



## BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

# BOCC MEETING MINUTES

9:00 AM

**WEDNESDAY August 6, 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 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 9:00 am.

### PLEDGE OF ALLEGIANCE

### CITIZEN INPUT:

- Shawn Snyder shared that he is currently living at Cleveland Commons and said although several million dollars were spent to establish this shelter, it is being destroyed by residents who disrespect it. He questioned allowing persons who are under the influence of alcohol and drugs to be onsite and invited the Commissioners to come view the facility for themselves.

Commissioner Chang encouraged Snyder to document specific incidents of rule violations and share that documentation with the facility's management as well as with the Board.

Commissioner Adair acknowledged the community for supporting Steven Peebles, a 2015 Bareback Rider World Champion from Redmond, who recently suffered a life-threatening case of acute pancreatitis.

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

1. Approval of Resolution No. 2025-038 approving Solid Waste Disposal Fee Waivers for Fiscal Year 2026
2. Approval of Board Order No. 2025-033 appointing Health Services Director's designees
3. Approval of a Purchase Agreement, Document No. 2025-806; Dedication Deed, Document No. 2025-807; and Temporary Construction Easement, Document Number 2025-808 from Robert F. Nottelmann for Right of Way for the South Century Drive/Huntington Road Intersection Improvement Project
4. Approval of an intergovernmental agreement with the Oregon Department of Transportation for the US97: NW Galloway Ave-O'Neil Hwy Project
5. Approval of Document No. 2025-814 terminating and releasing a Public Utility Easement at 63330 N Highway 97
6. Approval of an amendment to a restrictive covenant encumbering a parcel consisting of +/- 39.31-acres commonly known as Northpoint Vista in Redmond
7. Consideration of Board Signature on letters reappointing Alysha DeLorto, Jared Jeffcott, Drew Norris, Dan Daugherty, Jerry Thackery and Dustin Miller for service on the Ambulance Service Area Committee
8. Approval of the BOCC June 25, 2025 meeting minutes

ADAIR: Move Board approval of the Consent Agenda as amended to correct the June 25<sup>th</sup> meeting minutes to state that Los Angeles County has a Board of Supervisors, not a Board of Commissioners

CHANG: Second

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

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## **ACTION ITEMS:**

### **9. Request to add 1.0 FTE Assistant Planner position**

Peter Gutowsky, Community Development Director, presented the request to add 1.0 FTE Assistant Planner and explained that if approved, this position would assist with increases in land use applications, in-person customers, and email and phone inquiries. It would also eventually assume addressing services as part of CDD's succession planning.

Will Groves, Planning Manager, added that the department seeks to maximize the training overlap as the incumbent staff person who manages addressing has decades of experience. He said CDD's budget appears to support bringing back some former staffing capacity.

Noting that the levels of land use and building applications fluctuate, Commissioner DeBone stated his support for the request. Commissioner Chang said CDD has shown that it tries to budget responsibly while still providing needed services. Commissioner Adair agreed that it would be beneficial to transfer the institutional knowledge of current staff to a new person over a 15-month period, if possible.

CHANG: Move approval of the request to add 1.0 FTE Assistant Planner position to the Community Development Department

ADAIR: Second

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

### **10. Public Hearing: McKenzie Meadow Village Comprehensive Plan Amendment and Zone Change for 58 acres adjacent to the City of Sisters**

Haleigh King, Senior Planner, reviewed the process for the hearing.

Commissioner Chang disclosed that prior to the submission of the rezone application, he had some discussions with Bill Willitts about the UGB and how the land might be used if it were rezoned. He stated he was not biased about this matter and believed he could participate.

Commissioner Adair disclosed that she lives in Sisters and has read articles about this proposal in *The Nugget*. She stated she was not biased about this matter and believed she could participate.

Commissioner DeBone said he spoke with Bill Willitts on this matter and also drove the area. Noting that the expansion of Sisters' UGB is a separate process, he saw no conflict with proceeding and believed he could participate.

King next described the requested rezone, saying that the Hearings Officer recommended the application be approved. She further explained the applicant's request for an exception to Goal 4 (Forest Lands) of the Statewide land use regulations and how the County can justify non-resource use of land designated for resource use, either by asserting that certain land is not "agricultural" or "forest" land, or by declaring that unique circumstances warrant a local override of the Goal. King said the Hearings Officer found that the applicant can demonstrate compliance with the "catch-all" provision of the Goal 4 exception criteria.

In response to Commissioner DeBone, King confirmed that the recommendation of the Hearings Officer to approve the application is only a recommendation to the Board, with the Board serving as the final decision maker. Commissioner DeBone noted that the Hearings Officer, a professional land use expert, fully reviews the record and all received input.

Responding to Commissioner Chang, King said Trout Creek essentially bisects the parcels from west to east. King added that Trout Creek is identified as a perennial stream and thus is not protected by the Landscape Management Combining Zone (LMCZ) overlay.

