



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

1:00 PM

MONDAY September 29, 2025

Allen Room
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; Deputy County Administrator Erik Kropp; 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:

- Nathan Jenkinson encouraged the Board to consider implementing proportional ranked choice voting with five at-large Commissioner positions as a way to ensure that those living in rural areas receive adequate representation.
- Eric Garrity asked that the Commissioners review and consider a proposal he will submit for a long-term visitor's area at Juniper Ridge.

COMMISSIONER ANNOUNCEMENTS: None

AGENDA ITEMS:

1. Courthouse Expansion Update

Lee Randall, Facilities Director, introduced the update on the Courthouse expansion project.

Eric Nielsen, Facilities Capital Improvement Manager, reported that the tower crane was removed on September 12th, and stairwell 2 has been completed. Mechanical, electrical, and plumbing work is ongoing, and interior remodel work on the existing courthouse was initiated with phase two of this work expected to be undertaken in December.

Cory Loomis from Pence Contractors reviewed upcoming work expected over the next four to six weeks, including construction of the exterior wall and main roof parapet.

In response to Commissioner Adair, Nelson said there are 13 parking spaces in the lower level.

Wayne Powderly, Cumming Group, provided an update on the project budget, saying that healthy balances remain in the contingency funds. It was noted that the re-roof of the current building, which was planned to happen at the same time as the expansion work, was budgeted and paid by the County out of Fund 070 as a separate capital works project.

Responding to Commissioner Adair, Randall said the contractor's workmanship warranty is one year and the manufacturer's warranty on the roofing system is pro-rated for 20 years.

2. Special Road District Presentation and Discussion

Chris Doty, Road Director, introduced the discussion of Special Road Districts by explaining that Local Access Roads (LARs) are roads dedicated for public use but not improved to County standards and thus not maintained by the County. Saying that Deschutes County has over 380 miles of LARs, he reviewed options for maintaining such roads, including: securing informal contributions from neighboring residents; establishing a homeowner's association and entering into a road maintenance agreement between neighboring properties; or creating a Special Road District (SRD).

Doty explained that Special Road Districts are independent local governments formed for the purpose of improving roads which are available for public use but not maintained by the County. A Special Road District is funded by a voter-approved permanent tax rate and governed by a three-member board appointed by the Board of County Commissioners. Sharing that Deschutes County has 19 functioning SRDs, Doty listed the various powers and duties of an SRD board and said the County's Legal division provides an informational packet regarding the formation of SRDs and best practices.

Doty said the average paid per lot is \$267 each year. In response to Commissioner Chang, Doty said the rate assessed on each property is based on its assessed value.

Doty said although the County has minimal oversight over SRD board appointments as SRDs are separate local governments, County staff and the Board of Commissioners frequently receive inquiries and complaints relative to them. Some complaints involve the perceived inadequacy of road maintenance while others relate to the appointment process for SRD board members, SRD board meeting procedures, or alleged malfeasance by one or more board members.

Commissioner Adair asked if those who purchase a house or land within a Special Road District are informed that they are buying property in an SRD. Doty said while he was not aware of such a requirement, that disclosure may be made in a title report.

To improve public understanding of Special Road Districts and preempt issues or complaints, Doty proposed that the Road Department prepare educational outreach materials in the form of a one- to two-page flyer explaining the purpose of SRDs and how these function. Doty also offered to draft a standard process for recruiting and vetting applicants for SRD boards.

3. Potential issuance of a termination notice to the existing solid waste franchise holder, originally granted in 1972, for the purpose of replacing it with a modernized franchise agreement that reflects current operational, performance, and financial accountability standards

Tim Brownell, Director of the Solid Waste Department, outlined the County's waste hauling franchise structure, which dates to 1972. He described business ownership changes and mergers over that time which have resulted in two companies currently hauling waste in the County. He spoke to the need to update the terms of these franchises and said the County could issue termination notices that would allow the existing haulers to continue 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.

Dave Doyle, County Counsel, confirmed that the County does not contract with its haulers but instead utilizes language in County Code to grant and regulate these franchises. He agreed that standalone franchise agreements would

provide for clearer enforcement and the ability to impose certain requirements such as the disposal location of hauled materials.

Commissioner DeBone referred to longstanding partnerships with local service providers and said issuing termination notices would be a significant step. Adding that these franchise agreements are entered into knowing that the franchisees will make a profit from providing the services, he preferred to proceed with care and maintain open public discussions with all parties.

Commissioner Adair differentiated between the two haulers, saying that Cascade Disposal has served the community for decades. She expressed concern about possible cost increases if new requirements are imposed and asked whether the minimum disposal fee at the landfill could be lowered for a single small item.

Commissioner Chang said moving to a modern franchise agreement would ensure financial transparency and allow for addressing performance issues. He spoke to the need to be able to define waste and recycling streams and asked how the County can assess rate fairness for account holders without having audited financial information from the haulers.

With regard to directing where materials are transported, Brownell noted that because developing a new landfill would require significant investment, its successful operation would be based on the economics of volume.

The Board directed staff to return in approximately one month with options for proceeding.

4. Consideration of County Commissioner Five District Map Representation Options

Commissioner Chang reported that commissioners who serve Montana's Missoula County must reside within the district in which they file as a candidate, but all commissioners are elected at-large. Commissioner Chang advocated for implementing this same model in Deschutes County.

Neither Commissioner Adair nor Commissioner DeBone supported this proposal.

Commissioner DeBone listed ways in which Missoula County differs from Deschutes County in terms of its population size, how that population is dispersed between incorporated and unincorporated areas, and how much of its total land area is public.

Saying that Lane County's commissioner districts work well, Commissioner Adair was concerned about ensuring adequate representation for those who live outside of cities.

Commissioner Chang encouraged forwarding the Missoula County model to the District Map Advisory Committee for its consideration as it works to draft a district map.

The Board took no action on this proposal.

OTHER ITEMS: None

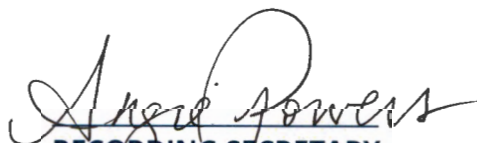
EXECUTIVE SESSION: None

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 3:01 pm.

DATED this ~~27th~~ ^{22nd} day of October, 2025 for the Deschutes County Board of Commissioners.

ATTEST:


ANGIE POWERS
RECORDING SECRETARY


ANTHONY DEBONE, CHAIR


PATTI ADAIR, VICE CHAIR


PHIL CHANG, COMMISSIONER