

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



BOARD OF COMMISSIONERS

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

1:00 PM

MONDAY August 18, 2025

Allen Room
Live Streamed Video

Present were: Commissioners Anthony DeBone, Patti Adair and Phil Chang. Also present were: Deputy County Administrator Whitney Hale; Senior Assistant Legal Counsel Kim Riley; and BOCC Administrative Assistant Angie Powers.

This meeting was audio and video recorded and can be accessed at the Deschutes County Meeting Portal: www.deschutes.org/meetings.

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

CITIZEN INPUT: None

Commissioner Adair shared that she had heard from a constituent who had experienced delays in receiving a call back from the Community Development Department. She called the department herself and learned from the outgoing greeting that the average callback period is four days. Being the busy summer construction season, it is her goal that this time can be reduced.

AGENDA ITEMS:

- 1. Work Session in preparation of BOCC presentation for County College on August 26th**

Kim Katchur, Public Information Officer, presented to the Board a draft slide presentation, which will be presented to County College participants during the opening session on August 26. She solicited feedback from the Commissioners on suggested changes to the slides and the determination was made by the Board as to which Commissioner will present each slide. County College takes place on Tuesdays from August 26 through October 28. Included in the Board's packet is a County College schedule.

New this year, Katchur will begin the first session with an icebreaker in the form of a BINGO game. She invited the Commissioners to participate and estimated it to take approximately 15 minutes. There will be 23 participants this year.

Responding to Commissioner Chang, 15 minutes is allotted for the icebreaker then 1 hour and 15 minutes for the BOCC/Admin presentation. Commissioner Chang expressed the desire to allow enough time for participants' questions. Katchur noted this is a high-level presentation and is similar to those used in the past.

Responding to Commissioner Adair, Katchur obliged to highlight before and after photos of the roundabout featured on one of the slides. Additionally, Katchur will ensure the AOC video will playback with audio this session.

Katchur provided an update that the department video presentations are going well, noting that participants will be provided with these videos prior to the in-person presentations. The goal is to make the sessions more interactive and engaging.

Responding to Chair DeBone, Katchur will share the unlisted YouTube channel with the Board which includes each department's video presentations.

2. Work session in preparation for a public hearing on an application to rezone 240 acres from Exclusive Farm Use (EFU) to Multiple Use Agricultural (MUA10) with a corresponding Comprehensive Plan designation change from Agriculture to Rural Residential Exception Area

Audrey Stuart, Associate Planner, said that a public hearing for this matter will take place on August 20. The hearing concerns a Comprehensive Plan Amendment and Zone Change request from BCL LLC. The applicant is requesting a zone change of 240 acres from EFU to MUA10. Additionally, the applicant requests a corresponding Comprehensive Plan designation change from Agricultural to Rural Residential Exception Area.

Stuart described the subject property, consisting of four tax lots located to the north and south of Highway 20, 0.26 miles east of the Bend UGB. The original subject property was 252 acres in size, but the applicant filed a modification of application to reduce the size of the subject property to 240 acres.

Stuart explained that because this zone change contains resource lands, Title 22 requires the Board hold a *de novo* hearing. The subject property is developed with a photovoltaic solar farm, located between Hwy. 20 and Neff Road and covers 62 acres. In 2015, the farm received a conditional use permit and site plan review for this purpose. There was a modification of the approval in 2016.

Stuart noted two unique aspects of this proposed zone change:

1. A solar array is not a permitted use under the proposed MUA10 zoning. The applicant argued that a zone change can result in a nonconforming use and the Hearings Officer agreed with this analysis.
2. The applicant did not undergo a site-specific soil study but instead relied on the National Resources Conservation Service (NRCS) soil mapping. This mapping shows that the property is made up of predominately type 58C soils, consisting of a mix of types 6, 7, and 8 soils. The applicant provided a memo from a certified soil scientist concluding that the soil is not suitable for agricultural use.

