



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

1:00 PM

MONDAY May 5, 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 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: www.deschutes.org/meetings.

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

PLEDGE OF ALLEGIANCE

CITIZEN INPUT:

- Tom Diamond said in the past few days, unauthorized encampments have relocated from Bureau of Land Management (BLM) land off of China Hat road to County-owned property off of Rickard Road, inspiring fear, anxiety and uncertainty in those who live in neighboring areas. Speaking to the health, safety and wellbeing of nearby residents, he urged the County to close its properties to illegal camping and clear them of unpermitted camps.

Commissioner DeBone commented on unauthorized encampments on the east side of Redmond and in the China Hat and Juniper Ridge areas. He also spoke to actions taken to address homelessness and make shelter options available for those who want them.

Commissioner Adair said according to Zillow, 42 two-bedroom apartments are currently available to rent for under \$1800. She referred to the millions of dollars spent by the County to address homelessness over the last couple of years, stated her agreement with concerns about fire risks associated with unauthorized encampments, and said the County should post signage prohibiting camping on these properties.

Commissioner Chang said moving people out of areas without offering them a place to go only results in them relocating to other unauthorized areas. He said while the County has had some success in creating pathways out of homelessness, this work must be scaled up.

- Frank Wesley Hall said gunshots, fires, and exploding propane canisters from unauthorized encampments are a clear and present danger to his home and those of his neighbors. While he was grateful for all of the resources devoted to alleviating homelessness, he urged the County to address vehicles parked in the ROW adjacent to private properties and asked that the County communicate its plans and a timeline for enforcing its regulations in this area.
- Christina Hall said residents who want to feel safe from this imminent problem have been dealing with illegal camping and improper solid waste disposal for many years.
- John Kirby expressed grave concern about the risk that warming and cooking fires utilized by persons living in unauthorized encampments could spread outside of the intended areas.
- Robert Schuur was concerned about the fire danger from unauthorized encampments and asked that the County clear or manage this property.
- Al Shirk, co-owner of the Spring Butte Rock quarry outside of La Pine, objected to the proposed letter of support from the Board for a transfer of 40 acres of federally-owned property to the County, which would then be sold to a private party.

Commissioner DeBone said this proposal is about supply and demand.

Shirk said because his company is mining 1200 acres of rock to a depth of 150 feet, its operations assure sufficient resources for all foreseeable supply needs. He objected that this deal is intended to benefit one particular company.

Commissioner Chang said he remains concerned about conveying 40 acres of valuable resource land from the federal government to the County for sale to a private entity and questioned what the benefits would be to US taxpayers to give this land away. He shared that he is scheduled to meet tomorrow with Vic Russell and staff from the County's US Congressional delegation to discuss options for how to make this transaction fair for the US taxpayers.

- Nunzie Gould said the County should have had a plan in advance of the US Forest Service closing the China Hat area to encampments. Adding that efforts made to address homelessness have thus far been insufficient to provide shelter for the unhoused, she encouraged the Board to consider this as it takes up its Fiscal Year 2026 Budget discussions next week. With regard to unauthorized camping occurring on County-owned land, she said the County should enforce its own Code with respect to these encampments or, alternatively, seek permission to utilize its property for homeless camping.

Pointing to the effects of Measure 110, which legalized drug possession, Commissioner Adair said the County's safe parking program is expanding from Redmond to Bend, and many shelter units have been added to move people out of homelessness.

Commissioner DeBone referred to funding constraints and said it is not easy to figure out where people can live on their own terms without negatively affecting others.

Commissioner Chang said the owners of certain property have offered it to be used for safe parking or camping, but the County has been slow to aid them in accelerating the rezone of that property which is required before it can be utilized in this manner.

Deputy County Administrator Erik Kropp suggested that the Board continue discussing this matter at its Wednesday meeting, saying staff will bring back options for addressing the immediate situation at Rickard Road along with County-owned property in general.

AGENDA ITEMS:

1. Work Session in preparation for a Public Hearing regarding the remand of a modification of the Final Master Plan for the Thornburgh Destination Resort

Jacob Ripper, Principal Planner, said a public hearing has been scheduled before the Board on May 7th to consider a remand proceeding from the Land Use Board of Appeals regarding the amended Fish and Wildlife Management Plan for the Thornburgh Destination Resort. Reminding that only persons with standing will be able to testify at the hearing, Ripper reviewed the background of this matter, noting that the Board had previously decided to allow new testimony only on the issue of economic analysis.

