

BE IT REMEMBERED THAT the Crook County Court met in a Work Session on July 28, 2020 at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon. In attendance were: County Judge Seth Crawford; County Commissioner Jerry Brummer; County Commissioner Brian Barney; County Counsel Eric Blaine; Assistant County Counsel John Eisler and County Court Secretary Colleen Ferguson. In attendance both in person and via WEBEX were: Tim Deboodt, Natural Resources; Levi Roberts, GIS Manager; Andy Gallagher, CCSW; Rachel Davee, CCSW; Kelly Coffelt, Airport Manager; Cheryl Seely, County Clerk; Ann Beier, Planning Director; Bob O’Neal, Roadmaster; Mike Warren, Realtor of Record; Debbie Patterson, Juvenile Director; Kim Barber, HR; Troy Poncin, IT Director; Shannon Dearth, Veterans Service Officer; Janet Pritiskutch, Senior Finance; Debbie Simmons, PLA; Katie Plumb, Public Health Department; Jon Soliz, Assessor; Buzzy Nielsen, Library Director; Planning Director Ann Beier; Marissa Mohler and Tim McMahan, Attorneys.

The media was provided notice of the meeting.
Judge Crawford opened the Work Session at 9:00 a.m.

COVID-19 Update

Katie Plumb, Public Health Department (PHD), presented the COVID-19 Update. PHD is working with St. Charles for curbside testing and test results are back within 10 days. Two people have been exposed to the virus, and numbers are increasing but not as much as neighboring counties. The trend is folks gathering without social distancing or masks. St. Charles is posting information and numbers on a daily basis. There are currently 10 active cases.

Solar Projects Overview, Presentation, Background and Discussion

Planning Director Ann Beier and Assistant County Counsel John Eisler received a request to extend the August 5, 2020 planning appeal hearings, 217-20-000546-PLNG and 217-40-000547-PLNG, from the applicants’ attorney. There have been no objections and Ms. Beier recommends granting the extension. Attorney Tim McMahan has attempted to resolve this matter, and spoke of the transcripts due date and a proposed date of September 16, 2020 as the new date for the hearings.

MOTION:

Moved by Commissioner Barney and seconded by Commissioner Brummer to approve the extension, cancel the hearings scheduled for August 5, 2020 and schedule both Public Hearings on September 16, 1:30 p.m. and 2:00 p.m. Vote was 3-0, motion carried.

Discussion held on the requirements of transcript due date. Ms. Beier presented a Power Point overview of the Solar projects that have gone through the process in Crook County, some already built and operating. She provided information regarding maps, modifications, explained the properties, the minimal conflicts, the acreage, Oregon’s land use law and wildlife overlays and mitigation. These are the first appeals on any solar projects to date with ODFW being the appellant. If parties cannot work out the mitigation plan, then Court may assist.

PLA1—Lack of Road District Board Members

Debbie Simmons, PLA 1 Road District Board Member and Suzi discussed how residents of PLA1 are not stepping up to serve and leaving the Board of 3 with only 2 members. They have been trying to get another member and have not had any success. The Court does not have the authority and if the Board seat cannot be filled, it may be time to dissolve the District. If 3 years of inactivity or a petition to dissolve, a trustee would be appointed to manage the remaining assets and responsibility and go forth will

the dissolution of the Board. If it is dissolved, there is no one to keep up the roads. Commissioner Brummer said this is the avenue, and suggested making the other home-owners aware there will be no one accountable or working on the roads. Both Debbie and Suzi are almost done, and that statement should be put in the minutes. Jon Soliz, Assessor, will print up a list of names in PLA1 for easier notification. Cheryl Seely said they may need to add that applicants for Board positions have to be registered voters.

Appropriation of funds for Phase 1 of Justice Center and process (RFP; Architect Interviews, etc.)

Commissioner Barney presented information regard the Grant package sent off with the request for funds for a Justice Center in Crook County. Commissioner Barney is now seeking approval of the Court to move forward with the project. The amount is \$566,090 or \$169,827 if the Circuit Court matches. Commissioner Barney suggests we appropriate the whole amount, with the amount requested to come out of the reserve. Finance will set up a special fund for Capital outlay in Facilities. The Court said they wanted a completely new fund by way of an order creating the fund and allocating the amount. Commissioner Barney suggested the next Court meeting on August 2, 2020 for that to be done. Jerry Milstead, project manager, is putting together an RFP for an architectural firm. That should be done by the end of the week. The rest of the discussion on the Justice Center will be held in Executive Session.

