BOARD OF COMMISSIONERS

1300 NW Wall Street, Bend, Oregon
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BOCC MEETING MINUTES

9:00 AM	**WEDNESDAY July 8, 2026**	Barnes Sawyer Rooms Live Streamed Video

Present were Commissioners Phil Chang, Anthony DeBone and Patti Adair. Also present were Deputy County Administrator Erik Kropp; 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.

CALL TO ORDER: Chair Chang called the meeting to order at 9:02 am.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Chair Chang noted that two items had been added to the agenda following its initial publication last week.

DEBONE: Move to approve the agenda as presented
ADAIR: Second

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

CITIZEN INPUT: None

COMMISSIONER ANNOUNCEMENTS:

- Commissioner Adair reported her attendance at a beam-hanging event at Redmond Airport the previous day. She said the airport expansion is visibly progressing, with significant timber installation underway, and noted that the project is currently projected for completion in November 2027.
- Commissioner DeBone reported that he toured the biomass facility under construction at Mt. Bachelor, a project that received County investment through ARPA funds, and described the boilers and hydronic systems being installed.
- Commissioner Chang reported that representatives from the Oregon Criminal Justice Commission visited Deschutes County the previous day and heard presentations from County staff on programs supported in part by Criminal Justice Commission funding, including the Stabilization Center, gender-responsive parole and probation programming, organized retail theft work in the District Attorney's Office, the emerging adult program, and the deflection program. He said the visit provided an opportunity to show how funds from CJC are used to reduce recidivism and help prevent individuals from entering court or jail.
- Commissioner Chang announced the retirement of Captain Michael Schults, who served for many years as the Sheriff's Office corrections commander and who worked to help ensure that individuals leaving the jail were supported in ways intended to reduce their likelihood of returning to jail.

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

1. Approval of a contract with Restorative Justice & Equity for the Emerging Adult program

2. Approval of a grant to the Central Oregon Guardian Assistance Program

3. Approval to reappoint Danielle Grimes as the Deschutes County representative to the Housing Works Board of Commissioners for a term ending on June 20, 2026

ADAIR: Move Board approval of the Consent Agenda as amended to correct the term of Danielle Grimes on the Housing Works Board will expire on June 20, 2030

DEBONE: Second

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

Commissioner DeBone said the Central Oregon Guardian Assistance Program supports people who are experiencing health-related crises, including veterans, elderly persons, indigent persons, and persons in the civil commitment population. He added that the funding allocated to COGAP originated from the Central Oregon

Health Council and that future funding requests may depend on continued availability.

ACTION ITEMS:

The Board convened as the governing body of the Deschutes County 9-1-1 Service District.

4. Ratified Successor Collective Bargaining Agreement with Deschutes 9-1-1 Employees Association

Whitney Hale, Deputy County Administrator, presented the successor collective bargaining agreement with the Deschutes County 9-1-1 Employees Association dispatcher unit. The agreement, which covers a four-year term, has been ratified by the Association.

Hale said the agreement includes a cost-of-living adjustment range of one to four percent per year depending on CPI, consistent with other County contracts. It also includes wage modifications for the call taker classification and both dispatcher classifications. Administrative changes to the contract include sunsetting retiree health insurance premium contributions for new hires, modifying the long-term shift trade process, transitioning dispatchers from guaranteed hours to actual hours, and modifying provisions related to time management and leave conversion.

The Commissioners acknowledged the work that went into reaching the agreement.

DEBONE: Move approval of Document 2026-0545, a Collective Bargaining Agreement between the Deschutes County 9-1-1 Service District and the Deschutes County 9-1-1 Employees Association (Dispatchers) for the term July 1, 2026 through June 30, 2030, as ratified by the Association

ADAIR: Second

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

The Board reconvened as the governing body for Deschutes County.

5. Secure Rural Schools (SRS) allocation elections between Titles I, II and III

Chris Doty, Road Department Director, reported that the federal Secure Rural Schools program has been extended for another year. This program allows counties limited flexibility in allocating funds among three areas, as follows: Title I, for roads and schools; Title II, for federal projects on federal lands; and Title III, for other projects such as Firewise and related work administered through the Natural Resources division.

Doty said the proposed allocations continue the Board's prior direction to expend 84% of the funds to Title I, nine percent to Title II, and seven percent to Title III. He explained the shift of an additional one percent from Title I to Title II to provide more investment in federal forest projects, including work to address impacts from unsanctioned encampments.

Noting that Secure Rural Schools funds received by the County are deducted from the County's Payment in Lieu of Taxes (PILT) payment, Commissioner Chang asked how the Secure Rural Schools revenues interact with the County's PILT payment. Doty said his understanding is that funds received by the County are deducted from PILT, but Title II funds are not received directly by the County and therefore are not deducted in the same way. Commissioner Chang said this bolstered the recommendation to shift some funds to Title II as proposed.