Commissioner Adair advised alphabetizing the mailing list which contains the names of persons allowed to participate in the hearing for ease of determining

who is eligible to testify and who is not. She further advised displaying this list on a posterboard for persons in attendance to view.

Ripper listed the three matters remanded by LUBA, as follows:

1. If the 2022 Fish and Wildlife Management Plan is sufficient to satisfy the “no net loss” standard with respect to groundwater sources for fish habitat mitigation;
2. Findings addressing how the change in the number of golf courses will affect the development’s economics; and
3. Whether the 2022 Fish and Wildlife Management Plan violates the Treaty with the Tribes of Middle Oregon, dated June 25, 1855.

With regard to the first topic on remand, Commissioner Chang said LUBA has asked for more information that the indicated habitat benefits are real. He asked to know what kind of evidence might be provided to demonstrate this. Ripper responded that he expected the applicant to address this at the hearing.

Stephanie Marshall, Senior Assistant Legal Counsel, clarified that persons with standing (i.e., persons of record who have previously provided testimony on this project) can present new evidence with regard to the second remand topic, and/or can speak to the first and third remand topics as long as no new evidence is presented on these.

2. Department Performance Measures Updates for FY 25 Q3

Jen Patterson, Strategic Initiatives Manager, introduced the updates on progress made during the third quarter of FY 25 on performance measures in the category of “Service Delivery.”

Zach Neemann, Information Security Manager, reported on the initiative to offer departments tabletop exercises to prepare for cybersecurity incidents. He also reported on consolidating licensing tools (in particular, licenses obtained from Microsoft) to increase security and maximize the value of the County’s investment in these licenses.

Vojta Borovian, IT Operations Manager, reported on planned improvements to the platform used to manage and deliver IT services to staff, saying that after receiving presentations from five vendors, IT is now demo’ing some of the programs. He expected a product selection to be made later this month.

Sean Kirk, Veterans Services Manager, explained that while the County’s Veterans Services Office is separate from the VA, its purpose is to advocate for

veterans and help ensure they are receiving the benefits and services they need and are entitled to.

In response to Commissioner Adair, Kirk said all veterans in Oregon must pay taxes on their retirement pay as well as property taxes, which is not the case in other states.

Responding to Commissioner Chang, Kirk said last year, the County's Veterans Services Office secured \$2 million of benefits for veterans; this year, the office has secured \$4.3 million of such benefits. Kirk added that the office tallied approximately 800 more appointments this year than last year.

The Board was in consensus to take item #4 before item #3.

4. Consideration of an Intergovernmental Agreement with the City of La Pine for Justice of the Peace/Municipal Court services

Dave Doyle, County Counsel, said the City of La Pine has approached the County seeking Justice of the Peace/Municipal Court services similar to what is provided to Sisters and Redmond.

Brent Bybee, Principal Planner for La Pine, explained that the City desires to ramp up its enforcement of City Code violations.

Judge Charles Fadeley said he envisions hearing Code violations for La Pine every other month.

In response to Commissioner Adair, Bybee said the City currently has 12 open Code violation cases, some of which may transition into compliance without having to proceed to enforcement.

ADAIR: Move approval of Document No. 2025-402, an Intergovernmental Agreement with the City of La Pine for Justice of the Peace/Municipal Court services

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried 3 – 0

3. Work Session: Preparation for Potential Public Hearing on Transient Room Tax Code Amendments

Robert Tintle, Chief Financial Officer, introduced recommended amendments to County Code Section 4.08 regarding the imposition of the Transient Room Tax. Explaining that the proposed changes will update the Code language and bring it into alignment with State regulations, Tintle said the changes include modifying the term "Transient Room Tax" to "Transient Lodging Tax" and widening the applicable facilities term from "hotel" to "Transient Lodging Facility." Additionally, definitions will be added for short-term rentals and for the platforms used to offer, book and manage STRs.

Tintle reviewed other proposed changes, including adding a fee for the initial registration of a lodging facility and requiring annual renewals. These fees will be used to offset the administration of the Transient Lodging Tax program.

In response to Commissioner Chang, Management Analyst Michele Assia said currently, about 3,800 short-term rentals are registered with the County.

