

**CROOK COUNTY COURT MINUTES  
OF DECEMBER 6, 2023, REGULAR MEETING  
Open Portion**

**Be It Remembered** that the Crook County Court met in a Regular Court meeting on December 6, 2023, at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 97754.

Court Members Present: Judge Seth Crawford, and Commissioner Brian Barney

Absentees: None

Others Present in Person or Via Zoom: Legal Counsels Eric Blaine and John Eisler; Administrative Executive Assistant Sarah Puerner; Office Manager Alex Solterbeck; Interim Director Sean Briscoe; Airport Manager Kelly Coffelt; Community Development Director Will Van Vactor; Contract County Administrator Andy Parks; Health and Human Services Director Katie Plumb; Levi Roberts; Appraiser Karen Bushnell; Assessment Technician Linda Pepper; Budget Analyst Jamie Berger; Assessor Jon Soliz; Assessment Technician Stephanie West; Systems Administrator Chelsea Watson; Natural Resources Policy Coordinator Tim Deboodt; Human Resources Director Kim Barber; Fairgrounds Manager Casey Daly; Juvenile Director Erika Frickey; Library Director Sarah Beeler; Clerk Cheryl Seely; Landfill Manager Jacquie Davis; Rebecca Keegan; James Staniford; Extension Manager Kim Herber; Facilities Director Nick Lilly; Finance Director Christina Haron; Treasurer Galan Carter; Kim Bales; Cindy York; Stephanie O’Neal; Shelby Fisher; Micheala Edwards; Jennifer Coffman; Will Elder; Heather Hastings; Monty Kurtz; Wayne Looney; Greg Barker; Jeramey Mattern; Shane Howard; Amber Blachard; Bonnie Dressler; Bryan Iverson; Brian Samp; Jack Colpitt; Susan Hermreck; Garth Finley; Jack Rabenberg; Dusty Flegel; Thomas Laird; and members of the public.

**REGULAR SESSION**

The meeting was **called to order at 9:00 a.m.**

**Public Comment:** None

**Consent Agenda:**

1. 2023-2025 IGA for the Financing of Local Public Health Services in Crook County Agreement #180007-3
2. 4th Quarter Fiscal Year 2023 Budget to Actual Report
3. Consider approval of Central Oregon Community College affiliation agreements, for Sheriff’s Office and Health Department
4. Hangar Ground Lease to Shotgun Ranch Aviation, LLC
5. Hangar Ground Lease to Buddy’s Hangars LLC from Cannon Braatz
6. Hangar Ground Lease to Buddy’s Hangars LLC from Robbins Family Trust
7. Airport – Execution of CORE grant Runway, design/engineering and bidding
8. Approval of VBM Scan Solution purchase contract and budget
9. Library Services and Technology Act grant application

**MOTION** to approve the Consent Agenda as presented. Motion seconded. No discussion. Motion carried 2-0.

**ADDITIONS:**

Applicant introductions for the vacancy Commissioner position.

Judge Crawford requested that the candidates for the Commissioner vacancy position come to the microphone to briefly introduce themselves. Each candidate was given a few moments to share their background, their vision for the role, and how they plan to contribute to the community if selected. This opportunity allowed the candidates to highlight their qualifications and commitment to addressing the county's needs, ensuring a transparent and informed selection process.

**Greg Barker**, a long-time resident who loves Prineville, is eager to contribute to the community. With an extensive background in facilities maintenance and construction, Greg brings valuable expertise that can benefit local projects and initiatives. He has been married for 53 years and has three children, highlighting his strong family values and commitment to the area. Greg's dedication and experience make him a valuable asset to the community, and he is enthusiastic about finding ways to support and enhance Prineville.

**Bryan Iverson** recognizes that the county is at a crossroads, where effective leadership is essential. He has been instrumental in various community organizations and has dedicated significant time to volunteering. With a deep understanding of the challenges facing the community, Bryan feels well-qualified to step into a leadership role. His experience and commitment make him a crucial asset during this pivotal time, as he aims to guide the county toward a prosperous future.

**Susan Hermreck**, a resident of Paulina, operates a cattle and hay ranch and actively serves on both the planning commission and the fair board. She believes the county is at a crossroads and is motivated to serve to help preserve the western way of life and its rich history. Known for her hard work and dedication, Susan emphasizes that she is not a politician, but a practical individual focused on the effective use of resources. Her commitment to the community and her hands-on experience makes her a valuable advocate for maintaining the area's traditions and ensuring sustainable development.

**Brian Samp** has been living in Prineville for the past eight years and brings a diverse background to the table. As an electrician by trade and a former teacher, he possesses a unique blend of technical skills and educational experience. Brian is eager to serve and be an active part of the community, believing he has much to contribute. Known for being a great listener, he values the effective use of resources and is committed to making a positive impact in Prineville. His dedication and varied expertise position him as an asset to the community.

