



## BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

# BOCC MEETING MINUTES

9:00 AM

**WEDNESDAY September 10, 2025**

Barnes Sawyer Rooms  
Live Streamed Video

Present were Commissioners Anthony DeBone 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](http://www.deschutes.org/meetings).

**CALL TO ORDER:** Chair DeBone called the meeting to order at 10:00 am and noted the excused absence of Commissioner Adair who is attending the Pendleton Round-Up.

### PLEDGE OF ALLEGIANCE

**CITIZEN INPUT:** None

### COMMISSIONER ANNOUNCEMENTS:

Commissioner Chang referred to his attendance at yesterday's meeting of the Deschutes Collaborative Forest Project steering committee and said fuels reduction work completed on federal public lands on the west side of Sisters and Black Butte Ranch has dramatically lowered the risk of fire in that area.

Commissioner DeBone spoke to yesterday's joint meeting between the BOCC and the Fair Board. Noting that Fair Director Geoff Hinds has accepted a position with Cheyenne Frontier Days in Wyoming, he thanked him for six years of service and wished him well.

Commissioner Chang reported that yesterday's Public Health Advisory Board meeting focused on vaccinations, the safety of flu and COVID19 vaccines, and concerns about the availability of and access to vaccines.

The Board recognized Deputy County Administrator Whitney Hale for ten years of service and expressed gratitude for her leadership, professionalism, advancement of the culture of the organization, and ability to make good decisions.

Hale said it has been rewarding to invest in the community she grew up in.

County Administrator Nick Lelack added that Hale serves as the County's Communications Director, has served as Human Resources Interim Director, and is currently transitioning to take over the Risk Director role. He spoke highly of her skills and contributions to the organization.

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

1. Authorize the submittal of an application for a Victims of Crime Act (VOCA) / Criminal Fines Account (CFA) Grant
2. Approval to accept a grant from the Oregon Health Authority for Generation Parent Management Training
3. Approval of a Notice of Intent to Award a contract to ORW Architecture for design services of the Behavioral Health South County Remodel Project
4. Consideration of Board Signature on letters appointing Elizabeth Johnson, Heather Laird, and Claudia Sarabia, for service on the Public Health Advisory Board
5. Consideration of Board Signature on letter thanking Duncan Atwood, for service on the Four Rivers Vector Control District Board
6. Consideration of Board Signature on letters reappointing Hunter Neubauer, Matt Hurt and Andrew Aasen, and appointing Detective Anthony Ramos, for service on the Cannabis Advisory Panel
7. Consideration of Board Signature on letter appointing Grant Solich, for service on the Project Wildfire Steering Committee

CHANG: Move Board approval of the Consent Agenda as presented

DEBONE: Second

VOTE: ADAIR: *(absent)*

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried 2 – 0

Commissioner Chang asked that the District Attorney's Office or the Local Public Safety Coordinating Council report on whether Oregon will receive its allocated VOCA funding which is currently being withheld by the federal government.

Commissioner DeBone thanked Duncan Atwood for his service on the Four Rivers Vector Control District Board.

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## **ACTION ITEMS:**

### **8. Emergency Management Performance Grant**

DCSO Lieutenant Nathan Garibay explained the Emergency Management Performance grant and how it would be used, including to update the County's Hazard Mitigation Plan.

Commissioner Chang referred to questions regarding the future of FEMA and whether federal funds will continue to be extended to Oregon for emergency management.

Lt. Garibay reminded that the County is required by State law to have an emergency management program, even in the absence of external funding. He pledged that DCSO will continue to look for any efficiencies that can be realized to lower costs.

Commissioner Chang spoke to FEMA's role and suggested reaching out to the County's Congressional delegation and appropriate federal officials about the importance of funding local emergency management efforts.

Saying that the Association of Oregon Counties and the League of Oregon Cities may be advocating on this subject, Lt. Garibay offered to support such efforts.

CHANG: Move to authorize the Deschutes County Sheriff's Office to apply for and accept, if awarded, an Emergency Management Performance Grant to support the County's comprehensive emergency management program

DEBONE: Second

VOTE:            ADAIR:        (absent)  
                      CHANG:        Yes  
                      DEBONE:      Chair votes yes. Motion Carried 2 – 0

**9. Public Hearing: Property Line Adjustment / Minor Variance Text Amendments**

Nicole Mardell, Senior Planner, outlined the procedures for the hearing.

*The public hearing was opened at 9:26 am.*

Mardell explained the proposed changes to County Code to remove the local limitation of 10% for lot line adjustments, noting this conflicts with ORS 92.192. The Planning Commission unanimously recommended approval of these changes.

- Adam Smith stated he has numerous clients who would likely benefit from these changes and encouraged the Board to approve them.

*There being no one else who wished to speak, the public hearing was closed at 9:33 am.*

The Board decided to close the record and immediately proceed to approval of the proposed legislation adopting these changes.