5. Forming a Committee to Create Commissioner Districts

Jen Patterson, Strategic Initiatives Manager, reviewed the Board's previous discussions of how to form a committee to be tasked with creating a proposal for Commissioner districts which would be put to the voters. She presented a memo which provided more information on possible options for forming the committee.

Commissioner Chang said the Board's goal should be to end up with maps that are fair and make sense. He believed it was possible to form a fair and balanced committee without spending a lot of money and said it will be very important to have a skilled facilitator guide this work.

Commissioner Adair also supported having a good facilitator and did not want to spend a lot of money on mailing.

Commissioner DeBone suggested that each of the County Commissioners appoint three members to the committee. Commissioner Chang did not think this proposal would result in a fair and balanced committee.

Commissioner DeBone then suggested that Commissioner Adair and he each appoint two members to the committee, and Commissioner Chang appoint three members.

Commissioner Chang preferred that other people such as State legislators and elected officials from cities be involved in selecting committee members.

Commissioner DeBone said because the committee will conduct its meetings publicly, the community will be able to give input as it formulates a district map.

Commissioner Adair noted that anyone who does not want districts or who does not agree with the draft map can vote against it.

Commissioner Chang expressed concern about possibly wasting time and resources and said the Board's goal should be to produce a proposed district map that is supported by a majority of voters.

ADAIR: Move to assign the following number of appointments to each Commissioner for a committee to formulate a draft Commission district map for consideration by the voters: DeBone – appoint two members; Adair – appoint two members; Chang – appoint three members

DEBONE: Second

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

Added item: Consideration of draft letter regarding HB 3069

Strategic Initiatives Manager Jen Patterson presented a draft letter expressing conceptual support for HB 3069 and its two amendments, noting this was discussed at the Board's Legislative Update meeting last Friday.

Deevy Holcomb, Community Justice Director, described which sections of the proposed bill are viewed as problematic and how staff suggests these be changed. Staff's recommended changes are detailed in the draft letter.

CHANG: Move approval of the draft letter to the Joint Committee on Addiction and Community Safety Response expressing conceptual support for and asking for consideration of text changes to HB 3069 and its two amendments

ADAIR: Second

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

Added item: Consideration of draft letter regarding the preferred route of PacifiCorp's new transmission line

In response to multiple residents having requested that the Board issue a letter supporting the selection of Route D for PacifiCorp's new Blueprint South Transmission Line, Commissioner Chang asked to see a detailed map of the possible routes currently under consideration.

Commissioner Chang exited the meeting at 3:34 pm to attend the Coordinated Houseless Response Office and Regional Housing Council meetings in Redmond.

Commissioner Adair supported sending a letter to PacifiCorp stating that Route D is preferred.

Referring to his hesitancy to express strong support for any specific route as alternate energy sources including solar and geothermal are being developed, Commissioner DeBone was agreeable to stating that Route D is preferred.

ADAIR:	Move approval of a letter to PacifiCorp stating that Route D for placement of the Blueprint South Transmission line is the preferred option
DEBONE:	Second
VOTE:	ADAIR: Yes
	CHANG: (absent)
	DEBONE: Chair votes yes. Motion Carried 2 – 0

A break was taken at 3:38 pm. The meeting resumed at 3:41 pm.

6. Letter of support to acquire 40 acres of Deschutes National Forest located southeast of La Pine

Commissioner DeBone said he has done a lot of homework on this proposal, which would entail a transfer of federal property to the County for sale on the open market. Saying it is important to have access to the natural resources on this land, he saw valuable opportunities for multiple local surface mining operations. Adding that he is not opposed to competition in the market, he supported this proposal and sending the letter to Congressman Bentz as drafted.

Commissioner Adair agreed that market competition is always good.

ADAIR:	Move approval of a letter supporting the County's acquisition of 40
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acres of Deschutes National Forest located southeast of La Pine from the federal government as discussed
DEBONE: Second

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

OTHER ITEMS:

- Commissioner DeBone shared he will attend a Business Oregon event tonight.
- Commissioner DeBone announced that he is driving to Salem tomorrow and will attend the Board's Wednesday meeting remotely.

EXECUTIVE SESSION: None

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 3:47 pm.

DATED this 4th day of June 2025 for the Deschutes County Board of Commissioners.

ATTEST:


RECORDING SECRETARY


ANTHONY DEBONE, CHAIR


PATTI ADAIR, VICE CHAIR


PHIL CHANG, COMMISSIONER