



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY February 4, 2026

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Phil Chang, Anthony DeBone and Patti Adair. 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 Chang called the meeting to order at 9:00 am.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT:

Following discussion with regard to the number of persons in attendance who had signed up to speak on the district map issue and in recognition that the Board had already held two public hearings on that matter, a majority of the Board was in consensus to allow comments on that subject with a time limit of 90 seconds per person.

- David Baker-Yuill said because voters would reject the proposed district map, forwarding to the ballot would be a waste of time and effort. He said many voters are in favor of districting, which could be done well if thoughtfully.

- Connie Norman believed that Map C would result in a much better representation of all who live in Deschutes County. Adding that the map does not constitute gerrymandering, she viewed the resistance to it with suspicion.
- Amy Sabbadini said Map C was not developed in a way that built public trust. Noting that many issues taken up by the BOCC are not site-specific, she supported having at least one position on the Board be at-large.
- Mark Kelley said Map C is gerrymandered as evidenced by the way in which it would result in the party which has the third-highest number of registered voters (and which lost the last election by 10%) controlling the BOCC when it expands from three to five positions. Saying that any district map must be based on population, not the number of registered voters, he said those who have lived in Deschutes County longer than others do not inherently have more rights.
- Lou Capozzi said while most voters in Deschutes County register as “non-affiliated,” voters do not vote non-affiliated. He said in order to determine if a map is gerrymandered, election results must be considered instead of the way that people choose to register to vote.
- Paul Lipscomb said developing a district map which is based on the number of registered voters instead of total population is unconstitutional. He reported that the Oregon Secretary of State recently made clear that any districts must be drawn according to total population.
- David Cosper supported placing Map C on the ballot as he believed the approach taken by the District Map Advisory Committee (DMAC) was fair.
- Toni Oliver supported having districts and said Map C appears it would work well. She said the most likely result would be that the Board would be comprised of three Democrats and two Republicans.
- Sheila Doyle Kelley said over 80% of comments received on this subject oppose Map C, which is likely unconstitutional. Noting that an election may cost \$250,000, she advocated for ending the process at this point.
- Joe Craig stated his opposition to Map C and wondered if the County has sought input from the Secretary of State as to its legality. He supported waiting until updated population numbers are returned from the next census and said voters who register as non-affiliated tend to vote with one of the two parties.
- Marissa Hurley said Map C would be gerrymandering and undemocratic as well as illegal under State law, which requires that districts must have “roughly equal population.” Saying that failing to adhere to that basic criterion would open up the County to expensive litigation, she advocated for equal representation for all.
- Mary Fleischmann said that campaign costs are determined by those who run for election, not by the County. She was concerned about the potential expense to litigate this issue. On another subject, she supported not simply reappointing the incumbent on the Planning Commission who is eligible to be reappointed and instead advertising that position in an open recruitment.

- Alice Weston was concerned about the potential for litigation and how much that could cost taxpayers. She questioned why the simple question of whether districts should be developed was not first put to voters.
- Nathan Jenkinson said it is essential that Map C, which proposes weirdly shaped districts based on voter registration numbers instead of population data, not move forward. He referred to the hastily developed rules given to the DMAC and advised waiting until updated Census numbers are available.
- Michelle Martin said Map C is rigged and violates voter laws, and would use taxpayer funds to serve a political power grab. She said Map C would not pass if it is placed on a ballot.
- Susanne Ritter said Map C is not gerrymandered. She explained that the reason to have districts is because there are more people in Bend, and establishing districts would ensure those in other areas such as Sisters have representation.
- William Witcraft supported Map C and asked that it be put on the ballot so voters can decide.
- Shannon Witcraft supported district-based representation and specifically Map C. She encouraged letting the voters decide this question.
- Eva Eagle urged stepping back from the district map approval process. Saying she did not support Map C, she was concerned that it could be confusing to have this on the ballot at the same time that four candidates are running at-large for BOCC, potentially lowering voter turnout.
- Casey Roscoe said districts are needed because residents who own and operate ranches need Commissioners who understand ranching. Saying that Bend's City Councilors do not represent a cross-section of Bend, she feared that continuing to vote for County Commissioners at-large would have the same result.
- Bill Schertzinger supported Map C and said it would be democratic to allow the voters to decide this question.
- Amanda Page said Map C is gerrymandered and the proposed voting system disenfranchises voters.
- Bruce Bowen did not support placing Map C on the ballot. Saying that at-large voting makes a great deal of sense, he encouraged allowing the expanded BOCC to decide whether to establish districts or not.
- Foster Fell said the fatal flaw of Map C is that voter registrations by parties cannot be replicated on a five-member Board. He suggested that an alternative is to have four separate districts with one position being at-large.
- Nunzie Gould supported directing an open recruitment for the Planning Commission position representing the Sisters area, which is scheduled to expire at the end of June.
- Ron Boozell said the search for equity is always an important conversation to have, whether the district map process was done well or not. Saying that democracy is half voting and half listening after the voting has concluded, he was disturbed by elected officials who are not willing to listen to those who are voicing their opinions.