CHANG: Move approval of first and second readings of Ordinance No. 2025-017 by title only

DEBONE: Second

VOTE:            ADAIR:        (absent)  
                      CHANG:        Yes  
                      DEBONE:      Chair votes yes. Motion Carried 2 – 0

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

CHANG: Move adoption of Ordinance No. 2025-017 amending the Deschutes County Code Title 18 in relation to procedural requirements for property line adjustments and minor variances, by emergency to take effect immediately

DEBONE: Second

VOTE:            ADAIR:        (absent)  
                      CHANG:        Yes  
                      DEBONE:      Chair votes yes. Motion Carried 2 – 0

Chair DeBone acknowledged that even as the Board has adopted this ordinance by emergency, it remains subject to appeal for a limited time.

#### **10. Public Hearing: Farm and Forest Housekeeping Text Amendments**

Senior Planner Nicole Mardell outlined the procedures for the hearing.

*The public hearing was opened at 9:39 am.*

Mardell explained the proposed changes which result from the State's work to update and modernize requirements associated with the zoning-based Farm and Forest conservation programs which have been in place since 1973.

Commissioner DeBone noted that these changes follow the long-awaited receipt of clarity from the State on certain uses.

- Adam Smith requested that the written record be left open as the draft language could result in the State's farm impacts test being applied to more properties than required. He said a minor wording change could likely clarify the correct applicability of this test.

Will Groves, Planning Manager, agreed that the impacts test may not apply to all conditional uses and that a simple text change could resolve this issue.

*There being no one else who wished to speak, the public hearing was closed at 9:50 am.*

The Board decided to close the oral record at this time and leave the written record open for one week until 4 pm on Wednesday, September 17<sup>th</sup>.

Commissioner Chang recapped that local jurisdictions will receive additional direction from the State at a later time with regard to regulations for farmstands.

#### **11. Consideration of first reading of Ordinance No. 2025-018: Dark Skies Text Amendments**

Tanya Saltzman, Senior Planner, presented the draft ordinance and reviewed the changes made following the public hearing before the Board on August 27<sup>th</sup>.

Discussion ensued of the three-year timeframe allowed for coming into compliance and the annual exemption for seasonal holiday lighting between Thanksgiving and January 15<sup>th</sup>.

CHANG: Move approval of first reading of Ordinance No. 2025-018 by title only

DEBONE: Second

VOTE:            ADAIR:        (*absent*)  
                      CHANG:        Yes  
                      DEBONE:      Chair votes yes. Motion Carried 2 – 0

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

**12. Eastern Oregon Solar Siting Rules / Options for Consideration for Exclusive Farm Use and Forest Use Zones**

Tanya Saltzman, Senior Planner, reported that on June 26, 2025, the State adopted a new solar siting rule which will take effect on January 1, 2026. She explained the reason for the new rule, reviewed the three options before the County, and said Deschutes County has approved six solar facilities to date, five of which have been developed. She said data is lacking to determine the eligibility of properties for the new siting rule and produced a map which illustrated potential eligibility, stressing that all necessary information is not available to determine actual eligibility.

Discussion ensued of what constitutes arable land and non-arable land.

Commissioner Chang noted that because every application submitted for a solar farm project has been approved, it appears that Deschutes County's existing process is meeting its needs. He added that it is not known if the County would want to allow solar farms on arable lands.

Saying that no decision is needed on this matter today, Community Development Director Peter Gutowsky reviewed the options before the Board and said choosing to opt out of the new rule would not preclude a future BOCC from reconsidering that decision should the market change and opportunities arise.

Commissioner Chang noted that two different solar power developers have approached the County regarding the possible lease of approximately 500 County-owned acres on the north side of Bend for a solar facility. Planning Manager Will Groves said whether those properties qualify for a solar facility is not known, but that question could be analyzed by staff.

Gutowsky differentiated between Options 1 and 2, saying that the latter would give the County greater discretion moving forward.

Commissioner Chang referred to increased demands for more electricity and stated his appreciation for the opportunity to generate clean, renewable energy locally. He

did not see the use of considering Option 3 due to the low likelihood of any property being eligible.

Commissioner DeBone said these rules are intended for counties such as Wasco and Jefferson with little to no impact anticipated for Deschutes County. He noted the need for batteries to store solar-produced energy and spoke to efforts to develop geo-thermal energy at Newberry which would require significant investment yet have the possibility of producing a large amount of energy.

Commissioner Chang referred to the upcoming AOC District 2 meeting where representatives from Deschutes County can discuss this matter with representatives from other counties. He acknowledged a letter from Central Oregon LandWatch advising the BOCC to enact Option 2 or Option 3.

Commissioner Chang requested a map of Forest-zoned lands and another that shows Goal 5 wildlife protection overlay areas.

**OTHER ITEMS:** None

**EXECUTIVE SESSION:**

At 10:54 am, the Board **convened as the Governing Body of the 9-1-1 Service District** and subsequently entered Executive Session under ORS 192.660 (2) (d) Labor Negotiations.

The Board exited Executive Session at 11:03 am and instructed staff to proceed as directed.

*The Board then reconvened as the Governing Body of Deschutes County.*

**ADJOURN:**

Being no further items to come before the Board, the meeting was adjourned at 11:03 am.

DATED this 1<sup>st</sup> Day of Oct. 2025 for the Deschutes County Board of Commissioners.

**ATTEST:**

  
RECORDING SECRETARY

  
ANTHONY DEBONE, CHAIR

 *not present*  
PATTI ADAIR, VICE CHAIR

  
PHIL CHANG, COMMISSIONER