**Monty Kurtz**, a resident of Powell Butte, is a dedicated local business owner who is actively involved in the community. Regularly attending court sessions, Monty brings a high level of professionalism that he believes can significantly contribute to the team. He is focused on helping the community navigate growth and tax challenges, aiming to ensure sustainable development. Additionally, Monty has a talent for team building, which he believes can strengthen the organization and enhance its overall effectiveness. His commitment to progress and his proactive approach make him a valuable asset to the community.

**David Condron**, born and raised in Crook County, brings a wealth of diverse experience from working in the oil industry, forest service, and on farms and ranches. Having been involved in a variety of jobs, David has a broad understanding of the local economy and the challenges it faces. Recognizing the numerous issues coming to Crook County, he is motivated to be an active part of addressing and resolving these challenges. His deep-rooted connection to the area and extensive background equip him with the insight and dedication needed to contribute effectively to the community's future.

**Shane Howard** is currently serving on the Prineville City Council and brings valuable experience from his tenure. Additionally, his background as a wrestling coach has honed his skills in leadership, strategic thinking, and mentoring. Shane believes he can contribute thoughtful discussion and problem-solving abilities to the commission. His diverse experience and dedication position him as a valuable asset, capable of offering substantial contributions to the commission's work and the community's progress.

**Jerry Dean Flegel**, born and raised in Crook County, has a deep appreciation for the area and shares the sentiment of many residents that it is the best place to live. He is committed to finding win-win solutions that address the needs of departments, employees, and citizens alike, ensuring that everyone benefits together. Jerry is prepared to tackle future challenges and firmly believes in the potential for continuous improvement. He considers it a privilege to serve his community and is dedicated to contributing positively to its future.

**Discussion item #10: Presentation on expected terms of Community Mental Health Program funding agreement:**

**Requester:** Rick Treleaven

**Details:** Rick Treleaven from BestCare attended the Regular Session to present to the Court the expected terms of the upcoming Community Mental Health Program (CMHP) funding agreement. The CMHP is a statewide system providing behavioral health services, including mental health treatment, problem gambling services, and chemical dependency treatment. The State appropriates funds to the Oregon Health Authority (OHA), which then requires counties to deliver these services, either directly or through subcontractors like BestCare in Crook County. The current funding agreement, expiring

on December 31, mandates that the County pass 100% of the allocated funds to its subcontractor, resulting in several hundred thousand dollars in payments from the State. Rick Treleven outlined the expected terms of the new agreement and highlighted key points for the Court's consideration.

**Discussion item #11: Consider request to waive compilation fees for public records request, code compliance case no. 21-06:**

**Requester:** Eric Blaine

**Details:** Legal Counsel Eric Blaine attended the Regular Session to discuss the consideration of waiving compilation fees for a public records request submitted by local resident Debbie Palmer. Ms. Palmer requested documents related to Code Compliance Case No. 21-06, specifically excluding the initial six complaints but including case notes, agreements, and compliance hearing minutes. The Code Enforcement office estimated that compiling these documents would take five hours, with a fee deposit amount of \$375.00. The County Counsel's office has already agreed to waive its compilation fee, and Ms. Palmer has requested a full fee waiver. Under ORS 192.324(5), the County can waive or reduce fees if it determines that doing so is in the public interest and primarily benefits the general public. The County Court must decide if the waiver is reasonable and not arbitrary, and if it meets the public interest criteria, it may waive all or part of the compilation fee.

**MOTION** to waive the compilation fee of \$375. Motion seconded. No discussion. Motion carried 2-0.

**Discussion item #12: Approve Order 2023-47 - Reinstating Check Signing Authority:**

**Requester:** Eric Blaine

**Details:** Legal Counsel Eric Blaine attended the Regular Session to discuss Order 2023-47 with the Court. In 2016, Order No. 2016-72 delegated check signing authority to County Clerk Cheryl Seely in the absence of the County Judge and County Commissioners to ensure administrative efficiency. This authority was revoked in 2020 by Order No. 2020-10. Blaine was asked to prepare an order to ratify the approval of checks signed by Seely from February 2022 to the present, despite the revocation.

**MOTION** to approve Order 2023-47 ratifying check signing authority. Motion seconded. No discussion. Motion carried 2-0.

