



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY April 2, 2025

Barnes Sawyer Rooms
Live Streamed Video

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

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:

- Ron Boozell commented that two weeks ago, a significant number of people attended the Board's meeting to comment on its action to dissolve the County's DEIA committee. Saying that in a democracy, the elected representatives should not serve only those who voted for them or who will vote for them in the future, he stated his disagreement with the action to dissolve the committee and pledged to work to reinstate it this year or next year.
- Carl Shoemaker referred to his Scottish and French ancestry and noted that President Trump's grandfather immigrated from Germany. Noting that many residents of the County have ancestors who immigrated from these or other places, he supported diversity as it helps to make the whole of society greater than the sum of its parts and asked the Board reconsider dissolving the DEIA committee.

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

1. Approval of Resolution No. 2025-009, extending a limited duration 1.0 FTE Behavioral Health Specialist I position through June 30, 2026
2. Consideration of Board Signature on letter thanking Jerry Milstead for service on the Facility Project Review Committee
3. Consideration of Board Signature on letters thanking Mason Lacy, Sabrina Haggerty and Rachel Zakem for service on the Bicycle and Pedestrian Advisory Committee
4. Approval of the minutes of the February 3 and 5, 2025 BOCC meetings
5. Approval of the minutes of the March 5, 2025 BOCC Meeting
6. Approval of the minutes of the March 14 and 21, 2025 BOCC Legislative Update meetings
7. Approval of the minutes of the March 21, 2025 BOCC Legislative Delegation Update

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:

8. Proclamation: Child Abuse Awareness Month

Delia Panchot from MountainStar, Terra Tyger from KIDS Center and Heather Amaral from Healthy Families presented the proclamation. Amaral explained that the Healthy Families of the High Desert program works to strengthen families, promote family and child wellness, and prevent child abuse and neglect.

The Commissioners expressed their appreciation for the work these organizations do and read the proclamation into the record.

Kara Tachikawa from MountainStar announced an open house event next Wednesday from 3 to 5 pm at the Deschutes Children's Foundation.

CHANG: Move approval of a proclamation declaring the month of April, 2025 as Child Abuse Awareness Month in Deschutes County
ADAIR: Second
VOTE: CHANG: Yes
ADAIR: Yes
DEBONE: Chair votes yes. Motion Carried 3 – 0

9. Proclamation: Fair Housing Month

Tyler Neese, Government Affairs Director for the Cascades East Association of Realtors, presented a proclamation for Fair Housing Month to recognize the enactment of the Fair Housing Act in April of 1968, noting this Act was passed with the goal of eliminating racial segregation and ending housing discrimination.

Neese described training offered by the National Association of Realtors to help real estate professionals avoid violating the Fair Housing Act in the course of serving their clients.

The Commissioners read the proclamation into the record.

ADAIR: Move approval of a proclamation declaring the month of April, 2025 to be "Fair Housing Month" in Deschutes County
CHANG: Second
VOTE: CHANG: Yes
ADAIR: Yes
DEBONE: Chair votes yes. Motion Carried 3 – 0

Commissioner Adair referred to acts of antisemitism around the country and encouraged people to view the movie "One Life." Commissioner Chang agreed that in the nation's early history, Jews were discriminated against with regard to housing.

10. Courthouse Expansion Update

Lee Randall, Facilities Director, introduced the most recent update of the Courthouse Expansion project.

Eric Nielsen, Capital Improvement Manager, shared information on recently completed and ongoing work as well as upcoming work. Cory Loomis from Pence

Construction reviewed the construction schedule and timeline out to the anticipated completion in August of 2026.

Discussion ensued regarding how the various conduits and other non-structural components of the building are being documented with 3D modeling in the interest of facilitating future maintenance work.

Randall then provided an update on the budget for the project, noting that \$620,000 has been retained for work done by the contractor. Once Pence submits a surety bond, the retention will be released.

