



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

1:00 PM

MONDAY August 5, 2024

Allen Room
Live Streamed Video

Present were Commissioners Patti Adair, Tony DeBone and Phil Chang. Also present were Deputy County Administrator Erik Kropp; Deputy County Administrator Whitney Hale; Senior Assistant County 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 webpage www.deschutes.org/meetings.

CALL TO ORDER: Chair Adair called the meeting to order at 1:00 pm.

CITIZEN INPUT:

- Brooke Dilley said her family was given 20 minutes to evacuate their home last Friday due to a fire which started at Juniper Ridge. Saying that the fire danger in this area is very real, Dilley said neither the County nor the City have taken appropriate measures to protect people and property from fires which start in encampments. She proposed either clearing these properties of encampments or creating more defensible space between the encampments and nearby residences. Stressing that last week's fire jumped the railroad tracks and the road, she urged the selection of a solution and an expedited timeline for its implementation to address this very unsafe and untenable situation.

The Commissioners spoke to funds available for creating defensible space and the availability of shelter space to relocate campers.

- Jeff Burgin shared his experience of being in California when he heard of a fire a few miles from his house. Saying he believes fires are being started by persons who live in dispersed encampments, he said this must be addressed.

Commissioner Chang responded that 90% of wildfires are started by human activity, including pile burning, fireworks and target shooting. He said any efforts to eject people from unsanctioned camping sites when they have nowhere else to go will only result in them camping elsewhere.

Commissioner Adair agreed that more needs to be done to protect against fires that start in encampments.

- Jill Martinusen corroborated remarks made by the previous two speakers and agreed that the encampments should be cleared and defensible space established.
- Jenny Lingard was hopeful that existing camping codes will now be enforced as it's clear that the status quo is not working. Noting that the fire near La Pine in June could have been worse, she urged enforcement of County and City camping restrictions, advised the declaration of an emergency regarding wildfires, and said camping should be prohibited near the chemical plant.

AGENDA ITEMS:

1. **Grant opportunity to explore the development of a recreational campground on County-owned property at Fort Thompson Lane**

Jen Patterson, Strategic Initiatives Manager, reminded of the opportunity to submit an application for grant funding to explore the development of a recreational campground on County-owned property at Fort Thompson Lane. She delineated two options for moving forward to develop a masterplan, saying the first is to pursue funding for a masterplan that would not include addressing the issue of access to the property. The other option is to seek a grant which would result in a detailed masterplan with an artistic rendering of a potential campground and also provide for a traffic study that would explore possible access point(s) to the property.

In response to Commissioner Chang, Patterson confirmed that for either of these scenarios, significant public engagement would happen after the plan was developed.

Commissioner DeBone suggested that the Board determine a vision and mission for this proposal, saying it is important to be clear on why the County is considering developing a recreational campground on this property.

Noting that the County could pursue this grant in the future, Commissioner Adair said there are much more important things to address at the current time such as adequate public safety for the community.

Commissioner DeBone said both the Fort Thompson and Drafter Road sites may be appropriate for transitional camping for persons who use RVs as mobile primary living spaces. He estimated this type of market demand will continue for the next 50 or 100 years.

With regard to a vision and mission, Commissioner Chang said Deschutes County is an outdoor recreation destination, and new trails, parks and campgrounds are not being produced at a level that is keeping pace with the demand. He expected that fewer people would be dispersed camping if more developed campgrounds were available and said many trails and viewpoints could be provided at Fort Thompson along with picnic areas, playfields and campsites.

Commissioner DeBone noted that the Fort Thompson property is zoned EFU, and the County would not allow a private property owner to establish a public campground on EFU-zoned property. He questioned why a public agency would do this if the real market does not.

Will Groves, Planning Manager, spoke to opportunities for private developers who own land within three miles of the UGB and described a process by which an applicant could seek approval via a conditional use permit. Another option would be to undergo a full masterplanning process.

Commissioner DeBone envisioned a facility with campsites, power and water, but no sewer connection. Commissioner Chang agreed that some infrastructure would be necessary, and expected that such a development would not only pay for itself but generate a profit over time.