Will Groves, Planning Manager, said the LMCZ is normally limited to navigable waterways or those utilized for recreation.

Commissioner Chang asked if Trout Creek has riparian buffers and floodplain protections as Whychus Creek does. Groves responded that Trout Creek is not a mapped floodplain but is identified on the State wetlands inventory and is subject to 100-foot setbacks and other riparian protections.

*The public hearing was opened at 9:46 am.*

Representing the applicant, Chris Koback with Hathaway Larson said the owners of the property desire to annex into the City of Sisters and provide housing. Saying that the property is easily developable given its ready access to public utilities and few geographic limitations, he referred to its walking distance to downtown Sisters and narrated a map which depicted the property's location relative to Sisters, the high school, and Highway 20. He said the property is neither high-value farm land nor high-value forest land as past heavy thinning of its trees has resulted in the property being deemed unsuitable for commercial forestry operations.

Stressing that the rezone application is separate from the City's possible expansion of its UGB, Koback explained the request for an exception to Goal 4 under the "reasons" criteria and said the development standards which apply to the MUA10 zone would serve to protect the natural resources on the property.

Saying that property which is zoned MUA10 will be prioritized for inclusion in Sisters' UGB when that is expanded, Commissioner Chang asked if the property owner's long-term vision is to develop the parcels at an urban density if and when that is an option.

Koback envisioned a cluster development on the property until it is annexed into Sisters, after which the area left open would be further developed.

Commissioner Chang asked if the applicant would consider leaving the northernmost parcel more open to protect the scenic views from Highway 20 and also to maintain connectivity of wildlife habitat area. Koback said his clients are committed to ensuring buffers and protecting Trout Creek.

- Tim Knopp supported the application, saying it's critical that the property be rezoned so Sisters can consider including it in its expanded UGB. He spoke to the need for more housing, which the envisioned development would provide.
- Tina Mensing, speaking on behalf of the Sisters Opportunity for Unified Living, supported the application and echoed the need for more housing in Sisters.
- Morgan Greenwood, a member of the UGB steering committee for Sisters, supported the application for the purpose of meeting current and future housing needs.
- Peter Hoover, representing Sisters Habitat for Humanity, advocated for affordable and workforce housing in Sisters. He referred to factors which impede the establishment of needed housing and said the owners of McKenzie Meadows have committed that 30% of any housing built will be affordable.
- Curt Scholl from the Sisters School District spoke to the need for affordable workforce housing and reported that some of the district's job applicants and new hires cannot afford to move to Sisters due to the high housing costs.
- Bill Willitts commented on the fabric of community, said this proposal would serve families by providing needed housing, and encouraged the Board to expedite this application.
- Curt Kallberg said he is the only person who's ever lived on McKenzie Meadows. Adding that he had majored in Forestry and believed in protecting trees, streams and old-growth habitat, he stated his agreement that workforce housing is needed in Sisters and expressed his support for the rezone.
- Sharon Booth spoke in opposition to the rezone as a nearby resident in Tollgate which is a long-established, low-density community. She feared the rezone would destroy a large forest area and negatively impact Trout Creek, which is

used for educating youth in natural resources. Saying it would also increase wildfire risks, she viewed it as an unnecessary and inappropriate use of forest land and said other properties adjacent to Sisters can be developed for housing.

- Rory Isbell spoke against the application, saying that the question of what specific land uses are sought by the property owner must be answered in order to determine if the Goal 4 exception can be granted. He said unless the applicant clarifies its proposed use, the hearing and process is unfair.

Commissioner Chang said while these parcels have been thinned of trees relative to adjacent properties, it's possible that they can serve other purposes intended for land designated as forest land beyond timber production.

Isbell said these parcels are properly designated as forest, and the purpose of Goal 4 is to protect trees as well as fish, wildlife, air and soil quality, and recreational uses.

- Mary Fleischmann, speaking on behalf of the Central Oregon chapter of the Great Old Broads for Wilderness, opposed the application due to increased wildfire risk and the need to protect natural resources, including habitat for wildlife. She doubted that the development would result in affordable housing and said this area is utilized by Sisters High School for student environmental science learning.
- Christina Meyer opposed the proposed rezone, saying it undermines the integrity of the current UGB expansion process because it is currently zoned as forest land and thus not prioritized for inclusion into the UGB. Saying that more than enough properties are under consideration for adding to the UGB, she was concerned that adding more housing would increase the area's already significant wildfire risk and did not believe that a Goal 4 exception is justified.
- Rima Givot urged the Board to deny the rezone application, saying that while she recognized that affordable housing is desperately needed in Sisters, even houses costing \$550,000 are not affordable to persons such as herself. She viewed the property as critical for wildlife and shared information on a plant which is native to these parcels and hardly anywhere else.
- Lee Lucas said if the Board approves this rezone, it will violate longstanding County policy to protect forest lands as well as State land use laws. He disputed that the applicant has successfully established why an exception to Goal 4 is warranted and said 400 housing units are not need to satisfy the projected population growth in Sisters over the next 20 years.

