by fear. She was disappointed to see this rash decision made without providing an opportunity for staff or citizen comments, said it is important to model a welcoming and inclusive community for youth, and asked that the work of the DEIA committee be continued.
- Linda Heimer asked that the DEIA committee be reinstated as it was neither radical nor wasteful, and did not involve preferencing. Noting that many private companies recognize the importance of DEIA initiatives, she said there is no evidence that the County's DEIA committee violated civil rights.
- Diana Brown strongly disagreed with the decision to dissolve the DEIA committee and questioned if this decision reflects the mission of the County and its commitment to represent all residents. She spoke to the need for equitable workplaces and said these do not allow discrimination.
- Helen Guerrero-Randall said DEIA programs have many benefits and asked that the DEIA committee be reinstated.
- Christy Nickey encouraged the reinstatement of the DEIA committee, saying that disabled children such as hers should get an equal chance at education. She referred to the racist overtones of the anti-DEIA movement, said that a fair outcome is not afforded everyone in the absence of DEIA, and said everyone is entitled to equal access to opportunities via strategic support and resources.
- Mary Kelley asked that the DEIA committee be reinstated to better serve all residents of the County. She said although DEIA is often conflated with hiring practices, this is not about affirmative action. Rather, DEIA addresses issues such as access for disabled persons and closed captioning for those who are hard of hearing.
- Jay Dicharry said DEIA work gives people a chance to achieve regardless of their socioeconomic status or race.
- Becky Kliever said DEIA programs promote the hiring of non-qualified people, which is divisive whereas the merit-based approach creates opportunity for all. She said

DEIA policies deny companies the ability to hire based on merit and concluded that special treatment should not be afforded to certain classes of people.

Commissioner Chang explained that the term “access” in DEIA work refers to the need to ensure the provision of County services to all. For example, if someone whose first language is not English becomes sick with a contagious disease, providing access to a bilingual health communicator benefits everyone by helping to ensure the illness is not spread to others.

- Luke Richter objected to the decision to dissolve the DEIA committee.
- Bill Schertzinger said the concept of DEI has some shortfalls, including the use of tax payer funds and that people can take advantage of DEI programs. Saying that nature allows the most fit to survive, he supported discontinuing DEI work and said hiring should be based on merit.
- Scott Stuart encouraged the Board to fulfill its oath of office which includes abiding by the US Constitution, said the president’s executive order is lawful and in effect, and warned of the risk of losing federal funding if the County does not follow the rule of law.
- Sierra Jackson said DEI is important for keeping rural communities strong as it benefits farmers, veterans and people who need access to food, healthcare and education. She encouraged looking for common ground and asked that the Board reconsider its decision to dissolve the DEIA committee.
- Casey Munck said DEI does not require the hiring of unqualified persons and asked that the DEIA committee be reinstated.
- Collen Shearer said DEIA work remedies issues of access and asked that the decision to dissolve the committee be reconsidered.
- Mira Akbar shared that she is transgender, said many people do not have an accurate view of people like her due to unconscious assumptions and biases, and stated that DEIA policies ensure that hires are based on merit.
- Glenna Alderson wished for everyone to feel welcome and said US citizens are losing many hard-won freedoms every day. Saying that not everyone has an equal opportunity to succeed, she objected that the decision to dissolve the DEIA committee was made without any opportunity for community input.
- Contessa Mendoza supported the decision to dissolve the DEIA committee, saying that DEIA policies are not needed to dictate people’s behavior. Adding that many matters of access are already addressed in the Americans with Disabilities Act and other regulations, she viewed DEIA as a contrived solution to a false problem and found it disconcerting that the only lack of diversity is in the space for thoughts and values.
- Rachel Nordenhok said the Constitution protects civil liberties, quoted a sentence from the Declaration of Independence, and said all American citizens have the same rights. Saying that DEIA allows discrimination based on race, she supported the decision to dissolve the DEIA committee.