Commissioner DeBone expressed support for the allocation and described the funds as resources authorized at the federal level that can be used locally to keep roads in good order.

ADAIR: Move approval of Resolution 2026-035 to authorize the Secure Rural Schools allocation for Fiscal Year 2027 as discussed

DEBONE: Second

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

6. Second Reading of Ordinance 2026-012: Clear and Objective Housing Text Amendments – Site Plan, Conditional Uses, and additional sections

Will Groves, Planning Manager, presented the second reading of Ordinance No. 2026-012, reminding that the ordinance contains clear and objective housing text amendments focused on site plan standards, conditional use standards, and related code sections in Titles 18, 19 and 22.

Commissioner Chang said while the purpose of implementing clear and objective standards for residential housing developments was to facilitate the construction of more housing, he has not yet seen evidence that this is happening and the new standards may, instead, be having the opposite effect.

DEBONE: Move approval of second reading of Ordinance No. 2026-012 by title only
ADAIR: Second

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

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

ADAIR: Move adoption of Ordinance No. 2026-012 amending Deschutes County Code Title 18, Zoning Ordinance, Title 19, Bend Urban Growth Boundary Zoning Ordinance, and Title 22, Development Procedures Ordinance, to incorporate clear and objective housing standards in compliance with State law
DEBONE: Second

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

7. Last Ranch Remand Hearing involving an application to change the Comprehensive Plan designation of 20.36 acres at 65110 N Hwy 97, 64994 Deschutes Market Road, and 64975 Deschutes Pleasant Road and rezone the properties from Exclusive Farm Use to Rural Industrial

Caroline House, Senior Planner, introduced the remand hearing regarding an application to change the Comprehensive Plan designation of 20.36 acres at 65110 N Hwy 97, 64994 Deschutes Market Road, and 64975 Deschutes Pleasant Road and rezone the properties from Exclusive Farm Use to Rural Industrial (Last Ranch).

House explained that the purpose of today's hearing is for the Board to take testimony concerning a Land Use Board of Appeals (LUBA) remand of the Board's decision to approve this Plan amendment and zone change. The scope of the review is limited to the specific issues identified by LUBA.

The public hearing was opened at 9:27 am.

House reviewed the background of the application, which was initiated in July 2022. The applicant requested to change the Comprehensive Plan designation of the property from Agricultural to Rural Industrial and change the zoning from Exclusive Farm Use to Rural Industrial. The Hearings Officer recommended that the Board deny the application unless the applicant demonstrated compliance with Goal 5. House reminded that when the Board later approved the request, Central Oregon Land Watch (COLW) filed an appeal, and LUBA found that compliance with Goal 5 had not been addressed in full.

House said the two issues before the Board relate to whether the proposed Rural Industrial uses would conflict with the Highway 97 scenic corridor, which is protected under Goal 5, and the applicant's newly submitted Economic, Social, Environmental and Energy (ESEE) analysis.

Representing the applicant, Last Ranch LLC, Carrie Richter first addressed procedural objections raised by COLW. Richter said the remand concerns a limited issue regarding the scenic highway overlay and does not involve broader Goal 3, Goal 14, or other Goal 5 issues. She said the 20-day notice requirement applied to the initial hearing on an application, while remand proceedings are considered a continuation of the first proceeding.

Richter described the property's physical characteristics and location, saying it includes two vacant residences, a two-story barn and numerous outbuildings. Noting that LUBA affirmed the County's conclusions that the land is not suitable for protection as farmland under Goal 3 and that rezoning the property to Rural Industrial would not violate rural use rules under Goal 14, Richter said the remaining question is whether new uses allowed in the Rural Industrial zone would affect the scenic highway overlay which is protected under Goal 5.

Richter reminded that the purpose of the County's landscape management corridor is to maintain the scenic and natural appearance of the land, and that the County requires adherence to certain development and design standards, including a 100-foot setback from the road and limits on building heights.

With regard to the 2026 ESEE analysis, Richter spoke to uses already allowed in the EFU zone. She noted that the conditional use process and analysis of adherence to the requirements of the landscape corridor would allow for specific review of any future development of the property.

Commissioner DeBone asked whether the applicant is proposing that the new ESEE analysis be adopted with the decision. Richter confirmed that the applicant

proposes that the County adopt the 2026 ESEE analysis as part of the rezone ordinance. Commissioner DeBone observed that this would be substantially different from the Board's prior decision, which relied on the 1992 ESEE analysis rather than adopting a site-specific ESEE analysis.

Commissioner DeBone also asked whether the existing houses were habitable and whether the Rural Industrial zone allows primary residences. Richter said she did not believe the structures were habitable and said Rural Industrial allows a night watchperson but not a primary residence.