- Brian Canady said while he favored securing and maintaining rural representation on the BOCC, Map C is flawed by a failure to establish contiguous neighborhoods. Noting that southeast Bend, which is the fastest-growing area of the County, was placed in a district with La Pine, he pointed to a lack of common interests between the two areas.
- Phil Henderson supported allowing the citizens of Deschutes County to decide this question and said as an attorney, he did not expect that litigation will be a problem. He said the DMAC followed all of the guidelines given it by the BOCC.
- Jim Dunn said having districts makes sense, especially as unaffiliated voters constitute the largest group in the County.
- Keith Rockow said the County Clerk provided information showing that Map C is not partisan. He supported letting the voters decide this issue.
- Freddy Finney-Jordet said Map C is an unabashed gerrymander, and the process to create it was unfair.
- Katherine Marcos supported Map C and said the County should not wait for the 2030 Census data, although the map can be reviewed again using updated population numbers when that data is available.

COMMISSIONER ANNOUNCEMENTS:

Commissioner DeBone attended an event hosted by the Redmond Chamber of Commerce celebrating customer service awards at the Redmond Senior Center last Friday.

Commissioner Adair acknowledged that the superintendent of the Sisters school district tragically lost his wife last weekend.

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

1. Acceptance of a grant from the Criminal Justice Commission for the Deschutes County Organized Retail Theft program
2. Approval of Order 2026-009 Appointing Health Services Director's Designees
3. Approval of Order 2026-008 designating an official newspaper for publication of County public notices
4. Consideration of Board Signature on letter appointing Carey McKinnon for service on the Deschutes County Behavioral Health Advisory Board
5. Consideration of Board Signature on letter thanking Ruth Keller, and appointing Jennifer Lembach, for service on the Howell's Hilltop Acres Special Road District

6. Consideration of Board Signature on letter appointing Cynthia Maree, MD, for service on the Public Health Advisory Board
7. Consideration of Board Signature on letter appointing Michael Stough II, for service on the Fall River Estates Special Road District

ADAIR: Move Board approval of the Consent Agenda as presented

DEBONE: Second

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

ACTION ITEMS:

8. Commissioner District Draft Map Next Steps

Commissioner Chang referred to the decisions currently before the Board, as follows:

- Whether to forward Map C to a ballot for consideration by the voters;
- If so, whether to do that in May or November; and
- If the voters approve a map, whether to direct that redistricting occur after the 2030 census.

He suggested taking each of these decision points one at a time, with a formal vote on each.

Commissioner DeBone reviewed the direction given by the Board to the DMAC and agreed that this was a partisan process. He noted that if Map C was placed on the ballot and approved, it would not take effect for two years.

Commissioner Adair reminded that Commissioner Chang had previously publicly stated that "... assigning Commissioners to geographic districts would be ... logical ..." She supported putting this to the voters for them to decide and stressed that Map C is drawn according to precinct boundaries.