- Lizzie Affonso expressed appreciation for DEIA which allowed her as a disabled student to attend public schools.
- Sandy Affonso said thanks to DEIA programs, her daughter is employed and pays taxes despite her hearing impairment and speech impediment. She said communities should honor these ideals.
- Brett Larson said the Board's decision to dissolve its DEIA committee was contrary to evidence-based leadership and the community's values. Saying that DEIA programs serve to ensure fairness, belonging and opportunity for all, he said decisions such as this should be made transparently and with the input of those affected, stressing that only when biases are reduced can merit be truly distinguished.
- Keena Chadwick spoke to the harm caused by dissolving the DEIA committee and the way in which that was done, commented on impacts to the County's employees and the community at large, and encouraged the Board to reinstate the committee.
- Agatha Ventura spoke to her work expertise and experience, noted that DEIA work has allowed men to take parental leave as women do, and asked that the Board reinstate the DEIA committee.
- Kinley W_____ supported an alternative to make sure that DEIA work continues. Saying that the Board's decision to dissolve the DEIA committee does not single out any group for harm, she recommended using the money spent on outreach to build something better together.
- Amy Millikin said DEIA is not about hiring practices or erasing culture but rather about ensuring equitable representation and opportunities. She spoke to the value of DEIA efforts and encouraged listening to the diverse perspectives of the community.

Commissioner DeBone stated his appreciation for the service of the County employees.

Commissioner Adair referred to the risk of losing federal funding and expressed her appreciation for the respectful discourse on this subject. Saying she will review this decision, she indicated her desire to speak to some people in more detail. She stated her agreement about the need to come together and believed that to be possible.

Commissioner Chang thanked everyone for sharing their perspectives and hoped the BOCC will revisit how the County can continue the important work of the DEIA committee, which served to ensure the provision of access to critical County services to all members of the community. He agreed with the need to guard against discrimination and bias when hiring and shared that the County had recently settled a claim filed by an employee which alleged gender discrimination.

At break was announced at 10:54 am. The meeting resumed at 11:00 am.

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

1. Approval of an amendment to the Public Health Provider Services Agreement with PacificSource Community Solutions
2. Approval of an amendment to the Behavioral Health Provider Services Agreement with PacificSource Community Solutions
3. Approval of Order No. 2025-010, creating temporary No-Parking Zones in Terrebonne
4. Approval of Document No. 2025-032, a Notice of Intent to Award Contract for the Slurry Seal 2025 Project
5. Approval of Order No. 2025-011 authorizing the acquisition of real property located at 907 SW 12th Street, Redmond
6. Approval of Document No. 2025-145 – Improvement Agreement for Phase D of the Caldera Springs Destination Resort
7. Approval of Order Nos. 2025-008 and 2025-009, Correcting Clerical Errors in Exhibit D and A of Ordinances 2024-011 and 2025-001, respectively
- ~~8. Approval of an amendment to Document No. 2025-212, Notice of Intent to Award the 2025 Qualified Pool of Fuels Reduction Contractors*~~
9. Approval of Order No. 2025-012 appointing Health Services Director's designees
10. Consideration of Board Signature on letter appointing Nicole Swarts for service on the Noxious Weed Advisory Board
11. Consideration of Board Signature on letters thanking Mike Gocke, and appointing Dennis Dishaw and Mitch Cooney for service on the Sunriver Service District Budget Committee
12. Consideration of Board Signature on letters appointing Catherine Hernandez, Frances Sittel, Elizabeth Allen and Robert Maimone as alternates on the Deschutes County Dog Control Board of Supervisors
13. Approval of the minutes of the January 29, 2025 BOCC meeting
14. Approval of the minutes of the February 26, 2025 BOCC meeting

Commissioner DeBone requested an edit to the minutes of January 29th regarding the proposed second letter to Congressman Cliff Bentz on the subject of a potential transfer of 40 acres of federally-owned land near La Pine to the

County. Commissioner Chang suggested that staff re-listen to this section of the meeting and record what was said as accurately as possible.

*At staff's request, item 8. was removed from the Consent Agenda for separate consideration.

ADAIR: Move Board approval of Consent Agenda as presented with the exception of item 8. which will be considered separately

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

8. Approval of an amendment to Document No. 2025-212, Notice of Intent to Award the 2025 Qualified Pool of Fuels Reduction Contractors

Kevin Moriarty, County Forester, explained that because one contractor was inadvertently left off of the original Notice of Intent to Award the 2025 Qualified Pool of Fuels Reduction Contractors, a separate NOIA is needed to add them to the pool.

CHANG: Move approval of Document No. 2025-290 to add Timber Stand Improvement to the 2025 Qualified Pool of Fuels Reduction Contractors and issue a separate Notice of Intent to Award for this purpose

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

Commissioner Adair noted that two contractors included on previous lists were not included in this year's pool.