Commissioner Adair referred to Exhibit 8 and asked about the number of nearby properties rezoned to Rural Industrial after the landscape management regulations took effect in 1992. She noted that the exhibit appeared to include the subject property and asked whether it should be excluded from the count. Richter agreed that the subject property should not be included in that exhibit count.

Commissioner Chang said he had recently observed what appeared to be pasture on the property being irrigated and said such irrigation contributes to the scenic value of the land. He asked what would happen to the first 100 feet of the property along the highway if the rezone were approved, and whether the property owner intended to continue farming or retain water rights. Richter said she did not know whether water rights were being used for the pasture and expected the setback area would likely be planted as a buffer, possibly with pasture, lawn or trees.

Saying that much of the Highway 97 scenic corridor now consists of juniper trees, Commissioner Chang said replacing agricultural fields with juniper would reduce the scenic value of the corridor.

In response to a question from Commissioner Chang regarding the 7,500-square-foot building footprint limitation, Richter said because the property consists of three parcels, it theoretically could have three buildings. Commissioner Chang spoke to the potential visual impact of multiple buildings on the property, particularly given that the east side of the property is higher in elevation than the west side.

Pat Kleber, also representing the applicant, provided additional information regarding the property's physical characteristics, access, topography and irrigation history, saying that portions of the property are constrained by the Pilot Butte canal and easements associated with the canal. The only access to the property is from Deschutes Market Road; Oregon Department of Transportation has refused to allow access from Highway 97.

Kleber said no crops have been grown on the property since 1991.

In response to Commissioner Chang, Kleber said the water rights are not being used for agricultural production and the owner has placed the irrigation rights up for sale. Commissioner Chang asked to know whether the property currently receives EFU property tax deferral.

Commissioner Chang spoke to recurring instances of drought and said as the region loses agricultural land with good soils, areas with shallow soils but senior water rights may become more important to the future of agriculture. He encouraged considering water rights and agricultural viability when deciding long-term regional planning.

Carol Macbeth testified on behalf of Central Oregon Land Watch, the appellant. Macbeth said the 1992 legislation and ordinances referenced by LUBA are part of the County's Comprehensive Plan and therefore carry significance beyond the zoning provisions. Adding that pasture and hay are common farm uses in Deschutes County and that pasture can support livestock grazing even with shallow soils, she said even if it no longer meets the legal definition of agricultural land, this property has been used as farmland in the common sense for approximately 100 years, with 15 acres of irrigation water rights dating to 1904.

Continuing, Macbeth urged the Board to consider cumulative impacts of multiple rezone applications in this area, stressing that County adopted protections in the landscape management zone because scenic views and natural landscapes are important to the local economy and tourism.

Macbeth said no new ESEE analysis is needed because the scenic resource is fixed and was already addressed through the 1992 ordinances and Comprehensive Plan policies. She said rezoning the property to Rural Industrial would conflict with the protected landscape by allowing industrial development and removal of vegetation.

In response to Commissioner DeBone, Macbeth said while the landscape management zone provides screening and amelioration standards once an underlying zone is in place, the question before the Board is whether the underlying zone may be changed to Rural Industrial in compliance with Goal 5.

Responding to Commissioner Chang, Macbeth said existing natural screening such as willows or forest cover could be relevant depending on the site.

Commissioner Adair discussed the profitability of goats and sheep and said agricultural profitability can vary. Commissioner Chang said although many farming families rely on some off-farm income, farming in and of itself remains a valued way of life.

In rebuttal, Richter said much of the discussion during the remand hearing had focused on farming, but the remand issue was narrower in scope than that broad subject. She reminded that the question before the Board is whether Rural Industrial uses on this specific property would have the effect of deterring tourism or undermining the visual and aesthetic objectives which are protected by the landscape management overlay. Richter acknowledged the argument regarding cumulative impacts of rezones but said the application before the Board concerns this particular property, not a larger policy question about the Deschutes Junction area. She stressed that the property is not suitable for farm use and said keeping it zoned EFU would not cause it to be farmed.

There being no one else who wished to speak, the public hearing was closed at 11:07 am.

The Commissioners were in consensus to move forward with a standard 7/7/7 open record period with the aim of scheduling deliberations on August 19th.

8. CDD Work Plan Update / Duplex Definition Text Amendment

Will Groves, Planning Manager, introduced a discussion regarding whether the Board wishes to initiate an amendment to Deschutes County Code (DCC) relating to the construction of duplexes. He said the issue arose from a Terrebonne property owner who had planned a duplex under former language that allowed two dwelling units to be connected by a breezeway. Following recent clear and objective code updates, that configuration no longer qualifies as duplex because the current code requires attached dwelling units to share a wall, ceiling or floor enclosing an interior space of at least one of the units.