ADDITIONS:

Museum Budget, Maintenance and IT

Ms. Pritiskutch presented information regarding two line items accidentally missed at budget time for the Bowman Museum, Facilities and IT. Discussion was held on the need to find out why and how \$85,000 for Facilities, IT and GIS was missed. Discussion was held regarding the total but the methodology for the total budget and the internal expenses based on the square footage of 32,000 square feet instead of the correct 70,000 square feet. The Museum has 8 phones and 14 computers, 6 of which are located in the research library. Buzzy Nielsen said the Library calculations were based on square footage and computers and was much more than 10%. Commissioner Brummer and Ms. Pritiskutch will be meeting to research this matter.

Recruitment

Commissioner Barney presented information on a recruiting company previously used by City of Prineville and Jefferson County that HR and the Commissioner would like to use as Crook County goes forward with the recruitment process for a Finance Director. Mr. Blaine and Commissioner Barney presented a two-page agreement with Prothman to take that step of moving forward with the recruitment process for a Finance Director for Crook County.

MOTION:

Motion made by Commissioner Barney to approve the agreements with Prothman subject to Legal review. Seconded by Commissioner Brummer. Vote was 3-0, motion carried.

AOC and EOAC Letters

Commissioner Barney presented information on the OSHA review problems. The agency is creating rules and AOC and EOAC are sending in letters, each different, to OSHA to weigh in on the process. The AOC letter could be signed today. The EOAC letter will be drafted today, reviewed and signed outside of Court.

MOTION:

Commissioner Barney moved to approve and sign the AOC letter to Michael Wood, written to OSHA. Seconded by Commissioner Brummer. Vote was 3-0, motion carried.

MOTION:

Commissioner Brummer moved to draft the letter to EAOC on the OSHA matter, and if appropriate, should be approved to be signed outside of Court and delegate Judge Crawford to sign on behalf of the County Court. Commissioner Barney seconded. Vote was 3-0, motion carried.

At this time, Judge Crawford adjourned the Court into Executive Session under ORS 192.660(2)(e) for the purpose of conducting deliberations with persons designated by governing body to negotiate real property transactions and ORS 192.66092(h) Consulting with Counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

EXECUTIVE SESSIONS:

ORS 192.660(2)(e) for the purpose of conducting deliberations with persons designated by governing body to negotiate real property transactions: Real Estate Acquisition

This was an on-going discussion from previous Executive Sessions regarding a company with a lease and operating on County owned property. The lease had an option for extension that was not done by the company on time, and when it was done and County Court had approved and signed, the company changed some on the language and then sent it back as approved. Discussion has been held previously also regarding the extension approval, alternate accesses from the road, the relocation of the company, or terminating the lease agreement and leasing to other interested companies. The value, infrastructure and masterplans were discussed.

ORS 192.66092)(h) Consulting with Counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Discussion of working together with another governmental agency on the revamping of a right-of-way and looking for a separate easement for a wider road easement to access an area for development. This would involve the swapping of some City and County property as well as that of a non-profit entity.

ORS 192.66092)(h) Consulting with Counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Discussion of a lawsuit against the County, allegations and requests for remedies, and the payment of attorney fees regarding the outcome. Next steps in the process were discussed.

ORS 192.660(2)(e) for the purpose of conducting deliberations with persons designated by governing body to negotiate real property transactions: Real Estate Acquisition

Further discussion of the Justice Center, possible locations, available properties, costs, lease options to purchase with first right of refusal and the duration of a proposed lease-option to purchase.

Judge Crawford adjourned the Court out of Executive Session and into Open Work Session, inviting members of the public back into the meeting room. 10:50 a.m.

OPEN WORK SESSION:

Regarding the first topic discussed in Executive Session, more research will be done, and the matter will be brought back at a future Court Session.

Regarding the second topic: Research the property listing, the asking price, gather additional information and bring back with updates.

Regarding the third topic: (2)(h)

MOTION:

Commissioner Brummer moved to direct staff to proceed on litigation matter as was discussed in Executive Session. Second by Commissioner Barney. Vote 3-0, motion carried.

Regarding the fourth topic: (2)(e)

MOTION:

Motion by Commissioner Barney to direct staff to prepare lease documents in accordance with the discussion in Executive Session and to review the matter at a future meeting in Executive Session. Second by Commissioner Brummer. Vote 3-0, motion carried.

ADDITION:

Commissioner Brummer advised the Court that he would like to discuss the small fleet motor pool at a future meeting. The vehicles are not be used at all especially during this COVID-19, as most meeting and conferences are being held virtually. There is a need to do a motor pool plan and possibly to reduce or remove the vehicle small fleet motor pool.

Judge Crawford adjourned the meeting at 11:00 a.m.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson, Crook County Court Secretary