Randall also reviewed the total amount spent thus far and current remaining contingency amounts. He referred to the project's funding sources, including the State's contribution of \$1.5 million for remodeling work (previously shown in reserves), and pointed out that the budget's bond proceeds line has been revised to reflect the total net amount of bond proceeds instead of gross proceeds; the former is reduced by the cost of issuing the bonds.

11. Board determination whether to conduct a hearing in response to complaint by Daniel Jones against Forest View Special Road District

Commissioner DeBone recused himself from participating in this matter as he had attended a recent meeting of the Forest View Special Road District (SRD). He stepped down from the dais, and Vice Chair Adair chaired this portion of the meeting.

Dave Doyle, County Counsel, said this matter involves a complaint issued against the Forest View SRD by Daniel Jones, a resident of the District. Doyle explained the process for considering the removal of an SRD board member and reviewed a list of actions and behaviors which the BOCC is able to address.

Commissioner Adair asked what someone's recourse would be if the BOCC does not hold a hearing in a case such as this. Doyle said if the matter is criminal, the complainant can contact law enforcement. If the disagreement has to do with how an SRD board is operating, any member of the district can seek to get themselves appointed to it.

Commissioner Chang recognized that the BOCC has a minimal role in the Special Road Districts and said he did not see anything in this particular case which rises to the level of initiating the removal of any of the Forest View SRD board members. Adding that the BOCC quite often hears complaints from residents of SRDs about their SRD board, he asked how these boards can be improved so they better serve their constituents and fewer complaints are generated. Commissioner Chang added

that some of the SRD boards allow unlimited self-nominations for reappointment while having no term limits and holding no elections.

Doyle said the BOCC approves all SRD board appointments, and in the event of a vacancy, any resident can nominate themselves directly to the BOCC for appointment to an SRD board.

Commissioner Adair suggested that the County issue a press release to help communicate what SRDs do and share best practices of these boards.

Commissioner Chang said the County could also remind SRD boards on an annual basis of their responsibilities and good governance practices, as well as suggest the boards share the County-provided guidebook with their members.

The Board was in consensus to take no action on the request for a public hearing regarding the January 27, 2025 complaint filed by Daniel Jones against the Forest View Special Road District.

Doyle added that the BOCC can require SRD boards to solicit for new members when vacancies become available.

Commissioner Chang asked that staff schedule a work session with the BOCC on these issues.

Commissioner DeBone returned to the dais.

12. Second 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 Market Road, Bend

Anthony Raguine, Principal Planner, reminded that the Board approved first reading of this ordinance on March 19th. If adopted today, the ordinance would take effect on July 1, 2025, barring the submittal of an appeal.

ADAIR: Move approval of second reading of Ordinance No. 2025-003 by title only

DEBONE: Second

VOTE: CHANG: No

ADAIR: Yes

DEBONE: Chair votes yes. Motion Carried 2 – 1

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

ADAIR: Move adoption of Ordinance No. 2025-003 amending Deschutes County Code Title 23, the Deschutes County Comprehensive Plan, to change the Comprehensive Plan Map designation for certain property from Agriculture to Rural Industrial, and amending Deschutes County Code Title 18, the Deschutes County Zoning Map, to change the Zone Designation for certain property from Exclusive Farm Use to Rural Industrial

DEBONE: Second

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

13. Public Hearing for a Plan Amendment and Zone Change for the Bend Park and Recreation District

Nathaniel Miller, Associate Planner, reviewed the procedures for the hearing.

The public hearing was opened at 10:25 am.

Miller described the request submitted by the Bend Park and Recreation District (BPRD) for a Plan Amendment and Zone Change for approximately 279 Acres located southeast of the City Bend and accessed by Rickard Road.

Jodie Barram, chair of the BPRD Board, explained that the District purchased this property and one adjacent parcel with the intention of developing a regional park which is needed in southeast Bend. Although specific concepts have yet to be determined, she said the property is not amenable to agricultural production and no longer used for surface mining.