Groves said because duplexes are allowed in Terrebonne residential zones and in other zones throughout the county, amending the Code to address this issue would have countywide implications unless an amendment was specifically drafted to apply to Terrebonne. He added that House Bill 2138 changed the definition of duplex from two attached structures to attached or detached dwellings in any configuration on a parcel, and a County amendment could use a similar approach. This would be a policy choice before the Board.

Continuing, Groves reviewed staff capacity concerns, noting that the Board adopted the Community Development Department's work plan for 2026-2027 on

June 15th, and the work plan already recognizes that project demand exceeds available resources. He listed major work underway and said a Board-initiated amendment would require reprioritizing some of that work.

Commissioner Chang asked about the number of pending Comprehensive Plan amendment and zone change applications and whether the current volume is typical. Groves said the County is experiencing a significant surge in these applications and that the current volume appears to be the most simultaneous Plan amendment and zone change applications the department has had.

Commissioner Chang wanted applicants to have a realistic understanding that applications filed in the second half of 2026 may not be finally decided by the current Board, particularly if the decisions are appealed to LUBA and later return to the County. He said applicants should not have distorted expectations based on political assumptions or assurances.

Commissioner DeBone objected to Commissioner Chang's comments, saying they could be construed as a threat by a sitting Commissioner to applicants who are exercising private property rights under existing Code. Commissioner Chang responded that the surge in applications appeared connected to political expectations and that applicants should be aware of the likely procedural path of their applications.

Commissioner Adair asked whether the duplex issue could be incorporated into the Terrebonne Community Plan because the request came from a Terrebonne property owner. Groves said while that is possible, the Terrebonne Community Plan is not expected to be adopted until approximately January 2028.

In response to Commissioner DeBone, Groves confirmed that in the process of adopting clear and objective standards, the County had clarified the term "attached" as it relates to duplexes. As a result, a two-unit structure with a breezeway configuration no longer qualifies as a duplex. Groves added that State law would allow for changing this definition in County Code.

Commissioner Chang supported moving the duplex text amendment forward, saying that housing is needed and policy changes which help create housing should be top priorities. He expected that the amendment could have value beyond a single property in Terrebonne and support housing opportunities in other communities.

Noting that the proposed change appeared to address an unintended consequence, Commissioner Adair said housing has consistently been a Board

priority and if a State or County policy unintentionally limits housing, the County should work to correct it.

Groves said although the amendment would require a legislative process through the Planning Commission and Board, it would be a minor undertaking compared to other projects.

Commissioner Chang said if capacity issues arise, staff should return with a menu of projects and the relative risks and opportunities associated with slowing each one. Groves said staff would do so if needed.

The Commissioners supported proceeding with a Board-directed duplex definition text amendment using current resources.

Commissioner DeBone said he was prepared to proceed with land use items as initiated and to hold the meetings necessary to hear these. Commissioner Adair agreed.

9. Contract with Romeo Entertainment Group for 2026 Fair

Jeff Curtis, Fair & Expo Director, presented Document No. 2026-0463, a contract with Romeo Entertainment Group for Deschutes County Fair mainstage entertainment management. Curtis said the County has worked with Romeo Entertainment for many years, but the structure of this agreement differs from prior years. He explained that, historically, Romeo Entertainment contracted for booking and production services, while individual artist agreements came directly to the County, often close to the start of the fair and with terms that were difficult to reconcile with County legal and risk requirements.

Curtis said the new agreement consolidates those responsibilities into one comprehensive contract under which Romeo Entertainment manages the total entertainment expenditure and signs the artist agreements. He said this approach follows advice from County legal counsel and alleviates the need for the County to sign individual artist contracts under time pressure.

In response to Commissioner Chang, Curtis said to his knowledge, the County has contracted with Romeo Entertainment for a decade or more. Curtis added that the Fair plans to conduct a request for proposals process for mainstage entertainment management before next year's fair.

Deputy County Administrator Erik Kropp thanked Curtis for his work and leadership in overseeing improvements to the contract process. Kropp said administration, legal and risk management had provided input on how the

process could be improved, and Curtis had worked to address those issues in his first year as Fair Director.

ADAIR: Move approval of Document No. 2026-0463, a contract with Romeo Entertainment Group for Deschutes County Fair mainstage entertainment management
DEBONE: Second

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

Kropp also recognized Brenda Fritsvold's adaptability to the requests to notice and schedule time-sensitive agenda additions.

OTHER ITEMS: None

EXECUTIVE SESSION: None

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 11:55 pm.

DATED this 7th day of October 2026 for the Deschutes County Board of Commissioners.

PHIL CHANG, CHAIR

ATTEST:

ANTHONY DEBONE, VICE CHAIR

RECORDING SECRETARY

PATTI ADAIR, COMMISSIONER