



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY June 18, 2025

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Anthony DeBone, Patti Adair 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.

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

PLEDGE OF ALLEGIANCE

CITIZEN INPUT:

- Carl Shoemaker relayed a story of when lumber mills operated in Bend and held dramatic logrolling competitions.

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

1. Approval of Document No. 2025-609, a Dedication Deed for County-Owned Land Containing a Portion of NW Davidson Way
2. Approval of Document No. 2025-615, an amendment to the IGA with Oregon Health Authority for the funding of Public Health services #180009-20

3. Approval of Resolution No. 2025-032 authorizing the acquisition of Right of Way for the construction of road improvements on South Century Drive and Huntington Road
4. Approval of Order No. 2025-022 changing the name of an existing 1,288-foot-long existing right-of-way currently named Cardwell Road to Conquest Road
5. Approval of Document No. 2025-586, an Oregon Department of Human Services grant agreement #185414 for the My Future - My Choice program
6. Approval of Resolution No. 2025-007 adopting a supplemental budget and adjusting appropriations within the Fiscal Year 2025 Deschutes County budget

The Board convened as the Governing Body for the Sunriver Service District

7. Approval of Resolution No. 2025-029 adopting a supplemental FY2025 budget for the Sunriver Service District to increase appropriations in the Public Safety Building Fund and transfer appropriations from the General Fund

The Board reconvened as the Governing Body for Deschutes County

8. Consideration of Board Signature on letter thanking Dan Holland for service on the Dog Control Board of Supervisors
9. Approval of the minutes of the May 7, 2025 BOCC meeting
10. Approval of the minutes of the June 6, 2025 BOCC Legislative Update meeting

CHANG: Move Board approval of the Consent Agenda as presented

ADAIR: Second

VOTE:

ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried 3 – 0

ACTION ITEMS:

11. Consideration of a Ground Lease with Mountain View Community Development for use of +/- 0.25-acres of County-owned property for Safe Parking at the Public Safety Campus

Kristie Bollinger, Property Manager, introduced Rick Russell, executive director of Mountain View Community Development (MVCD). Russell reviewed MVCD's

proposal to lease land at the County's Public Safety Campus for a safe parking program. He described the outreach done to notify area residents and businesses of this proposal and said the deadline to apply for State funding for micro-pods, which would serve as the shelter units, is June 30th.

Commissioner DeBone noted that a public hearing was not held on this matter.

Commissioner Adair wished that she and Bollinger had gone door to door notifying businesses and residents of this proposal as they did in Redmond before proceeding with that safe parking program. Reporting that more than 80 fires started last year from transients in Bend, she said MVCD does an excellent job and performs background checks of program participants. She spoke to the number of homeless people currently living in the TSSA, said it is unfair to concentrate shelters in the Larkspur neighborhood and that this is an emergency situation due to all of the fires, and noted this proposal would also have to be approved by the City of Bend.

Commissioner DeBone said the proposal utilizes government funding for social services provided by an organization which will need to secure additional government funding to continue it. He disagreed that the proposed location was appropriate for this use.

Commissioner Chang said residents want the County to address unsanctioned encampments, and safe parking offers a path out of homelessness.

Commissioner Adair added that MVCD has operated a safe parking program in Redmond for nearly three years, which has worked very well.

CHANG: Move approval of Document No. 2025-582, a Ground Lease with Mountain View Community Development for use of +/- 0.25-acres of County-owned property for Safe Parking at the Public Safety Campus with the stipulation that MVCD will provide the Board with an update on how the program is working within 90 days

ADAIR: Second

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

The Board convened as the governing body for the Deschutes County Extension and 4H Service District.

12. Public Hearing and consideration of Resolution No. 2025-021 adopting the Deschutes County Extension and 4H Service District FY 2026 Budget

Cam Sparks, Budget & Financial Planning Manager, presented the proposed FY 2026 Budget for the Extension and 4H Service District.

The public hearing was opened at 9:16 am. There being no one who wished to speak, the public hearing was closed at 9:16 am.

