

**CROOK COUNTY BOARD OF COMMISSIONERS MINUTES
OF OCTOBER 2, 2024, REGULAR MEETING
Open Portion**

Be It Remembered that the Crook County Board of Commissioners met in a Regular Session on October 2, 2024, at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 97754.

Board Members Present: Commissioner Seth Crawford, Commissioner Brian Barney, and Commissioner Susan Hermreck

Absentees: None

Others Present in Person or Via Zoom: Legal Counsels Eric Blaine and John Eisler; Executive Administrative Assistant Sarah Puerner; Breyanna Cupp; James Preuss; Casey Daly; Stanley Flynn; Dock Kerbow; Mandi Puckett; Kathy Puckett; Jacquie Davis; Jon Soliz; Stephanie Wilson; Will Van Vactor; Sheriff Gautney; Brad Haynes; Katie Plumb; Andrew Rasmussen; Kari Hathorn; Kelly Coffelt; Jamie Berger; Lisa Neuberger; Cheryl Seely; Alex Solterbeck; Mona Glade; Christina Haron; Elsie Ray; Tim Deboodt; Michaela Edwards; Stephen Chellis; Sarah Beeler; Rebecca Keegan; Linda Pepper; Shelby Duncan; Bill Elliott; Joanna Gardner; Maryann Carbaugh; Gail Merritt; Stephen Gilday; Maggie Hale; Duane Porter; Tawndy Byrd; Jessica Brumble; Adam Mikulski; Karen Mikulski; Dick Zimmerlee; Debbie Zimmerlee; Julie Thompson; Don Porfily; Rebecca Asbell; Kate Soliz; Kathryn Lundeen; Rosemary Putnam; Traci Utterback; and members of the public.

REGULAR SESSION

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

Public Comment: None

Consent Agenda:

1. Signature for the HB 4002 BHD grant
2. Airport - Services during construction contract / Precision Approach Engineering Inc. Phase II Runway reconstruction project

MOTION to approve the consent agenda as presented. Motion seconded. No discussion. Motion carried 3-0.

Discussion item #3: Recognize Employees with 15+ years of service to Crook County:

Requester: Breyanna Cupp

Details: Executive Assistant Breyanna Cupp attended the Regular Session to honor employees celebrating milestone anniversaries of 15 years of service. Each honoree received a milestone pin and certificate as a token of appreciation for their dedicated service. The Board of Commissioners expressed their gratitude to the employees and commemorated the occasion with a group photo at the Historic Courthouse. Additionally, Breyanna highlighted that Hannah Elliott from the Community Development Department is featured as the October Employee Spotlight.

Discussion item #4: Domestic Violence Awareness:

Requester: Joanna Gardner

Details: Saving Grace Outreach Services Coordinator Joanna Gardner attended the Regular Session to request the Board of Commissioners' support in recognizing October as Domestic Violence Awareness Month. Saving Grace, dedicated to assisting individuals affected by domestic violence, expressed gratitude for Crook County's warm welcome and continued support. Commissioner Crawford read the Domestic Violence Awareness Proclamation, which was subsequently signed by the Board of Commissioners.

Discussion item #5: Presentation regarding Educational Campus (HUB):

Requester: Mandi Puckett

Details: HDCA Community Relations Director Mandi Puckett attended the Regular Session to present the Board of Commissioners with an overview of an Educational Campus HUB initiative and to request a letter of support. The proposed campus would provide childcare and early education, K-12 dual enrollment opportunities, career and trades training, transportation, and educational family services. Mandi shared the goals, mission, vision, and ongoing community support for the project. The letter of support would formalize collaboration with High Desert Christian Academy to repurpose and transform the old hospital into an educational campus for Crook County. Mandi plans to develop a detailed proposal and present it to both the City and the County at a future date.

Discussion item #6: Funds to continue Christmas in the Pines:

Requester: Maryann Carbaugh

Details: Committee Chairpeople Maryann Carbaugh, Gail Merritt, and Stanley Flynn attended the Regular Session to request a \$5,000 donation from the Board of Commissioners to support Christmas in the Pines. The funds requested would cover operational expenses, repair existing displays, purchase new and replacement displays, and fund electrical upgrades and supplies. The event relies entirely on volunteers and community donations to remain viable. Last year, approximately 11,000 people visited Christmas in the Pines, and the event received around 11,000 pounds of donated food, all of which stayed within Crook County to support local needs. The Board of Commissioners suggested involving high school leadership students to assist with the event, complementing the Crook County boys' basketball team, which already helps with takedown once the event concludes.

MOTION to fund Christmas in the Pines for the \$5,000.00 they are requesting and to take it out of the community fund. Motion seconded. During discussion, Commissioner Crawford thanked those involved for their hard work and how the community looks forward to this every year. No further discussion. Motion carried 3-0.