Commissioner DeBone supported proceeding with an RFP for the La Pine property, saying he was not motivated to proceed with applying for a grant for Fort Thompson at this time, especially considering the required 50% match.

Commissioner Adair stressed the need to remain frugal.

The Board agreed to bring this matter back in a few weeks following the scheduled joint meeting between the Board and the City Council of La Pine on August 28th.

2. **Deliberation #4: Deschutes County 2040 Comprehensive Plan Update - Chapter 11, Unincorporated Communities and Destination Resorts**

Nicole Mardell, Senior Planner, reviewed the process approved by the Board to deliberate on changes to the 2040 Comprehensive Plan and invited the Board to suggest revisions to Chapter 11— Unincorporated Communities and Destination Resorts.

On page 11-2, Commissioner DeBone suggested adding a qualifier in the third sentence of the introductory paragraph to state that “some community members” have expressed concern about the creation of new resorts, and changing the last sentence to state that “many residents have expressed concern ...” instead of “many residents have expressed opposition ...” Commissioner Adair agreed these are duplicate statements that could be consolidated.

Commissioner Chang supported language referencing all resort communities rather than just destination resorts. He also suggested mentioning that the development of new resorts is an increasingly contentious process which renders the County an unwilling party to conflict.

The Board discussed moving the paragraph regarding the one parcel outside of La Pine which was mistakenly left out of the city’s UGB to elsewhere in the document.

Commissioner DeBone noted that Tumalo and Terrebonne were both platted before 1973. He said he viewed the descriptor of a Rural Service Center as a Rural Service Center Designation.

Noting that the importance of destination resorts to the economy of Deschutes County is mentioned twice, Commissioner Chang recognized that resorts may have at one time been a key economic development strategy, but this may no longer be the case. Discussion ensued about destination resorts and the fact that, historically, these developments served as a stabilizing force in Central Oregon’s economy.

Commissioner DeBone noted a needed edit to page 11-3 to reflect the current status of the Thornburgh development. He suggested adding at least one goal under “Goals and Policies” on page 11-4. On page 11-7, he suggested clarifying that the Architectural Review Committee referred to in Policy 11.2.2 is a body of the Black Butte Ranch HOA.

Commissioner Chang proposed adding “aquifer” to the list of natural resources in Goal 11.6.

Commissioner Chang referred to the first paragraph on page 11-9 regarding the destination resort overlay map and suggested adding a timeline for regular Board review, perhaps every 10 or 15 years, noting that the County has grown in population since 2010 and experienced associated effects on wildlife habitat and water resources.

A break was announced at 2:54 pm. The meeting resumed at 3:02 pm.

Commissioner Chang said both Marion and Benton Counties consider constrained water supplies in the context of development and whether to permit new private wells. He supported incorporating drought consciousness into the County's Comprehensive Plan and Code. Mardell suggested the County could work with Oregon's Water Resource Department to pursue conducting a groundwater critical area study.

The Board then resumed its discussion of Chapter 5, Natural Resources, which had commenced on July 24th.

Commissioner DeBone noted that the La Pine aquifer extends into Klamath County rather than ending at the Klamath County line. Referring to the lack of sewers in the South County, he said Oregon's Goal 11 (from the Statewide Planning Goals & Guidelines) does not allow urban services in rural areas, although some urban services would benefit some rural areas. Commissioner Chang supported including language about seeking a Goal 11 exception for targeted areas, saying this might be appropriate to add to page 5-8.

On page 5-7, Commissioner Chang supported removing the statement that "No long-term water-level declines attributable to groundwater pumping were found in the upper Deschutes Basin" as this is not accurate.

Commissioner Change recommended changes to the "Reservoirs" section. Mardell said a new paragraph could be added describing the habitat conservation plan for the Wickiup area.

Referring to the last paragraph of page 5-9, Commissioner Chang suggested recognizing organizations such as the Bureau of Reclamation, USDA, the Soil and Water Conservation District, et al., who play a part to advance water conservation and availability.