ADAIR: Move approval of Resolution 2025-021 adopting the fiscal year 2025-26 Deschutes County Extension and 4H Service District budget in the sum of \$1,076,000, imposing and categorizing ad valorem property taxes at the tax rate of \$0.0224 per \$1,000 of assessed value and appropriating amounts set forth in the resolution

CHANG: Second

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

The Board convened as the governing body for the 9-1-1 Service District.

13. Public Hearing and consideration of Resolution No. 2025-022 adopting the Deschutes County 9-1-1 Service District FY 2026 Budget

Budget & Financial Planning Manager Sparks presented the proposed FY 2026 Budget for the 9-1-1 Service District.

The public hearing was opened at 9:19 am. There being no one who wished to speak, the public hearing was closed at 9:19 am.

ADAIR: Move approval of Resolution 2025-022 adopting the fiscal year 2025-26 Deschutes County 9-1-1 Service District budget in the sum of \$28,825,100, imposing and categorizing ad valorem property taxes at the tax rate of \$0.3618 per \$1,000 of assessed value and appropriating amounts set forth in the resolution

CHANG: Second

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

The Board convened as the governing body for the Black Butte Ranch Service District.

14. Public Hearing and consideration of Resolution No. 2025-023 adopting the Black Butte Ranch Service District FY 2026 Budget

Budget & Financial Planning Manager Sparks presented the proposed FY 2026 Budget for the Black Butte Ranch Service District.

The public hearing was opened at 9:20 am. There being no one who wished to speak, the public hearing was closed at 9:20 am.

CHANG: Move approval of Resolution 2025-023 adopting the fiscal year 2025-26 Black Butte Service District budget in the sum of \$3,363,860, imposing and categorizing ad valorem property taxes at the tax rate of \$1.0499 per \$1,000 of assessed value for operations and \$0.7800 per \$1,000 of assessed value for local option tax and appropriating amounts set forth in the resolution

ADAIR: Second

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

The Board convened as the governing body for the Countywide Law Enforcement District.

15. Public Hearing and consideration of Resolution No. 2025-024 adopting the Countywide Law Enforcement District (District #1) FY 2026 Budget

Budget & Financial Planning Manager Sparks presented the proposed FY 2026 Budget for the Countywide Law Enforcement District (District #1).

The public hearing was opened at 9:22 am. There being no one who wished to speak, the public hearing was closed at 9:22 am.

ADAIR: Move approval of Resolution 2025-024 adopting the fiscal year 2025-26 Countywide Law Enforcement District budget in the sum of \$55,439,000 imposing and categorizing ad valorem property taxes at the tax rate of \$1.2500 per \$1,000 of assessed value and appropriating amounts set forth in the resolution.

CHANG: Second

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

The Board convened as the governing body for the Rural Law Enforcement District.

16. Public Hearing and consideration of Resolution No. 2025-025 adopting the Rural Law Enforcement District (District #2) FY 2026 Budget

Budget & Financial Planning Manager Sparks presented the proposed FY 2026 Budget for the Rural Law Enforcement District (District #2).

The public hearing was opened at 9:25 am. There being no one who wished to speak, the public hearing was closed at 9:25 am.

CHANG: Move approval of Resolution 2025-025 adopting the fiscal year 2025-26 Rural Law Enforcement District budget in the sum of \$22,342,000, imposing and categorizing ad valorem property taxes at the tax rate of \$1.5500 per \$1,000 of assessed value and appropriating amounts set forth in the resolution

ADAIR: Second

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

The Board convened as the governing body for the Sunriver Service District.

17. Public Hearing and consideration of Resolution No. 2025-026 adopting the Sunriver Service District FY 2026 Budget

Budget & Financial Planning Manager Sparks presented the proposed FY 2026 Budget for the Sunriver Service District.

The public hearing was opened at 9:26 am. There being no one who wished to speak, the public hearing was closed at 9:26 am.