Discussion item #7: Informal Bid Selection - Picnic Table Replacement:

Requester: Casey Daly

Details: Fairgrounds Manager Casey Daly attended the Regular Session to present an informal bid to the Board of Commissioners for replacing picnic tables at the Fairgrounds. The bid, submitted by Highland Products Group/The Park Catalog, totals

\$31,050 for 30 new tables. The cost will be covered by the \$2 million grant previously awarded to the Fairgrounds. The new tables will replace the current 30 wooden picnic tables, which have reached the end of their lifespan.

MOTION to accept the bid from Park Warehouse. Motion seconded. No discussion. Motion carried 3-0.

Discussion item #8: Justice Center Janitorial Procurement:

Requester: James Preuss

Details: Facilities Director James Preuss presented options for janitorial services for the new Justice Center, in compliance with CCC 3.12.060, which requires three competitive quotes for intermediate procurement. The quotes received were: Advanced Commercial Cleaning, LLC: \$33,845.27/month, Central Oregon Janitorial Solutions: \$20,745.00/month, and Suds n' the Bucket Professional Cleaning: \$13,300.00/month. All quotes include cleaning services five days per week. Mr. Preuss recommended awarding the contract to Central Oregon Janitorial Solutions based on their experience, staffing capabilities, and excellent communication throughout the process.

MOTION to approve Central Oregon Janitorial Solutions and to sign the contract out of court once received. Motion seconded. No discussion. Motion carried 3-0.

Discussion item #9: IGA with Jefferson County for Rural Health Equity Integration - Central Oregon Health Council Pass through Grant.:

Requester: Katie Plumb

Details: Health and Human Services Director Katie Plumb attended the Regular Session to request approval to distribute funds to Jefferson County as part of a pass-through grant. Crook County, acting as the fiscal caretaker, received these community behavioral health funds from the Central Oregon Health Council to ensure regional distribution. Jefferson County will receive one-third of the funds to hire a coordinator tasked with implementing a systems-level approach to enhance, expand, and stabilize programs that improve in-person behavioral health access. Approval is required to facilitate the distribution of these funds to Jefferson County.

MOTION to approve the intergovernmental agreement between Crook County and Jefferson County. Motion seconded. No discussion. Motion carried 3-0.

Discussion item #10: Endorsement of Jackson County Wildfire Hazard Map Letter to State:

Requester: Susan Hermreck

Details: Commissioner Susan Hermreck presented a letter from Jackson County opposing the adoption of the Wildfire Hazard Map. The map, developed under Oregon Senate Bills 762 (2021) and 80 (2023), has been criticized for significant errors, a lack of transparency and public involvement in its creation, and reliance on outdated data. Jackson County's letter advocates for a more comprehensive approach to wildfire mitigation, emphasizing the importance of proper management of surrounding public lands. Commissioner Hermreck proposed joining Jackson County in this stance, aiming to encourage other counties to unite in support of a collaborative approach.

MOTION for the endorsement of the Jackson County Wildfire Hazard Map Letter that will be sent to the State. Motion seconded. During discussion, Commissioner Crawford mentioned that Will Van Vactor and himself have been working with OSU and they've been outrageously obnoxious in their misunderstanding of what is happening on the ground. No further discussion. Motion carried 3-0.

Discussion item #11: Approval of Order 2024-43 In the matter of adopting the Crook County Equal Employment Opportunity Plan for 2024-2026:

Requester: Eric Blaine

Details: County Counsel Eric Blaine attended the Regular Session to seek Board approval for Order 2024-43, which updates Crook County's Equal Employment Opportunity Plan (EEO). This plan, required for federal and state grant compliance, ensures equal workforce participation for all genders and minorities. The new biennial plan, effective through September 2026, includes a workforce analysis comparing 17 categories of labor market data to identify potential barriers. Of these, only two categories are relevant to Crook County's workforce. The proposed update reflects the county's commitment to maintaining equitable employment practices. Approval of Order 2024-43 is required to adopt the plan.

MOTION to approve Order 2024-43. Motion seconded. No discussion. Motion carried 3-0.

Interim Manager Report: None

Commissioner Updates:

Commissioner Crawford shared that he recently convened a meeting with local schools, the State, and the High School Trap Club to discuss establishing a potential home for the Trap Club along Paulina Highway. While a few details still need to be finalized, the location offers the possibility for future expansion. If the Trap Club proves successful, the site could also accommodate a pistol range and, eventually, a long rifle range.