**Discussion item #13: Landfill Solid Waste Management Plan Update RFP:**

**Requester:** John Eisler / Jacquie Davis

**Details:** Landfill Manager Jacquie Davis attended the Regular Session to update the Court on the Solid Waste Management Plan. This plan provides guidance for developing and operating the landfill over the next 10 years, including capital improvement projects based on population growth and required recycling percentages mandated by the State. The last Solid Waste Management Plan was completed in 2009. The scope of work in the RFP includes an overview of the County's existing solid waste system, future needs

projections, evaluation of alternatives, suggested capital improvement projects, a rate analysis, and funding strategies. The proposed budget for this project is not to exceed \$119,617, and three proposals were received in response to the RFP.

**MOTION** to award the contract for the Crook County Solid Waste Management Plan Update RFP dated September 20, 2023, to JR Miller & Associates. Motion seconded. No discussion. Motion carried 2-0.

**Discussion item #14: Request to approve a quitclaim deed for Tax Lot 1515 000 00 2300:**

**Requester:** Eric Blaine

**Details:** Legal Counsel Eric Blaine attended the Regular Session to discuss a request from the Chicago Title Company of Oregon for the County to approve a quitclaim deed for a tax lot. The deed concerns a 159-acre parcel, Tax Lot 1515 000 00 2300, zoned Light Industrial and located within Prineville city limits, owned by the Department of State Lands, which is considering a sale. This request is likely to remove title exceptions for the potential purchaser. A similar quitclaim deed was approved last year for Millican LLC for an adjacent tax lot. The quitclaim deed would confirm that the County has no right to purchase the property based on a 1992 resolution and that the property was not selected for a public safety academy per a 2000 resolution. The 1992 resolution allowed the County to purchase the property if a price was agreed upon, but no purchase occurred in the past 30 years. The 2000 resolution was related to a regional public safety training facility, which was eventually located near the Redmond Airport.

**MOTION** to approve the quitclaim deed to the State of Oregon acting by and through the Department of State lands as presented in the agenda packet today. Motion seconded. No discussion. Motion carried 2-0.

**Discussion item #15: Recommendation of award and tie-breaking process for Rickman Pit rock crushing request for proposal:**

**Requester:** Eric Blaine

**Details:** Legal Counsel Eric Blaine attended the Regular Session to recommend awarding the contract for the Rickman Pit rock crushing project. The County had issued a request for proposals to crush 30,000 tons of three-quarter-inch-minus rock at the Rickman Pit and received three bids. The lowest two bids, both at \$8.30 per ton, were tied. The two firms, Taylor Northwest and 4R Equipment, are both Responsible Bidders and Resident Oregon bidders. According to County Code section 3.12.270, tied bids are resolved by drawing lots. On November 17, Taylor Northwest communicated their willingness to allow 4R Equipment to be awarded the contract. Mr. Blaine invited all three bidders to comment on this proposed withdrawal by December 5. If no objections are raised, Blaine believes awarding the contract to 4R Equipment would not violate Oregon public procurement laws. The bids received were \$249,000.00 (Taylor Northwest and 4R Equipment) and \$259,500.00.

**MOTION** to award the contract for the Rickman Pit Rock Crushing Project to 4R Equipment and to authorize the signing of the contract outside of the County Court.

Motion seconded. During the discussion Commissioner Barney noted that 4R Equipment has completed work for the County before and has done a decent job. Motion carried 2-0.

**Discussion item #16: Appointment of Executive Director to oversee the Bowman Museum:**

**Requester:** Andy Parks

**Details:** Contract County Administrator Andy Parks attended the Regular Session to discuss the appointment of an Executive Director for the Bowman Museum with the Court. Sean Briscoe, who was appointed as Interim Executive Director in June 2023 on a part-time basis while also working with the Library, has been actively involved with the Historical Society Board over the past several months. During this time, he has evaluated the museum's operations, collaborated with the board and staff, and recruited a new collections manager. Mr. Briscoe recently expressed interest in assuming the Executive Director role full-time. After thorough internal discussions, the Historical Society Board unanimously voted to recommend Mr. Briscoe for the position at their November 16, 2023, meeting.

**MOTION** to appoint Sean Briscoe as the full-time director of the Bowman Museum effective back to December 1, 2023. Motion seconded. No discussion. Motion carried 2-0.

**Discussion item #17: PUBLIC HEARING: Ordinance 342 - An Ordinance amending Title 8 of the Crook County Code, adopting a new chapter to regulate the Airport:**

**Requester:** John Eisler

**Details:** Assistant County Counsel John Eisler attended the Regular Session to discuss Ordinance 342, an Ordinance amending Title 8 of the Crook County Code, adopting a new chapter to regulate the Airport. This Ordinance incorporates the newly implemented Airport policies into the County Code. This is the second reading of this Ordinance.

**MOTION** to read by title only. Motion seconded. No discussion. Motion carried 2-0.

Judge Crawford read by title only.

Assistant County Counsel John Eisler provided a brief description of the Ordinance.