Commissioner Chang confirmed his support for districts in principle and stated his belief that, done right, districts can result in better representation. Saying that Map C is flawed, rigged and gerrymandered, he reminded that the last time Deschutes County contemplated districts was 20 years ago, when a measure put

to the voters failed. He warned that if districts are again attempted and fail, it may be a long time before they are once again proposed.

Adding that there would be real value in having a least one at-large Commissioner along with others who represent individual districts, Commissioner Chang said Map C would provide disproportionate advantage to less-populated districts for Republican partisan benefit, and would also disenfranchise tens of thousands of residents who cannot vote.

Noting that litigation is expensive, Commissioner Chang further objected that some precincts in the city limits of Bend were placed into the South County district and said Terrebonne is more aligned with Redmond in many ways than with Sisters. He advocated for proposing districts in a way that whatever is sent to the voters has a chance of passing.

Commissioner DeBone referred to all of the services provided by the County, said his aim is to serve in a cost-effective fashion, and noted that all who live in the County are members of the same community.

Commissioner Adair agreed and said when the updated Census data is available, the precinct boundaries will be redrawn. She said sending Map C to the ballot would be an important step forward.

Commissioner Chang reminded that the last two ballot measures which changed the BOCC were citizen initiatives, and the Board directly referring something to the voters is an entirely different process. He said if a district map is sent to the ballot, it should be done by citizen initiative.

DEBONE: Move to forward Map C to a ballot for consideration by the voters

ADAIR: Second

VOTE:

DEBONE: Yes

ADAIR: Yes

CHANG: Chair votes no. Motion Carried 2 – 1

Commissioner Chang asked that if Map C is approved, it be revised post-2030 using updated Census data. Commissioner DeBone said that would be up to a future BOCC to decide.

Jen Patterson, Strategic Initiatives Manager, said that requirement could potentially be included in the ballot measure language. Alternately, if not included in the ballot measure and the voters approve a district map, the Board

could act to amend Deschutes County Code to require redistricting under certain conditions.

Dave Doyle, County Counsel, cautioned against including any language which could be challenged as rendering the ballot issue two subjects instead of one.

Following further discussion, the Board was in agreement to direct Doyle to draft amendments to County Code that would require redistricting after every national census using updated population numbers, such amendments to be considered by the Board if the voters approve a district map. The Board was further in agreement to direct Doyle to also draft a ballot measure that could, at the direction of the Board, accompany the ballot measure putting Map C forward to the voters. The second ballot measure would require redistricting after every national census using updated population numbers, and further would need to be approved by the voters in order for a district map to be approved.

With regard to when to send Map C to the ballot, Commissioner DeBone supported doing that in November as the May primary has four at-large BOCC seats on the ballot.

Commissioner Adair also supported sending Map C to the ballot in November.

Commissioner Chang listed reasons why this should be voted on in May, including that a tremendous amount of interest and awareness has been generated on this topic over the last few months.

DEBONE: Move to place Map C on the November 2026 ballot for consideration by the voters

ADAIR: Second

VOTE: DEBONE: Yes
 ADAIR: Yes
 CHANG: Chair votes no. Motion Carried 2 - 1

A break was announced at 10:56 am. The meeting resumed at 11:02 am.

Chair Chang announced that the remaining items on the Board's agenda would be taken up in the following order: #11, #14, #12, #13, #9, and lastly #10.

11. Planning Commission Reappointment, Recruitments & Selection Process

Nick Lelack, County Administrator, referred to two terms on the Planning Commission which will expire at the end of June, at least one of which will result

in an open position and corresponding recruitment. Lelack asked if the Board wants to reappoint Commissioner Matt Cyrus who is eligible to serve a second term, or also recruit for that position which represents the Sisters area.

Noting that Cyrus lives outside of the UGB and was just selected to serve as chair of the Planning Commission, Commissioner DeBone said land use issues are complex and it is good to have continuity of service.