ADAIR: Move approval of Resolution 2025-026 adopting the fiscal year 2025-26 Sunriver Service District budget in the sum of \$15,369,205, imposing and categorizing ad valorem property taxes at the tax rate of \$3.4500 per \$1,000 of assessed value for operations and \$0.4700 per \$1,000 of assessed value for local option tax and appropriating amounts set forth in the resolution

CHANG: Second

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

The Board reconvened as the governing body for Deschutes County.

18. Public Hearing and consideration of Resolution No. 2025-020 adopting the Deschutes County FY 2026 Budget

Budget & Financial Planning Manager Sparks presented the proposed FY 2026 Budget for Deschutes County.

The public hearing was opened at 9:28 am. There being no one who wished to speak, the public hearing was closed at 9:28 am.

Commissioner Adair referred to Resolution No. 2025-007 which was on today's consent agenda, noting that this legislation had adjusted appropriations within the County's Fiscal Year 2025 budget by \$2.5 million and increased the total FY 2025 budget by \$2,513,359. She suggested that next year, the year-end budget adjustments be presented for separate consideration and action by the Board instead of being placed on the consent agenda.

CHANG: Move approval of Resolution 2025-020 adopting the fiscal year 2025-26 Deschutes County budget in the sum of \$658,727,347, imposing and categorizing ad valorem property taxes at the tax rate of \$1.2783 per \$1,000 of assessed value and appropriating amounts set forth in the resolution

ADAIR: Second

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

In response to Commissioner Adair, Sparks agreed to supply information on the potential impacts of SB 916 on the County—this bill would require that employers provide up to ten weeks of unemployment payment to striking workers.

19. Public Hearing and consideration of Resolution No. 2025-028, increasing or transferring appropriations in the ARPA Fund and the Campus Improvement Fund for FY2025

Budget & Financial Planning Manager Sparks explained the two proposed adjustments to the ARPA Fund and the Campus Improvement Fund for FY2025.

The public hearing was opened at 9:35 am. There being no one who wished to speak, the public hearing was closed at 9:35 am.

CHANG: Move approval of Resolution No. 2025-028, increasing or transferring appropriations in the ARPA Fund and the Campus Improvement Fund for FY2025

ADAIR: Second

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

20. Consideration of First and Second Reading and emergency adoption of Ordinance No. 2025-009: Clear and Objective Housing Text Amendments – Goal 5 (Title 18)

Tanya Saltzman, Senior Planner, reminded that the Board held a public hearing on these proposed amendments on May 28th. Two minor changes were made since the hearing, as follows:

1. Driveway access in Landscape Management Combining Zone: The proposed language in DCC 18.84.081(F) Design Review Standards – Clear and Objective was changed to require the consolidation of driveways (the original proposed language had unintentionally disallowed all driveways); and
2. Language contained in the proposed new section DCC 18.08.050 has been moved to Title 22, which is a more appropriate location for text which addresses procedures for land use applications.

CHANG: Move approval of first and second reading of Ordinance No. 2025-009

ADAIR: 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 two times.

ADAIR: Move adoption of Ordinance No. 2025-009 by emergency to take effect July 1, 2025

CHANG: Second

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

A break was announced at 9:44 am. The meeting resumed at 10:00 am.

21. Public Hearing: Plan Amendment and Zone Change for approximately 22.5 acres south of Tumalo and west of Highway 20 (Cascades Academy)

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

The public hearing was opened at 10:04 am.

Nicole Mardell, Senior Planner, presented the proposal from Cascades Academy of Central Oregon to rezone seven tax lots totaling 22.5 acres from Surface Mine (4.03 acres) and EFU (18.47 acres) to MUA10. Mardell explained that Cascades Academy's existing campus is located to the south and the school has indicated that it plans to use the additional property for future expansion of its campus. The Hearings Officer recommended a conditional denial of the rezone, saying the application failed to demonstrate compatibility with Goal 5.

Mardell explained that the Landscape Management Combining Zone protects views towards the property from both Highway 20 and the Deschutes River, saying that the applicant submitted an ESEE (Environmental, Social, Economic and Energy analysis) which addresses these protections. Because the Hearings Officer agreed with the applicant that the property is not agricultural land, no Goal 14 analysis is required.

