



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

1:00 PM

MONDAY December 1, 2025

Allen Room
Live Streamed Video

Present were Commissioners Anthony DeBone, Patti Adair and Phil Chang. Also present were County Administrator Nick Lelack; Deputy County Administrator Erik Kropp; Deputy County Administrator Whitney Hale; 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: www.deschutes.org/meetings.

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

CITIZEN INPUT:

- Roger Sabbadini said the proposed map that would separate the County into five districts for the election of County Commissioners is highly partisan and undemocratic. Reminding that the voters decided in 2023 to have the BOCC positions be non-partisan, he addressed the possibility that the proposed map may next be approved by a very narrow partisan vote of two to one. He said because many issues facing the BOCC are countywide in nature, they should not be approached according to which area someone lives in—these include health and safety matters, homelessness, air pollution, commercial development, and water resources, among others.
- Emily Brown pointed to the cancellation of the DMAC's final meeting and said the process to draft a BOCC district map has not been democratic. She further questioned the reason for proceeding with putting the proposed map on the next-available ballot.

- Vikkie Hickmann said all BOCC positions should be selected at large. She asked how voter choice can be ensured and citizen representation improved, and said more time should be taken to assess the situation and consider other governance models such as the one used by Missoula County in Montana.
- Mary Fleischmann said the BOCC positions should be at-large and the process to draft a district map was rushed. She wondered if having districts will increase election costs.

COMMISSIONER ANNOUNCEMENTS: None

AGENDA ITEMS:

1. Consideration of termination of the Solid Waste Franchises for the collection of solid waste in the unincorporated areas of Deschutes County

Tim Brownell, Director of the Solid Waste Department, reviewed the County's waste hauling franchise structure, which dates to 1972, and how business ownership changes and mergers since that time have resulted in two companies having franchises to haul waste in the County. He spoke to the need to update the terms of these franchises, especially in view of the large potential investment of developing a new landfill and associated facilities. Saying that the franchise agreements must specify where waste is hauled and not leave that up to the haulers to determine, he recommended that the Board authorize the issuance of franchise termination notices that would allow the existing haulers to continue operating under the current franchise terms for six years while the County works to develop modern agreements to address performance standards, financial transparency, destination controls for materials, and reporting requirements.

Commissioner Adair differentiated between the two haulers which currently operate under the franchises, saying that Cascade Disposal has well-served the community for many years.

Commissioner Chang said moving to a modern franchise agreement would ensure financial transparency and allow for addressing performance issues. He stressed the need to be able to define waste and recycling streams, particularly as the County looks to invest in a new landfill, the successful operation of which would be based on the economics of volume.

Commissioner DeBone said while the current franchise operators are providing great service, he wanted to be sure that the County is doing what it can to steward major County investments and align agreements across jurisdictions. He supported issuing the notice of franchise termination as recommended.

Saying that he also supported issuing the notice of franchise termination, Commissioner Chang said the County must be able to direct the flow of materials and ensure contractor performance. He viewed this change as something that the County owed to customers and ratepayers and said it would serve as a safeguard for the community.

Commissioner Adair said Cascade Disposal provides excellent service whereas the other hauler has had performance issues. She did not want to punish Cascade and was concerned that the proposed changes could result in punitive damages with the County afforded broad discretion. She desired to recognize and reward good performance and questioned if efforts to modernize the franchise agreements would return good results.

Commissioner Chang said if franchise haulers provide good service in compliance with the proposed franchise agreement then liquidated damages provision would not be triggered. Noting that Cascade is now a subsidiary of a much larger company—Waste Connections—he said that as a customer of Cascade himself, he had no complaints about the service he has received from them.

Commissioner DeBone spoke to the County's 50-year history of partnering with private companies and the very positive relationships which have resulted. He did not view moving to a new agreement as punitive but rather as simply the next step which he supported due to the huge investment that would be made in a new landfill.