Tia Lewis, representing the District, described the area and said mining operations ceased in 2005. Adding the property has no history of farm use, she spoke to a lack of soil suited for agriculture and said the owners of nearby properties have confirmed they are not able to generate a profit by using their land for agriculture. She added the property has 18 acres of water rights but no irrigation equipment.

Sara Anselment, a planner with the BPRD, spoke to the plans for a regional park on this property and explained that the District conducted research and consulted with the County before determining that the Rural Residential zone is best suited for parks and recreation facilities because the planned uses are specifically allowed in that zone. She said the District is working to transfer water rights to the adjacent lot.

Donna Owens, a member of the BPRD Board, encouraged the BOCC to approve the requested change for the reasons previously stated.

Commissioner Adair acknowledged the successful efforts of Ms. Owens to preserve Worrell Park.

Cary Schneider, also a member of the BPRD Board, emphasized that the intended use of the property is for a regional park to serve growing and anticipated needs of the southeast Bend area.

Robin Hajakawa, representing Central Oregon Land Watch, said a previous reclamation effort failed because the property was determined to be suitable for agriculture. Adding that Deschutes County Code does not allow the rezoning of a surface mining site unless it has been reclaimed, which this has not occurred, he said because the applicant submitted a soil study which is based in part on land which is in the process of being reclaimed, the study does not constitute substantial evidence that the land it is not suitable for agriculture. Hajakawa referred to a previous finding of the Hearings Officer that the subject property is suitable for agricultural use, saying that no substantive change has been made since then, and said the 2010-2011 rezone application stated that the property has access to 90 acres of water rights.

In response to Commissioner Chang, Hajakawa said COLW does not oppose the development of a park at this location, but it does object to the process of spot zoning non-resource land.

Providing rebuttal on behalf of the applicant, Tia Lewis said the reclamation plan is based on the amended reclamation plan which is in the record. Adding that the applicant has expended significant resources responding to the objections of COLW to this request, she urged Board approval of the application.

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

Nick Lelack, County Administrator, asked if anything would prevent the BPRD from using this property for something other than a regional park.

Commissioner Adair wanted the assurance that the property would be used for a park to be addressed.

The Board was in consensus to close the oral record at this time and leave the written record open until 4 pm on Wednesday, April 9th, with applicant rebuttal due on April 16th and the applicant's final legal argument due on April 23rd.

14. Request to convert 1.0 FTE Administrative Assistant position supporting the Forensic and Acute Services program (Behavioral Health division) from limited duration to regular

Evan Namkung, Behavioral Health Program Manager, presented the proposal to utilize unspent Community Navigator funds received from the Oregon Health authority in 2024 to convert a 1.0 limited duration Administrative Assistant position to regular. Namkung explained that this position supports the Forensic and Acute Services program which strives to increase engagement with individuals placed at the Oregon State Hospital who are unable to Aid & Assist. Behavioral Health proposes to continue funding this position with CCBHC PPS in future years.

In response to Commissioner Adair, Budget & Financial Planning Manager Cam Sparks said the salary of this position is about \$71,000 and its benefits would cost about \$58,000.

CHANG: Move approval of Resolution No. 2025-008 to convert 1.0 limited duration FTE to a regular FTE position within the Health Services Fund
ADAIR: Second

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

15. Public Health Advisory Board By-Laws Update

Tom Kuhn, Health Services Project Manager, introduced Dr. Rob Ross, Chair of the Public Health Advisory Board (PHAB), and Colleen Sinsky, PHAB Vice Chair.

Dr. Ross relayed discussions by the PHAB regarding how to make the Board more effective and improve its representation of the County population. The Board is proposing to amend its By-Laws to improve member expertise and facilitate regular attendance of board members.

ADAIR: Move approval of the updated by-laws for the Public Health Advisory Board
CHANG: Second

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

16. BOCC Letter of Support for the Deschutes County Justice Reinvestment Preliminary Formula Grant Application for the 25-27 Biennium

Trevor Stephens, Business Manager for Community Justice, explained that this funding source is one of the main revenue streams for Adult Parole & Probation. He asked that the Board approve the draft letter of support to be submitted along with the preliminary application for a grant.