ACTION ITEMS:

15. Public Hearing and consideration of Order No. 2025-007 approving the annexation of parcels into the Terrebonne Sanitary District

Dave Doyle, County Counsel, reviewed that the Terrebonne Sanitary District was formed in 2023 to provide sewer services to properties within its established boundaries. The following year, the District's Board approved initiating the

annexation of multiple parcels into the District; such annexations require action by the Board of County Commissioners.

The public hearing was opened at 11:07 am.

Commissioner Adair acknowledged Tom Anderson, the County's administrator in 2019 who supported establishing a sanitary district in Terrebonne, and said she is proud to see this is now happening.

District representatives Linda Swearingen, Ryan Rudnick, Tim Brown and Kristin Yurdin spoke to the work done to establish the district, thanked the BOCC and Tom Anderson for their support, and referred to federal and state funding which may be appropriated for the District's capital needs.

There being no one else who wished to speak, the public hearing was closed at 11:15 am.

In response to Commissioner DeBone, Doyle confirmed that more annexations are possible in the future. Responding to Commissioner Adair, Swearingen verified that Terrebonne's commercial businesses have joined the district.

ADAIR: Move approval of Board Order No. 2025-07 approving the annexation of parcels within the Terrebonne Unincorporated Community Boundary into the Terrebonne Sanitary District

CHANG: Second

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

16. Public Hearing and consideration of Order No. 2025-005 approving the annexation of certain property into the Bend Park & Recreation District

Dave Doyle explained that Cendrowski 2 Family LP submitted a petition to annex approximately 65.01 acres at 60850 Raintree Drive into the Bend Park & Recreation District. The Assessor's Office and County Clerk certified the petition, Community Development reviewed it, and the District has approved the petition.

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

CHANG: Move approval of the Cendrowski annexation into the Bend Park & Recreation District

ADAIR: Second

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

17. Consideration of various approaches to the disposal of solid waste after the future closure of Knott Landfill

Tim Brownell, Director of the Solid Waste Department, reviewed the extensive process undertaken to decide a site for a new County landfill, noting that more than 1,000 public comments were received over the course of the multi-year process. After the Solid Waste Advisory Committee (SWAC) unanimously recommended that the Board consider acquiring the Moon Pit site for this purpose, the Board accepted that recommendation and directed staff to enter into negotiations with the property owner to develop a Purchase and Sale Agreement.

Stephanie Marshall, Senior Assistant Legal Counsel, said negotiations with the owner of the Moon Pit site proved to be difficult on various points, including the transfer of water rights and how much the seller would charge for those in addition to the significant purchase price of the land. She added that the seller desired a quick closing, which did not allow sufficient time for the County to conduct its due diligence, including securing an appraisal of the site.

With respect to next steps, Brownell asked if the Board supports reconvening the SWAC to either reconsider the second finalist Roth East site, or to consider revising the technical criteria memo which may bring some sites which did not advance to the final review back into consideration. Brownell also spoke to the possibility of not developing a new landfill but rather transporting waste elsewhere, possibly with the use of vehicles utilizing alternative energy sources, and shared estimated costs of both alternatives.

In response to Commissioner Adair, Brownell said the new Greater Sage Grouse Habitat map places the core designated habitat within 100 yards of the Roth East property.

Commissioner Chang said in the previous process, a site choice was made before the County knew the full costs of that decision. He suggested considering more than one site and finding out how much each would cost before making a decision to proceed.

Responding to Commissioner Adair, Brownell said the County was looking for a property having a minimum of 500 acres.

Commissioner DeBone envisioned siting a new landfill in the County rather than transporting material out of the County. He supported reconvening the SWAC.

Along with other options, Commissioner Adair supported investigating the proposed development in north Klamath County for a possible public/private partnership.

Brownell summarized the direction from the Board to work with Parametrix to reconvene the SWAC to consider options other than the Moon Pit site. He added that staff will look at whether some sites would be rescored or requalified based on habitat changes as well as whether an exclusion to the FAA's guidelines might allow the consideration of sites near the Redmond airport.

18. Consideration of First Reading of Ordinance 2025-003 – Last Ranch Plan Amendment & Zone Change involving approximately 20.36 acres at 64994 Deschutes Market Road, Bend and 64975 Deschutes Pleasant Road, Bend

Anthony Raguine, Principal Planner, presented Ordinance No. 2025-003 for consideration of first reading.

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| ADAIR: | Move approval of first reading of Ordinance No. 2025-003 by title only |
| DEBONE: | Second |
| VOTE: | ADAIR: Yes |
| | CHANG: No |
| | DEBONE: Chair votes yes. Motion Carried 2 - 1 |

Chair DeBone read the title of Ordinance No. 2025-003.