CHANG: Move to authorize the Solid Waste Department Director to issue a Notice of Termination to all solid waste collection franchise holders operating under existing Board Orders in the unincorporated areas of Deschutes County, initiating the six-year wind down provided for under the current "evergreen" structure

DEBONE: Second

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

CHANG: Move to authorize the Solid Waste Department Director to lead a coordinated, countywide process—aligned with the Cities of Bend, Redmond, Sisters, and La Pine—to design and competitively procure a contemporary franchise framework via a Request for Proposals (RFP), with agreements targeted for a defined term of ten to 15 years

DEBONE: Second

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

2. Presentation: Oregon Department of Transportation (ODOT) US 97 / Baker Road Interchange Area Management Plan

Tarik Rawlings, Senior Transportation Planner, introduced a presentation from ODOT on the US 97 / Baker Road Interchange Area Management Plan.

Don Morehouse, ODOT Senior Transportation Planner, said the State has been working to develop options for improvements at this interchange for five years, and a preferred alternative is now available.

Kayla Fleskes-Lane from DKS explained that the purpose of the project is to improve safety at this interchange. She reviewed work completed to date and said the public outreach conducted thus far has included two online open houses. She described two alternatives for moving forward and said the first option has been selected as the preferred alternative at an estimated total cost of \$38 million, split into two phases.

Continuing, Fleskes-Lane summarized the access management plan and listed the proposed improvements to facilitate shared-use and multi-use paths to accommodate pedestrian and bicycle traffic. She noted that this IAMP is already a component of the County's Transportation System Plan.

Commissioner DeBone asked how the bridge widening across Highway 97 will be accomplished. Fleskes-Lane said the plan assumes adding cantilevered access to the bridge to allow for expanded bicycle and pedestrian access.

In response to Commissioner DeBone, ODOT Principal Planner Ken Shonkwiler said every few years, ODOT evaluates the access from China Hat Road onto Highway 97 as well as the ingress and egress to and from Ponderosa to monitor safety considerations and inform possible changes to those access points.

Responding to questions, ODOT Operations and Maintenance District Manager Jim Scholtes said some of Region 4's seasonal maintenance positions remain unfilled at this time, although he expected to have more staff this winter than last winter. Scholtes added that in line with the last four years, the State has asked ODOT to continue to hold 10% of positions open.

Commissioner Chang commented on efforts being made to gather signatures to place a measure repealing HB 3191 on the ballot. He noted that prior to the passage of HB 3191, ODOT had planned for substantial workforce reductions.

Scholtes spoke to the funds approved for maintenance in the next biennium and shared that the average cost of equipment, materials and personnel for one winter season totals about \$2.1 to \$2.2 million. He addressed how budget constraints could impact levels of service, reducing incident responses and debris clearance, and explained which corridors would be prioritized for service to best support freight, commerce and community travel.

3. Discussion of possible appointment to the Deschutes County Budget Committee

Commissioner Chang acknowledged the strong pool of applicants considered for this position and stated his support for appointing Angelique Loscar.

Commissioners Adair and DeBone stated their preference for appointing either David Cosper or Asa Watts. Commissioner Chang responded that he would support appointing David Cosper.

ADAIR: Move to appoint David Cosper to the Deschutes County Budget Committee
CHANG: Second

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

Commissioner DeBone expressed appreciation to all of the applicants for their willingness to serve the community in this important way.

4. Work Session - Consideration of Document No. 2025-935 – Improvement Agreement for Phase E1 of the Caldera Springs Destination Resort

Haleigh King, Senior Planner, said the improvement agreement for Phase E1 of the Caldera Springs Destination Resort is ready for the Board's consideration and will be brought forward for action this Wednesday. Noting that the agreement includes a cost estimate for the necessary road and utility construction, King said the County will retain a bond until the required improvements are completed.

In response to questions, King said at full buildout, the development will have 340 single-family dwellings and 150 overnight lodging units, with Phase E1 poised to add 40 single-family dwellings and 9 overnight lodging units.