Tia Lewis, representing the applicant, provided information on the property, saying that a separate soil study was conducted for each of the seven tax lots. She described which part of the property was previously used for surface mining extraction, noting that in 2001, some parcels were rezoned to Exclusive Farm Use (EFU).

In response to the question of why the property owner seeks a rezone if schools are already allowed in the EFU zone, Lewis said EFU zoning allows for a school on non-high-value farmland only, and only with a conditional use permit. Under the EFU zone, each application would be subject to the analysis of farm practices, site analyses of existing farm capability, and other requirements. An application would also have to comply with state administrative rules, which are subject to change by agencies at any time. In addition, the EFU zone requires significant setbacks.

Lewis spoke to the Goal 5 issue, referring to the decision of the Hearings Officer which found there was insufficient evidence in the application to establish compliance with Goal 5. Referencing cases where LUBA remanded an LCDC decision back to the County on this same issue, she said the decision on the Last Ranch land use application determined that an ESEE is, in fact, not required. She concluded that the subject property is not adjacent to either the Deschutes River or Highway 20 but rather is separated from both by distance, topography and vegetation.

Julie Amberg, representing Cascades Academy, asked that the Board approve the rezone application as the current EFU zoning is too restrictive and does not reflect the true character of the land.

Commissioner Chang said rezoning this property as requested would create an opportunity to either develop it or sell it for the development of very expensive homes. Saying that such development could generate substantial revenue, he was concerned that the school has admitted it does not yet have a clear plan for how the property would be used to expand its campus.

Amberg said the land was purchased for the purpose of benefiting students, and the Academy has no desire to develop it in any way other than for a school. Adding that many residential property owners do not want to live in proximity to a school, she stressed that it is in the best interest of students to protect this land, and reiterated that Cascades Academy has no interest in selling the property.

Lewis added that the rezone would grant more certainty as to what would be allowed to be developed on the property.

Heather Heraeus, chair of the Board of Trustees of Cascades Academy, stated her support for the rezone proposal and requested that the Board approve it.

Terry Fidler introduced himself as the previous owner of the property. Saying that the land's potential for agricultural use is very limited and that any farm use could not likely generate enough revenue to pay for the property taxes, he explained why the property's topography results in it not having much visual impact on the surrounding area.

Rory Isbell, representing Central Oregon LandWatch (COLW), explained COLW's opposition to changing the EFU zoning of this property, which, when irrigated, is high-value farmland. Saying that only 16% of the privately-owned EFU land in the County is designated to be high-value, he added that the 2001 rezone of part of the property from Surface Mining to EFU required full reclamation, which occurred. He disputed that the ESEE analysis submitted by the applicant serves to protect the Goal 5 resources as required.

In rebuttal for the applicant, Lewis said the argument that a determination of high value soils on a property cannot be changed by a different soil analysis has been raised and lost. Saying that the 2001 rezone decision is a final, unchallenged County land use decision, she said the school had no control over whether the reclamation process took place. Adding that the ESEE is an evidentiary document which establishes that the scenic views in the corridor would not be impacted by MUA10

development on the property, she suggested that the findings of the Hearings Officer be adopted along with further findings resulting from today's hearing as appropriate.

Commissioner Adair asked that the applicant address a letter from DLCD dated June 9th. Lewis stated that would be done in writing if the record is kept open for additional testimony following today's hearing.

Commissioner Chang asked if the County could approve the rezone contingent on the property only being used to expand the campus of Cascades Academy and not for private residences.

Will Groves, Planning Manager, said while prohibiting residential uses in a residential zone might not be appropriate, the Landscape Management Combining Zone can be used to restrict certain properties to specific uses.

Lewis said the applicant may not be agreeable to a conditional rezone as that would subject the property owner to significant risk. She explained why this proposal could be problematic and said the applicant is not opposed to providing assurances that the property would only be used for a school.

The public hearing was closed at 11:13 am.

The Board was in consensus to leave the record open for the submittal of additional written testimony until July 2nd, with a rebuttal allowed from the applicant by July 9th and the applicant's final argument due on July 16th.