Speaking again on behalf of the applicant, Koback said the applicant does not need to provide a specific development proposal at this time. Adding that the Board has the discretion to condition a Goal 4 exception to limit what is developed, he explained that while the Sisters UGB steering committee approved proceeding with

a recommendation to the Planning Commission which does not include McKenzie Meadow, that decision is not final and McKenzie Meadow can still be considered for inclusion in the UGB expansion.

In response to Commissioner Adair, Koback said he was not aware of development on the property that blocks or may block Tollgate's fire access road and said that any development can be conditioned to maintain current emergency access.

Commissioner Chang was interested to impose a requirement that if the rezone is approved, 30% of any housing built must be affordable. Koback was not sure if the County could require this as a condition of the rezone but said such a restriction could be included in an annexation agreement with the City.

In response to Commissioner Adair, Koback said while it has not yet been determined how many housing units could be built on the property, it might be as many as 400.

*There being no one else wished to speak, the public hearing was closed at 11:32 am.*

Upon the closing of the public hearing, a person in attendance indicated her desire to speak. Commissioner DeBone noted that this matter could be appealed on the basis of procedural issues or errors. Groves reminded that the applicant has the right of a final rebuttal to all of the received testimony.

*The public hearing was re-opened at 11:35 am.*

- Therese Kollerer, chair of the UGB steering committee for Sisters, clarified that the committee had discussed the potential future establishment of an urban growth reserve beyond the UGB in addition to the possibility that the proposed rezone of McKenzie Meadow may be appealed to LUBA. Saying that if the County approves this rezone, the City of Sisters has said that the committee will need to reconvene to address it, Kollerer explained that the committee had twice voted to exclude McKenzie Meadow from its consideration for the sake of moving the process forward.

In rebuttal, Koback referred to a possible land swap and said a decision to enable the development of affordable housing should not be stymied based on the fear of an appeal.

*There being no one else who wished to speak, the public hearing was re-closed at 11:41 am.*

The Board was in consensus to close the oral and written portion of the records on this matter and immediately proceed to deliberations.

Commissioner DeBone said the rezone request encompasses 58 acres of already-platted parcels.

Saying that his concerns relate to the Goal 4 exception, the scenic corridor, the riparian corridor, and maintaining continuous forest on the northern section of the property for a wildlife corridor, Commissioner Chang suggested that the applicant could propose development restrictions to address these concerns. He said his former concern that the land be used efficiently was satisfied by the applicant's vision of developing 350 to 400 housing units on the 58 acres. He stated that it is neither rare nor inappropriate for a property owner to seek a rezone in order to gain prioritization in a UGB expansion effort.

Commissioner Adair spoke to the number of acres zoned as forest in the county and said the development proposal appeared to be a natural addition to Sisters, where more affordable housing is needed. While she appreciated the work already done by Habitat for Humanity, more land is needed for them to continue that work.

In response to Commissioner Adair, King said if the property was developed, a site-specific wetland delineation would be required for Trout Creek to determine the boundaries of the required buffer.

Commissioner DeBone agreed that the proposed use seems like a good fit for the area.

Commissioner Chang said he would support the application if it included enhanced protections for the scenic corridor, wildlife corridor and Trout Creek in order to preserve Goal 4 values. Commissioner DeBone noted that the floodplain is already a defined area, and the County's Code preserves scenic corridors. Commissioner Chang desired to see more protection than a 100-foot riparian setback from Trout Creek and advocated for the opportunity to utilize a portion of the northern section of the property to connect to forest lands on the other side.

Groves explained that the applicant will draft a decision for the Board's review and consideration. The decision will acknowledge the recommendation of the Hearings Officer but offer modular options for the Board to consider. Groves noted that this will require additional deliberations on the part of the Board.

ADAIR: Move approval of the application, subject to final deliberations, and direct the preparation of a draft decision for the Board's review and consideration

CHANG: Second



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

**OTHER ITEMS:**

- Commissioner DeBone reported on the Northpoint Vista groundbreaking yesterday in Redmond.
- Commissioner DeBone reported on the National Night Out in La Pine last night and said similar events were held in Bend, Sisters and Redmond.

*A break was announced at 12:08 pm. The meeting resumed at 12:13 pm.*

**EXECUTIVE SESSION:**

At 12:13 pm, the Board entered Executive Session under ORS 192.660 (2) (e) Real Property Negotiations.

The Executive Session concluded at 12:21 pm, and the public was invited to return to the room.

**ADJOURN:**

Being no further items to come before the Board, the meeting was adjourned at 12:21 pm.

DATED this 3<sup>rd</sup> Day of Sept. 2025 for the Deschutes County Board of Commissioners.

  
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**ANTHONY DEBONE, CHAIR**

**ATTEST:**

  
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**RECORDING SECRETARY**

  
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**PATTI ADAIR, VICE CHAIR**

  
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**PHIL CHANG, COMMISSIONER**