Commissioner Chang said during the most recent recruitment for that position, many candidates who live outside of the UGB had applied. He supported conducting a full recruitment and said Cyrus could reapply.

In response to Commissioner Adair, Peter Gutowsky, Community Development Director, confirmed that the vote appointing Cyrus as chair of the Planning Commission was unanimous, with six of the seven Planning Commissioners in attendance.

Commissioners DeBone and Adair supported reappointing Cyrus to a second term of the Planning Commission representing the Sisters area.

Commissioner Chang relayed comments from others that Cyrus does not listen to some who live in the area he represents. Also, in the past he has used his position as a Planning Commissioner to spread false information on land use issues.

In response to Commissioner Chang, Gutowsky said HB 3136, passed last year, eliminated the ceiling pertaining to persons who are professionally engaged in real estate interests and simultaneously serve on Planning Commissions which have more than five members. This change took effect on January 1, 2026, and Deschutes County Code does not yet reflect the updated language.

Senior Assistant Legal Counsel Stephanie Marshall noted that it cannot be said with absolute certainty that more than two of the County's Planning Commissioners are engaged in real estate activities or interests.

Commissioner Chang referred to outstanding questions and strongly advised against reappointing Cyrus at this time. Commissioner DeBone noted that many viewpoints are represented on the Planning Commission.

DEBONE: Move to reappoint Matt Cyrus to the Planning Commission to a second four-year term representing the Sisters area

ADAIR: Second

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

Marshall confirmed she will prepare a memo on the question of how many Planning Commissioners can be engaged in real estate matters.

14. Economic Development Loan requests from ASI Business Group and Western Metrology Sales, LLC

Don Myll, director of the Bend area EDCO, reminded that the Economic Development Loan Program was initiated to encourage and assist companies seeking to relocate to and/or create new jobs within Deschutes County. Loans are conditioned upon a business creating a specified number of new jobs within 12 months, then maintaining the new jobs for a consecutive 12-month period. If these terms are met, the loan may be converted to a grant that does not require repayment.

Two requests for economic development loans are being proposed, as follows:

- ASI Business Group in the amount of \$16,000
- Western Metrology Sales, LLC in the amount of \$22,373.41

ADAIR: Move to approve the request from ASI Business Group for a forgivable economic development loan in the amount of \$16,000

DEBONE: Second

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

Patricia Lucas, executive director of Sunriver/La Pine Economic Development, provided background on the proposed loan to Western Metrology Sales, LLC.

DEBONE: Move to approve the request from Western Metrology Sales, LLC in for a forgivable economic development loan in the amount of \$22,373.41

ADAIR: Second

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

12. Approval to apply for and accept a Kuni Foundation grant

Paul Patridge, IDD Program Manager, sought authorization to apply for a \$75,000 Imagination Grant from the Kuni Foundation. This funding would allow IDD to continue its Community Developmental Disability Program (CDDP), facilitating staff participation in state-level work groups and supporting internal system improvements. If the grant is awarded, \$68,182 would be used to support a .32 FTE IDD Program Supervisor position and \$6,818 would be allocated for indirect expenses.

ADAIR: Move to authorize applying for and accepting, if awarded, a Kuni Foundation Imagination Grant as described

DEBONE: Second

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

13. Consideration of letter urging Highway 97 safety investments

Strategic Initiatives Manager Jen Patterson presented a draft letter urging legislative engagement to improve safety along Highway 97.

Saying that the letter represents a joint tri-county effort by certain Commissioners in Klamath, Deschutes and Jefferson Counties, Commissioner Chang explained the intent to use it as a coordinated advocacy tool with state and federal legislators, including during the National Association of Counties (NACo) legislative conference in Washington, D.C. in February 2026.

Commissioner DeBone stated his enthusiastic support for the letter and suggested formatting changes.

Describing U.S. 97’s freight traffic levels and winter driving conditions, Commissioner Adair asked that the advocacy include clear cost figures and project scales in order to be able to present concrete funding requests. Commissioner Chang responded that he had asked for additional background information from ODOT and would pass that information to the full Board through staff.