Referring to Goal 5.2 on page 5-10, Commissioner Chang suggested expanding this statement to "Increase water efficiency and conservation efforts among all users, including homeowners and businesses."

Discussion ensued regarding the use of grey water. The Board was in consensus to add language encouraging water reuse and recycling projects.

Referring to page 5-11, Commissioner DeBone acknowledged a suggestion to add language at the end of Policy 5.2.3 to acknowledge lower groundwater recharge from canal piping efforts.

Saying it is important to recognize the connections between surface water and groundwater, Commissioner Chang proposed adding language to explore measures to ensure adequate resources to meet the needs of habitat and junior water rights holders, perhaps following Policy 5.2.3. Commissioner DeBone did not support changing the sentence as drafted.

On page 5-12, Commissioner DeBone suggested an edit to Policy 5.4.4. Mardell proposed changing the introductory sentence to begin "Update and implement policies to be consistent with federally approved ..."

On page 5-13, Commissioner DeBone questioned the wording of Policy 5.5.3. Commissioner Chang suggested changing this to read "Support efforts to protect existing surface water and groundwater users and to maintain sustainable groundwater resources as OWRD works to update and modernize Oregon's groundwater allocation rules and policies."

On page 5-14, Commissioner Chang suggested adding the word "hunting" to Policy 5.8.1.

Commissioner Chang proposed gathering more information from Marion and Benton Counties regarding land use and groundwater planning. Commissioner DeBone wanted to learn more before adding language to the Comprehensive Plan.

Commissioners Adair and DeBone asked to be provided with a redlined draft of the update showing the Board's desired changes as discussed.

OTHER ITEMS:

- Commissioner DeBone distributed copies of a letter from Craig Letz of Tamarack Wildfire Consulting regarding the draft state Wildfire Hazard Map. Commissioners Chang and DeBone supported submitting a letter expressing concern that Deschutes County has more high hazard areas than depicted on the map.
- Commissioner DeBone referred to a letter from Rick Russell of Mountain View Community Development seeking a commitment from the County to extend a long-

term lease to MVCD to develop and operate permanent supportive housing on County-owned land in Redmond.

- Commissioner DeBone noted a request from Jerry Hubbard of the La Pine Fire District for a generic letter of support from the Board acknowledging the District's need for AEDs. Commissioners Chang and DeBone stated their preference to support a specific request instead of providing a generic letter of support.
- Commissioner Chang reported that last Thursday, Representative Tom Sanchez came to Bend to tour the St. Charles Emergency Department and discuss a possible bill to establish child emergency psychiatric centers. Also discussed was the need for acute and respite residential care in Redmond or Bend, co-located with St. Charles.
- Sharing that next Monday, Senator Jeff Golden will be in Bend, Commissioner Chang said he is setting up a meeting for the senator to talk with representatives of the insurance industry about what can be done to force insurers to recognize good home resiliency work being done by some homeowners and give them credit for it.
- Commissioner Adair shared that Deschutes County Clerk Steve Dennison is concerned about ranked choice voting and asked if he can make a video for the community's information about this non-partisan issue.
- Commissioner Adair will attend a CONNECT Oregon meeting in Salem on Wednesday.
- Discussion ensued regarding the invoice for annual membership in the Eastern Oregon Counties Association (EOCA), billed at a basic membership cost of \$12,500. Before the invoice is approved for payment, Commissioner Chang wanted a report of what the EOCA is working on that benefits Deschutes County. Commissioners Adair and DeBone supported paying the basic membership amount.
- Discussion ensued regarding Funds 130 and 132 and RV registration fees in relation to the possibility of developing County-owned land for a recreational campground.

EXECUTIVE SESSION: None

ADJOURN:


Being no further items to come before the Board, the meeting was adjourned at 4:27 pm.

DATED this 18th day of Sept. 2024 for the Deschutes County Board of Commissioners.


PATTI ADAIR, CHAIR

ATTEST:

RECORDING SECRETARY



ANTHONY DEBONE, VICE CHAIR



PHIL CHANG, COMMISSIONER