5. Role, Purpose and Oversight of the Deschutes County Office of Internal Audit

Nick Lelack, County Administrator, introduced the discussion on the role, purpose and oversight of the County's Office of Internal Audit, noting prior Board direction to schedule a review of Deschutes County Code Chapter 2.14 which governs the internal audit function after hearing public comment by the County Clerk on October 29, 2025. Lelack noted the presence of Internal Auditor Elizabeth Pape and Audit Committee Chair Daryl Parrish.

Commissioner DeBone stated his support for the internal audit program, referred to the change from a longtime auditor to a different one, and said an email sent to the Board earlier today from one of the members of the Audit Committee was out of bounds. He supported looking for opportunities for improvement.

Commissioner Chang recounted recent conflicts between the audit office and offices headed up by elected officials, which he viewed as parallel situations. While he appreciated that the Internal Auditor is asking very important questions, he said there are different ways of answering such questions when direct access or the necessary records are not disclosable to the Internal Auditor—for example, the Sheriff's Office might allow another law enforcement office to review its body cam data instead of provide that to the Internal Auditor, which the DCSO says is not a legally appropriate entity to review such data. Because it's critical that the County's election systems be secure, perhaps the same could be done with certain information from the Clerk's Office. Commissioner Chang said changing the process for such audits would allow them to be conducted more as peer reviews with the Auditor helping to frame the investigations.

Stressing her support for adhering to professional standards, Commissioner Adair noted that the Audit Committee had judged the audit of the Clerk's Office to be very good.

Daryl Parrish, Audit Committee Chair, said in his opinion, the audit done of the Clerk's Office did not question the integrity of the County's elections process.

Commissioner Chang responded that the audit done on the Clerk's Office had cast suspicion on the office and sent a message that the auditor was prevented from seeing something.

Commissioner DeBone agreed that the language in that audit which had stated that “access was not provided” could lead some readers to assume that wrongdoing was being hidden from the auditor.

Elizabeth Pape, Internal Auditor, spoke to the audit on the DCSO’s body camera system, released earlier today, saying that DCSO holds that body cam footage can only be accessed for a law enforcement purpose with no other type of review allowed under State law. Pape understood this to mean that no law enforcement agency would be able to review this data for audit purposes.

Saying that as a high-level professional organization, the County wants to continue to undertake process improvement, Commissioner DeBone noted that the position of Internal Auditor is not elected but instead exists due to a choice by the Board. He did not want to encourage “gotcha” scenarios.

Pape said the decision was made to conduct these particular audits before she was hired.

Commissioner DeBone stressed that he did not want to tie the Auditor’s hands or for her to be compromised. At the same time, he did not want light shed on matters which are not deterministic.

Pape said County Code allows her access to information she needs in order to conduct audits. She noted the option of writing a confidential report when the results contain privileged information and cannot be made public.

Commissioner Chang suggested that the Audit Committee could take the reins on issues that are highly sensitive and/or politically complicated.

Commissioner DeBone concurred that County Code could be changed to better define the process and how the scope of audits are decided.

Pape said management should not be allowed to determine the scope of an audit.

Commissioner Chang said the County has real and severe budgetary and staff resource constraints, and many departments are performing above industry standards. He did not want the Audit function to draw resources away from the delivery of programs and services.

Commissioner DeBone added that unlike some other counties, Deschutes County has an audit program by choice.

Commissioner Adair offered to relinquish her seat on the Audit Committee to Commissioner Chang or Commissioner DeBone so they can come to better understand the work of the Audit Office and more closely witness the diligence of the work performed.

Commissioner Chang said the BOCC should clearly define the role of the Audit Committee via Code revisions.

Saying he was unready to proceed with such changes at the current time, Commissioner DeBone stressed that he wants the County to have an empowered Auditor and a process which other department directors are comfortable with.

OTHER ITEMS: None

EXECUTIVE SESSION: None

ADJOURN:


Being no further items to come before the Board, the meeting was adjourned at 3:40 pm.

DATED this 17th day of December 2025 for the Deschutes County Board of Commissioners.

ATTEST:


RECORDING SECRETARY


ANTHONY DEBONE, CHAIR


PATTI ADAIR, VICE CHAIR


PHIL CHANG, COMMISSIONER