



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

TUESDAY July 29, 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.

CALL TO ORDER: Chair DeBone called the meeting to order at 9:00 am.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT: None

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

1. Approval of Policy Updates: HR-15, GA-3, GA-21
2. Approval of a contract with Youth Villages, Inc. for pediatric mental health services
3. Approval of an intergovernmental agreement with the Oregon Department of Human Services for the funding of Developmental Disabilities Services
4. Appoint Liz Foott to the Audit Committee to represent the public for a term ending on June 30, 2027

5. Consideration of Board Signature on letter thanking John Ralston for service on the Sunriver Service District Managing Board
6. Approval of the BOCC meeting minutes for June 18 and 23, 2025

CHANG: Move Board approval of the Consent Agenda as presented

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried 3 – 0

Commissioner Adair said she reported to Health Services that the spreadsheet submitted with the IDD funding agreement contains missed decimal points.

ACTION ITEMS:

7. Appointment of Sheriff

Commissioner Chang expressed appreciation to the five candidates who sought this appointment, saying each has a compelling vision for the department in addition to valuable attributes that would serve the County well.

Commissioner Adair said in these turbulent times, the work of the Sheriff's Office is very important. She was pleased with the caliber of the candidates who stepped up to be appointed as Sheriff for the next 18 months.

Commissioner DeBone extended special thanks to everyone who works for the Sheriff's Office, saying that DCSO has a great team which serves the public very well.

Commissioner Chang advocated for appointing a candidate whom DCSO staff can believe in and trust. Noting that an election will be held in less than ten months, he wanted the appointed Sheriff to help promote a healthy and fair election.

Commissioner DeBone supported appointing Captain Ty Rupert as Sheriff. Referring to many challenges and saying that the County needs steady leadership, Commissioner Adair also supported appointing Captain Rupert as Sheriff.

Saying that Captain Rupert has a solid reputation, Commissioner Chang said although he was not opposed to appointing Rupert as Sheriff, the Sheriff's Employees Association (union) had ranked candidate James McLaughlin a bit higher and he wanted to give consideration to that ranking although it is not the sole factor.

Noting that each Commissioner had numerous conversations with many people about this appointment, Commissioner DeBone said focus must be maintained on the department's budget. Adding that the DCSO is one part of the operations of Deschutes County, he encouraged being open and honest to facilitate a good working relationship.

Commissioner Adair reported that persons interested to run for the office of Sheriff can file in September, and the primary will be in May. She agreed that a collaborative working relationship is needed and stated her hope that the next leader of DCSO will support the jail in offering medication-assisted treatment to address substance use disorders.

ADAIR: Move approval of Board Order No. 2025-031 appointing Ty Rupert to the Office of Deschutes County Sheriff

DEBONE: Second

VOTE: ADAIR: Yes
 CHANG: (abstain)
 DEBONE: Chair votes yes. Motion Carried 2 – (1) – 0

Commissioner DeBone announced that Rupert's oath of office is scheduled for 8:30 this Thursday, July 31st at the Courthouse.

A break was taken at 9:20 am. The meeting resumed at 9:35 am.

8. Resolution No. 2025-036, adopting recreational immunity as provided by ORS Chapter 105, SB 1576 (2024), and SB 179 (2025)

Dave Doyle, County Counsel, explained that the 2025 State legislature passed SB 179 which updates recreational immunity regulations to expand immunity to public easements and/or improved rights-of-way. The proposed resolution would update the County's regulations accordingly.

Commissioner DeBone noted that this legislation was a priority of all 36 Oregon counties.

ADAIR: Move approval of Resolution No. 2025-036 adopting immunity from liability as provided in ORS 105.668, et seq., and as amended by SB 179 (2025)

CHANG: Second

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

9. Proposed Road Name Change – File No. 247-25-000069-RN (Wisteria Drive)

Tarik Rawlings, Senior Transportation Planner, presented a proposal to assign the name of Wisteria Drive to an existing unnamed gravel driveway which stems west from Old Bend Redmond Highway. Rawlings said no oppositional comments were received in response to the administrative decision which recommends Board approval of this proposal.

In response to questions, Rawlings said if the road name change is approved, the adjoining property owners will need to change their address from Old Bend-Redmond highway to Wisteria Drive. A total of seven lots front on the access road. The County will pay for the signage.