The public hearing was opened. With no comments received, the public hearing was closed.

**MOTION** to pass Ordinance 342, an Ordinance amending Title 8 of the Crook County Code, adopting a new chapter to regulate the Airport and declaring an emergency. Motion seconded. No discussion. Motion carried 2-0.

**Discussion item #18: Secure Rural Schools (Title III) Spending Approval Request:**

**Requester:** Christina Haron

**Details:** Finance Director Christina Haron attended the Regular Session to discuss a request for approval to spend up to \$65,000 in Title III funds from the Secure Rural Schools program. The funds will be used to update the Crook County Community Wildfire Protection Plan (CWPP). An up-to-date CWPP is essential for eligibility and readiness to benefit from mitigation projects and funding opportunities aimed at reducing wildfire risk. The CWPP rewrite will allow communities to assess wildfire risk, identify local priorities and actions, and reduce the risk of property loss and human health impacts from severe wildfires. Additionally, it aims to improve the ecological health of federally managed lands in Crook County and support the development of defensible space to enhance firefighter safety and home resistance to ignition.

**MOTION** to approve expending \$65,000 in Title III funds. Motion seconded. No discussion. Motion carried 2-0.

**Discussion item #19: Department Presentations - Quarter 1 Fiscal Year 2024:**

**Requester:** Andy Parks

**Details:** Contract County Administrator Andy Parks attended the Regular Session to introduce department presentations for Quarter 1 of fiscal year 2024. The fiscal year 2024 budget aimed to add the Administrator position and transition the County Court to a policy role. A key responsibility of the Administrator is to ensure regular reporting of departmental activities to the Court. This initiative began with a quarterly financial report highlighting the County's financial operations and departmental activities. The next phase involves department heads presenting their activities to the Court to enhance understanding of County operations, departmental challenges, and potential solutions. Presentations were provided by the Bowman Museum, Ag Extension District, Sheriff's Office, Road Department, Weed Control, Landfill, Library, Fairgrounds, Airport, Community Development, Health and Human Services, Clerk's Office, Assessor's Office, District Attorney, Juvenile Department, Facilities, Counsel, Finance, Human Resources, IT, and Administration.

**Discussion item #20: Receive results of employee straw poll:**

**Requester:** Andy Parks

**Details:** Contract County Administrator Andy Parks attended the Regular Session to discuss with the Court the results of the employee straw poll. In September, the County Court held three public meetings to gather comments on transitioning from a County Court to a County Board of Commissioners and related issues. Transparency emerged as a key concern during these meetings. Following the public meetings, the County Administrator engaged in discussions with employees, who expressed a desire for their voices to be heard. They suggested an internal straw poll to communicate their collective opinions to the Court and community. To promote transparency, the Administrator informed the Court that he would conduct several countywide employee meetings at the end of October to review administration activities from the past year and discuss the governance change, providing employees an opportunity to voice their opinions and ask questions. At the end of each key meeting, Crook County Clerk Cheryl Seely facilitated confidential voting on five key questions:

1. Do you support a change in governance from County Court to Board of Commissioners?
2. Should the Board Chair be elected by voters or Commissioners?
3. Should the Board Chair position be identical to other commissioner positions, except for managing public meetings?
4. Should the commissioner positions, including the Chair, be full- or part-time?
5. Should the County have a County Administrator position?

The poll saw high participation, with 200 employees, 191 ballots distributed, and 160 timely returns (80% participation). The results showed strong support among County employees for the following:

- Changing to a Board of Commissioners: 88.5% in favor.
- Having a County Administrator: 82% in favor.
- The Board Chair position being identical to other commissioner positions, except for managing public meetings: 85% in favor.
- The Board Chair being elected by voters: 70% in favor.
- Commissioner positions, including the Chair, being part-time: 61% in favor.

**Administrator Report:** None

**Court Member Updates:** None

At 12:53 p.m. the Court convened into Executive Session under the following statute(s): ORS 192.660(2)(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; ORS 192.660(2)(e) For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions.

### **EXECUTIVE SESSION**

At the conclusion of the Executive Session, the County Court convened back into Open Session, inviting members of the public into the meeting room.

**MOTION** to direct the County's relator of record to correspond with the counter parties as discussed in the Executive Session. Motion seconded. No discussion. Motion carried 2-0.

**MOTION** to direct staff to conduct the research and thereafter schedule a future Executive Session. Motion seconded. No discussion. Motion carried 2-0.

**MOTION** to authorize the execution of the stipulation as discussed in the Executive Session. Motion seconded. No discussion. Motion carried 2-0.



There being no further business before the Court, the meeting was **adjourned at 2:25 p.m.**

Respectfully submitted,

**Sarah Puerner**