A lunch break was announced at 12:07 pm. The meeting reconvened at 1:00 pm.

19. Deschutes County Opioid Settlement Funds: FY26 Department Funding Requests

Laura Skundrick, Management Analyst, reviewed the Board's approved allocations of opioid settlement funds to date and presented a memo summarizing the requests from departments for the anticipated \$400,000 in settlement funds expected to become available in FY 2026, noting the requested amounts total \$530,000.

Commissioner Adair asked if \$30,000 is enough for the jail's Medically Assisted Treatment (MAT) program, which has the potential to treat 300 people each

year. DCSO Captain Michael Shults confirmed this and expressed his appreciation for the Board's support of the jail's programs and services. Commissioner Chang reported that overdose deaths are surging in other counties more than in Deschutes County, which demonstrates the relative success of the County's harm reduction and overdose prevention efforts.

Commissioner DeBone said Erin Trapp from La Pine Community Health Clinic has reported that fentanyl is devastating other places, but Deschutes County's prevention efforts are having positive impacts.

Commissioner Adair spoke against reducing the amount of settlement funds given to the jail, saying those who are incarcerated have hit bottom and should be helped as much as possible.

In response to questions, DCSO Management Analyst Jessica Vanderpool said last year, the department experienced a gap of approximately \$200,000 between revenues and grants received for its MAT program.

Commissioner Adair stated her appreciation for the new program in Juvenile Justice to provide substance use treatment.

ADAIR: Move to allocate \$30,000 of opioid settlement funds to the jail's Medical-Assisted Treatment (MAT) program and allocate the remaining funds proportionately to each request

DEBONE: Second

VOTE: ADAIR: Yes

CHANG: No

DEBONE: Chair votes yes. Motion Carried 2 - 1

20. Application for a Community Wildfire Defense Grant from the U.S. Forest Service

Kevin Moriarty, County Forester, asked that the Board approve the submittal of the application for this grant, which has already been submitted due to the deadline being last week.

Lauren Street, Natural Resources Specialist, described how the funds would be used if awarded.

In response to Commissioner Chang, Moriarty described the location of the properties where fuels reduction work would be performed, noting these are sited throughout the southern part of the County.

Commissioner Adair questioned spending part of the grant funds for a Community Wildfire Defense Coordinator. Saying this position was identified as a need by the Newberry Regional Partnership, Moriarty said the coordinator would help to educate and guide property owners in reducing fuels and creating defensible space on their properties.

CHANG: Move approval of the application submitted for a Community Wildfire Defense Grant from the U.S. Forest Service, and further authorize the County Administrator to accept the grant if awarded

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

21. Spring 2025 Discretionary Grant Application Review and Allocations

Jen Patterson, Strategic Initiatives Manager, presented the applications. The Commissioners determined their allocations.

OTHER ITEMS:

- Strategic Initiatives Manager Jen Patterson presented a draft slide deck for the Commissioners to present at tomorrow's Leadership Redmond meeting. The Commissioners directed revisions.
- Patterson presented a draft letter requesting clarification with regard to if HB 3556 would affect current TRT revenue allocations. The Commissioners directed edits.

CHANG: Move approval of a letter expressing support for HB 3556, with amendments as discussed

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

Commissioner DeBone referred to a request from AOC that he testify on this bill at tomorrow's hearing.

- Commissioner DeBone shared a request to add the County's logo to a letter from CORE3 partners supporting House Bill 2858 which would improve the State's emergency response system.

DEBONE: Move approval of Board support of adding the County's logo to a letter from CORE3 partners supporting HB 2858

CHANG: Second

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

- Commissioner DeBone confirmed that he attended last night's meeting of the Forest View Special Road District and said he misspoke when he said he did not know of any legal brief coming to the Board with regard to the complaint submitted by Daniel Jones against the district.

EXECUTIVE SESSION:

At 2:28 pm, the Board entered executive session under ORS 192.660 (2) (d) Labor Negotiations.

At 2:37 pm, the executive session concluded and the public was invited to return to the room. The Board then directed staff to proceed as discussed during the executive session.

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 2:38 pm.

DATED this 23rd day of April 2025 for the Deschutes County Board of Commissioners.


ANTHONY DEBONE, CHAIR

ATTEST:


RECORDING SECRETARY


PATTI ADAIR, VICE CHAIR


PHIL CHANG, COMMISSIONER