CHANG: Move approval of Board Order No. 2025-029 assigning the name of Wisteria Drive to an existing unnamed gravel driveway stemming west from Old Bend Redmond Highway

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried 3 – 0

10. Work Session in preparation for a Public Hearing: McKenzie Meadow Village Comprehensive Plan Amendment and Zone Change

Haleigh King, Senior Planner, described a request to rezone approximately 50 acres adjacent to the Urban Growth Boundary (UGB) of the City of Sisters from Forest Use to MUA10. King added that the applicant also seeks an exception to the Statewide land use Goal 4 which relates to forest lands.

Saying that the application will be heard *de novo* by the Board at a public hearing on August 6th and that the Hearings Officer recommended approval, King referred to comments submitted by the State Department of Land Conservation and Development which were subsequently addressed by the applicant. The Sisters UGB Steering Committee did not take a position on the application.

In response to Commissioner Chang, King said the Hearings Officer was clear that this application must stand on its own merits beyond its possible inclusion in the UGB. Commissioner Chang noted that the applicant had stated its goal that the property be included in the expansion of the UGB. King reviewed the priority criteria for including land in a UGB.

Speaking to Goal 4, Commissioner Chang said the property in question constitutes marginal forest lands in terms of timber production as it is situated on the edge of

the ecotone where Ponderosa pine can grow. Noting possible effects of climate change which may shift historical forest areas to a higher elevation, he questioned if forest land is valued only when it is capable of producing timber, or for other reasons as well. He further asked if it would be appropriate to place more value on this property because it is vulnerable and susceptible to loss, and in fact that susceptibility is increasing.

Saying she will provide an overview of Goal 4 exceptions at the hearing, King added that the applicant is required to justify why this Goal, which ties directly to the definition of forest in State statute, should not apply. She noted that a unique circumstance is needed to override Goal 4 at the local level.

In response to Commissioner Chang, King said the requirements of the Landscape Management Combining Zone apply to all designated properties regardless of how those properties are zoned. Planning Manager Will Groves added that the purpose of the Landscape Management Combining Zone is not to render structures invisible. If a structure is visible from a protected viewpoint, the County would require screening vegetation or possibly that the structure be painted one of the allowed earth-tone colors to reduce its visibility.

Responding to Commissioner Chang, King reviewed the current ownership of all properties adjacent to the land proposed to be rezoned.

Commissioner Chang asked for a map showing where properties zoned MUA10 exist outside of Sisters as well as properties zoned rural. He also wanted a map showing the ownership of properties surrounding Sisters.

In response to Commissioner Chang, King said the minimum lot size in the Forest zone is 80 acres. She added there is one dwelling on the southeast corner of the property which had been approved in the 1990s as a conditional use.

Discussion ensued of whether housing could be clustered on the property if it is rezoned to MUA10.

Commissioner Chang asked if the County could condition a rezone with regard to future development. Stephanie Marshall, Senior Assistant Legal Counsel, spoke to the risk of taking away rights for a certain zone by adding conditions to a rezone, noting this could be viewed as creating a new zone outside of the legislative process. On the other hand, the property owner could volunteer concessions in order to secure the desired rezone.

Responding to Commissioner Chang, King said just under 200 comments were received on the application. She offered to provide a tally showing how many of

those comments were supportive of the proposed rezone, and how many opposed it.

Commissioner Adair said the Hearings Officers should hold hearings such as this in person, not remotely as this one was. Groves agreed that is the County's preference but said it is difficult to recruit Hearings Officers locally due to potential conflicts of interest.

OTHER ITEMS:

- Commissioner DeBone referred to a letter from the Department of State Lands (DSL) announcing the transfer of 80 acres near Burgess Road in La Pine's UGB from the Bureau of Land Management to DSL.
- Commissioner Chang referred to a special session of the legislature which has been scheduled for August 29th regarding transportation funding. County Administrator Nick Lelack said the County's lobbyist Doug Riggs will present an update on the 2025 Legislative session next Monday, and the special session can also be discussed.

EXECUTIVE SESSION:

At 10:44 am, the Board entered Executive Session under ORS 192.660 (2) (e) Real Property Negotiations.

The Executive Session concluded at 11:14 am, 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 11:14 am.

DATED this 28th Day of August 2025 for the Deschutes County Board of Commissioners.


ANTHONY DEBONE, CHAIR

ATTEST:


RECORDING SECRETARY


PATTI ADAIR, VICE CHAIR


PHIL CHANG, COMMISSIONER