22. Deliberations: Remand of a Thornburgh Destination Resort Modification to The Final Master Plan to amend the Fish and Wildlife Management Plan

Jacob Ripper, Principal Planner, reviewed that the Board held a public hearing on May 7th regarding the County's decision on this matter which was remanded back from LUBA. He then presented each decision point before the Board, as follows:

1. Does the Board find the 2022 Fish and Wildlife Management Plan (FWMP) is sufficient to satisfy the "no net loss" standard with respect to groundwater sources for fish habitat mitigation?

Commissioners DeBone and Adair spoke to the transfer of water rights and to the testimony from multiple credentialed experts who addressed this matter, including scientists and Senior Judge DeVore.

Noting that the Oregon Water Resources Department has documented significant groundwater level declines in this area and denied a major groundwater use permit for Thornburgh as a result, Commissioner Chang was concerned that not enough monitoring will be done to determine whether the no net loss standard is met.

A majority of the Board agreed that the 2022 Fish and Wildlife Management Plan (FWMP) is sufficient to satisfy the "no net loss" standard with respect to groundwater sources for fish habitat mitigation.

2. Does the updated economic analysis which accounts for the removal of one golf course from the project address and meet all impacts as required by Deschutes County Code?

A majority of the Board was in consensus that the updated economic analysis which accounts for the removal of one golf course from the project addresses and meet all impacts as required by Deschutes County Code.

Commissioner Adair noted that the project will use one-third less water than originally proposed.

3. Do the findings and process adequately address the rights granted to the Confederated Tribes of Warm Springs under the Treaty with the Tribes of Central Oregon?

Saying he supports upholding the rights granted under the Treaty, Commissioner DeBone said the applicant has shown that this project will benefit the rivers and the fish habitat.

Commissioner Chang said the 2022 FWMP does not adequately integrate or coordinate with all of the other efforts in the basin to protect fish habitat, and also does not fully consider all of the components of the previous FWMP, including with respect to the Treaty rights.

Commissioner Adair cited page 34 of LUBA's remand decision which recognized that the County had considered the Tribe's testimony and weighed that against the evidence submitted by the applicant.

A majority of the Board was in agreement that the findings and process adequately address the rights granted to the Confederated Tribes of Warm Springs under the Treaty with the Tribes of Central Oregon.

4. Did the Board properly apply and communicate participation requirements, maintaining both transparency and procedural integrity?

A majority of the Board was in consensus that the Board properly applied and communicated participation requirements, maintaining both transparency and procedural integrity.

Commissioner Chang said the Board should have allowed the submission of new evidence on all issues instead of just to the matter of economic impact.

5. Should the Board accept the rebuttal evidence into the record, or disregard/exclude it from consideration on remand?

Ripper explained objections to including the rebuttal evidence into the record.

A majority of the Board was in consensus to accept the rebuttal statements as part of the record.

Ripper stated that staff will return with a draft decision for the Board's consideration on July 23rd.

OTHER ITEMS:

- Commissioner DeBone commented on a wildfire burning at the north end of the county. Commissioner Adair said it is now estimated to be up to 3100 acres with zero containment.
- Commissioner DeBone said he and Commissioner Chang attended the Project Wildfire barbeque yesterday evening in Sunriver.

Commissioner Chang commented on the good work being done around the County by Project Wildfire groups and said the County's Wildfire Advisory Council had recommended that the County institute fuels reduction and defensible space requirements in some areas.

Commissioner Adair said many people in the community do not take this seriously enough, and the lack of adequate mitigation of fire hazards is impacting the ability of some property owners to secure affordable homeowners insurance.

- Nick Lelack, County Administrator, reminded that the Board will not meet between June 30th and July 15th, and possibly not either on July 16th.

EXECUTIVE SESSION: None

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 11:56 am.

DATED this 29th Day of July 2025 for the Deschutes County Board of Commissioners.



ANTHONY DEBONE, CHAIR

ATTEST:



PATTI ADAIR, VICE CHAIR


RECORDING SECRETARY


PHIL CHANG, COMMISSIONER