Road Director Chris Doty addressed questions about how to translate the corridor-wide safety needs described in the letter into actionable project requests, saying that the overall corridor needs are substantial and that efforts typically begin with funding for analysis, scoping, and preliminary development to

identify where investments are most needed and to shape potential projects into proposals that align with available state and federal funding programs.

Commissioners discussed additional Oregon and federal advocacy paths to pair with the letter. Commissioner DeBone spoke to exploring whether scoping or study funding could be pursued during the current Oregon Legislature's short session. Commissioner Adair raised the history of Oregon State Police staffing levels and the need to restore enforcement capacity on US 97.

Patterson proposed specific formatting revisions consistent with the Board's direction, including repositioning the "Request for Legislative Action" section after the initial introductory paragraphs to improve the flow and clarity of the advocacy request. The Board indicated support for moving forward with the formatting and layout changes and coordinating with partner counties prior to final signature collection.

DEBONE: Move approval of adding all three Deschutes County Commissioner signatures to a letter urging legislative engagement to improve safety along Highway 97, when revised as discussed

ADAIR: Second

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

9. Public Hearing and consideration of Order 2026-006 approving the annexation of property on NW Oak Avenue in Redmond to the Redmond Fire & Rescue District

Kim Riley, Senior Assistant Legal Counsel, presented a petition to annex property at 9202 NW Oak Avenue in Redmond into the Redmond Fire & Rescue District, saying that the Assessor's Office certified the petition, Community Development reviewed it, and the District has approved it.

The public hearing was opened at 12:16 pm. There being no one who wished to speak, the public hearing was closed at 12:16 pm.

DEBONE: Move approval of Board Order 2026-006 approving the annexation of property at 9202 NW Oak Avenue in Redmond into the Redmond Fire & Rescue District

ADAIR: Second

VOTE: DEBONE: Yes

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

10. Public Hearing and consideration of Order 2026-007 approving the annexation of certain properties on Falcon Crest Drive into the Redmond Fire & Rescue District

Senior Assistant Legal Counsel Kim Riley presented a petition to annex properties on Falcon Crest Drive in Redmond into the Redmond Fire & Rescue District, saying that the Assessor’s Office certified the petition, Community Development reviewed it, and the District has approved it.

The public hearing was opened at 12:18 pm. There being no one who wished to speak, the public hearing was closed at 12:18 pm.

ADAIR: Move approval of Board Order 2026-007 approving the annexation of properties on Falcon Crest Drive into the Redmond Fire & Rescue District
DEBONE: Second

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

OTHER ITEMS:

- Jen Patterson presented the updated version of the Board’s Goals and Objectives, which the Board was in consensus to approve for FY 2027.
- Commissioner DeBone announced that he will be in Salem on Monday and Tuesday, including for a group lunch with Governor Kotek.

Commissioner Chang suggested that Commissioner DeBone take the opportunity to mention administrative burden during the meeting with the governor.

Commissioner DeBone said he can bring the letter which Commissioner Adair and Health Services Director Holly Harris sent to OHA Director Hathi on that subject. He added that he will also mention the letter approved today seeking safety improvements on Highway 97.

- Noting that the newly hired Fair Director will start next week, Commissioner Adair said she will attend Monday’s Fair Association meeting.

EXECUTIVE SESSIONS:

At 12:24 pm, the Board entered Executive Session under ORS 192.660 (2) (d) Labor Negotiations and ORS 192.660 (2) (e) Real Property Negotiations.

At 1:01 pm, the Board exited Executive Session and directed staff to proceed as discussed.

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 1:02 pm.

DATED this 4th day of March 2026 for the Deschutes County Board of Commissioners.



PHIL CHANG, CHAIR

ATTEST:



RECORDING SECRETARY



ANTHONY DEBONE, VICE CHAIR



PATTI ADAIR, COMMISSIONER