ADAIR: Move to authorize Chair signature of a letter of support from the Board of Commissioners for an Oregon Justice Reinvestment Program preliminary formula grant

CHANG: Second

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

A lunch recess was taken at 11:41 am. The meeting reconvened at 1:00 pm.

17. FY 2026 Video Lottery Fund Allocations

Jen Patterson, Strategic Initiatives Manager, reminded that each year, the BOCC reviews anticipated revenue from the County's portion of video lottery proceeds for the upcoming fiscal year and develops an expenditure plan that has historically included funding for economic development activities, support for County core services, support for other organizations, and grant programs. Staff anticipates that the County will receive \$1.4 million in video lottery proceeds in FY 2026.

Patterson then referred to a funding request received yesterday from Sheherd's House Ministries for \$40,000 for general operating funds, noting that Shepherd's House is not an official service partner designated to receive video lottery funds.

In response to Commissioner Chang, Budget & Financial Planning Manager Cam Sparks said the County received \$1.3 million in video lottery funds for the current fiscal year. The fund currently has \$1.3 million in contingency.

Patterson next described each request, beginning with those related to economic development activities. Sparks explained the debt service requests of \$259,000 for the jail expansion project and \$230,000 for the Jamison property.

Patterson then reviewed the request from Environmental Health for \$108,770, which presumes another \$100,000 would come from TRT revenues. These

allocations would result in fee increases of 5% for permits and licenses issued by Environmental Health.

The Board discussed the requests made to support local Chambers of Commerce and agreed to appropriate \$45,000 to the Sunriver Chamber and none to the Sisters Chamber.

Commissioner Adair stressed the importance of shopping local.

With regard to requests categorized as Special Projects Support, the Board was in consensus to replicate the 2025 allocations for special projects for FY 2026.

The Board then determined the following allocations for the service partner requests:

- Bethlehem Inn 42,500
- CASA 35,000
- COCOA 42,500
- COVO 30,000
- FAN 17,500
- Kids Center 30,000
- J Bar J 20,000
- Latino Community Association 35,000
- MountainStar Family Relief Nursery 21,600
- Saving Grace 30,000
- Redmond Senior Center 12,000
- Upper Deschutes Watershed Council 20,000

The Board was further in agreement to utilize \$300,000 of the existing fund contingency for allocations in FY 2026.

The Board concurred in the following appropriations:

- Shepherd's House: 15,000 (as a special project, not as a service provider)
- Discretionary Grants: 12,000
- Fundraising Grants and Event Sponsorships: 10,000
- United Way: 50,000

As the amount available to appropriate is insufficient to fund all of the identified grant amounts, the Board agreed to reduce the identified allocations to the service partners proportionately, except for the fuels reduction grants. Patterson will return next week with final numbers for the Board's formal approval.

OTHER ITEMS:

- Commissioner DeBone noted the receipt of eight applications for the open COIC Board position which is appointed by the County and suggested that the Board interview three or four candidates.
- Strategic Initiatives Manager Jen Patterson referred to the upcoming meeting of the Legislature's Ways and Means Committee in Warm Springs this Friday and distributed draft talking points for the Commissioners' use, in the event that one or more of them decide to attend.
- Commissioner Adair reported she was in Salem yesterday advocating for the capital funding request from the Terrebonne Sanitary District.
- Commissioner Chang attended the KIDS Center luncheon yesterday.
- Commissioner Chang attended yesterday's meeting of the Local Public Safety Coordinating Council where an update on the deflection program was shared.

EXECUTIVE SESSION: None**ADJOURN:**

Being no further items to come before the Board, the meeting was adjourned at 2:33 p.m.

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



ANTHONY DEBONE, CHAIR

ATTEST:



**BRENDA FRITZEL
RECORDING SECRETARY**



PATTI ADAIR, VICE CHAIR



PHIL CHANG, COMMISSIONER