A Hearing before the Hearings Officer took place on May 9. On July 9, the Hearings Officer issued his recommendation of approval.

Responding to Commissioner DeBone, Stuart noted that this soils approach is not commonly used.

Commissioner Chang asked if there was additional historical information related to the photovoltaic array on the subject property, noting that typical equipment has a lifespan of 20 to 30 years. Additionally, he wished to know if a power sales agreement was signed by the property owner and what the term of this agreement is.

Commissioner Chang requested additional maps to those included in the packet. He requested an aerial map zoomed out to show the surrounding land uses. He would also like to see other MUA10 and EFU surrounding properties. He would like a clear understanding of what the land is transitioning from and to. Additionally, it would be useful to see those surrounding land uses which were recently rezoned in the last 5 to 10 years. Chang also asked for the area irrigation canals to be shown on the maps. Due to recent piping, new water has become available (citing 200 acres of water rights from Arnold Irrigation District).

Stuart said that County GIS staff are currently working on a more comprehensive Countywide land use map.

3. Other Items

- On Saturday, Commissioner DeBone participated in a public land cleanup event in South County. The site was an abandoned camp.
- Commissioner Chang provided an update regarding a confederate flag being flown by someone residing on County owned land at the North Juniper Ridge Temporary Safe Stay Area (TSSA). Currently, the Guidelines and Enforcement Policy adopted by the City of Bend and Deschutes County has no language restricting flags. He wished to have a conversation with the other commissioners as to whether to modify the Guidelines and Enforcement Policy relative to flags and flagpoles. He is cognizant of not infringing upon individuals' right to free speech.
 - Commissioner Adair recollected visiting a civil war cemetery in Dripping Springs, Texas, observing approximately 600 small confederate flags displayed.
 - Senior Assistant Legal Counsel, Kim Riley, stated that County Legal did not review and approve the initial Guidelines and Enforcement Policy, as approval would be contrary to County Legal's advice relating to the creation of the TSSA. She cautioned the Board at regulating freedom of speech and that regulation of flags could cause alternative forms of speech to be called into question and whether those would then be regulated.
 - Chair DeBone was not supportive of adding language related to flags, to the TSSA Policy with the City of Bend, citing freedom of speech.
 - Commissioner Chang supported amending the Policy. He has heard from many constituents who have expressed concerns.
- Commissioner Adair attended a PacifiCorp Blueprint South transmission project meeting on Thursday evening in Powell Butte. She hopes for a partnership between Deschutes, Crook and Jefferson counties. The goal is to minimize the impact to existing property owners and property values by maximizing the use of existing stations.
 - Responding to Commissioner Chang, Commissioner Adair believes it may be a good idea to meet with the Crook County Commissioners and the City of Prineville.
 - Commissioner Chang emphasized there will never be an application in front of the County to accept or reject. He acknowledged that the BOCC's recommendation may hold some weight. He suggested including the City of Redmond in the conversation.

- Chair DeBone suggested adding this item to an upcoming Central Oregon Intergovernmental Council (COIC) meeting agenda, to get more jurisdictions in the room together. COIC meets next on September 4.
- Commissioner Adair is awaiting an improved map of the project and will share it once it is received.
- Commissioner Adair attended the Central Oregon Health Council (COHC) meeting. Medicaid funding through PacificSource is a current challenge.

The Board went into Executive Session at 1:43 p.m.

EXECUTIVE SESSION: Executive Session under ORS 192.660 (2)(d) Labor Negotiations

The Board exited Executive Session at 2:06 p.m. and invited the public back into the room.

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 2:07 pm.

DATED this 3rd day of September 2025 for the Deschutes County Board of Commissioners.

ATTEST:


ANGIE POWERS
RECORDING SECRETARY


ANTHONY DEBONE, CHAIR


PATTI ADAIR, VICE CHAIR


PHIL CHANG, COMMISSIONER