Commissioner Hermreck discovered that FEMA had allocated \$70,000 to United Way to address food insecurity, but Crook County was initially unaware of the funding, which needed to be utilized by December 31st of this year. A group of community members quickly organized, applied for the grants, and successfully secured the funds. The grants were used to support food insecurity initiatives, including providing additional meals, supplying the senior center, and benefiting various programs to assist all Crook County residents in need. In addition, Commissioner Hermreck announced that she received a letter from the Department of Environmental Quality (DEQ), requesting a hold on the operating permit for Knife River. The request, forwarded from Senator Merkley's office, was recently received. Nicole from the Governor's Office asked if the County could assist by distributing the information to the affected landowners.

Public Comment:

Comments on DEQ Letter:

Julie Thompson stated that, based on her interpretation of the letter, the County now has grounds to revoke the wash permits, providing a valid basis for such action. She inquired whether pulling the permit is being considered as an option and questioned why the County has not taken steps to stop the washing activities, expressing concern about the lack of County intervention.

Assistant County Counsel John Eisler clarified that the requested hold pertains to the review of an amendment to the permit for the Woodward site, which was intended to expand operations to include Vanier. The hold has not yet been approved. The letter also mentions the need for adequate funding, a sampling plan, and the initiation of a monitoring plan in November, contingent upon securing sufficient funds. Additionally, the letter requests assistance in collecting samples from neighboring properties. Eisler explained that the responsibility to suspend, modify, or revoke the permit lies with the County, which would require evidence of a violation of the criteria or proof of harm. However, the letter does not suggest suspending the permit; it merely requests a pause on the review of the proposed modification.

Will VanVactor stated that he was not involved when the Woodward pit was originally approved. He explained that for any land use approval, the applicant is required to submit an application along with written materials that demonstrate compliance with the established approval criteria.

Traci Utterback expressed gratitude toward DEQ for their acknowledgment of the issue, as reflected in the letter. She noted that this is the first written confirmation of the problem. However, she also expressed disappointment that the County Commissioners had not taken steps to address the issue or work toward halting the activity.

Dick Zimmerlee pointed out that the County had requested information from DEQ from the outset, asking for a justification to act, and now the letter provides a basis to suspend the activity. He emphasized that the County has the authority to place a hold on the operations. Zimmerlee noted that nearby wells, some over 100 years old, had never experienced issues until the past two years. He questioned why the site cannot be temporarily shut down until the root cause of the problem is determined, asserting that there is sufficient anecdotal evidence to justify such an action.

Ashley McCormick asked what specific wording or evidence is needed to halt the CUP (Conditional Use Permit) until answers are provided. She also questioned why the County is not being informed when fines are issued against the site, particularly for actions significant enough to warrant penalties. McCormick expressed concern over the lack of communication regarding such serious matters.

Kate Soliz, a resident of Green Valley Road, expressed curiosity about the information available and the efforts made by residents, including hiring lawyers and geologists, to address their concerns. She asked what steps the County has taken to ensure that Jim Newton was included in the September 19th meeting and why residents were not allowed representation, despite the County's awareness of their concerns. She also

inquired whether the information provided by attorneys and well testing had been shared with Seth and asked if Knife River had indicated any intention to sue the County.

Assistant County Counsel John Eisler read aloud the most recent email he sent to Ed, providing a word-for-word response to Ed's request to shut down Knife River's operations.

Will Van Vactor explained that the Conditional Use Permit (CUP) is tied to specific conditions, and any violations of these conditions could lead to a code enforcement proceeding. He noted that the conditions and potential violations are being reviewed and discussed at this time.

Adam Mikulski, a resident of Stahancyk Lane across from the mine, expressed frustration about a recent meeting, noting that attendees did not engage with residents. He shared that he has extensively researched the issue and obtained a copy of the Conditional Use Permit (CUP). Mikulski read portions of the CUP regarding groundwater and dewatering and believes that Knife River's actions violate the CUP. He urged the Commissioners to take action, asserting that the County has grounds to suspend the permit. Mikulski noted that he has testified multiple times, alongside Vanier, about past violations by Knife River and criticized the lack of enforcement, questioning the purpose of the CUP if it has no "teeth." He plans to distribute copies of the CUP to neighbors, encouraging them to file formal complaints, as previous complaints were not submitted through official channels.

Susan Hermreck requested that a letter be sent to DEQ addressing the ongoing issues, with a response deadline set for November. Assistant County Counsel John Eisler will first reach out to DEQ by phone. If no response is received, Commissioner Hermreck proposed sending a formal letter requesting answers before the November deadline mentioned in the correspondence from DEQ.

At 11:29 a.m. the Board of Commissioners convened into Executive Session under the following statute(s): ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection; and ORS 192.660(2)(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

EXECUTIVE SESSION

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

MOTION to direct staff to prepare the response and to present to the counter party as discussed in the Executive Session. Motion seconded. No discussion. Motion carried 3-0.

MOTION to direct staff to prepare the draft document for future discussion at a later meeting as discussed in the Executive Session. Motion seconded. No discussion. Motion carried 3-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 11:54 a.m.**

Respectfully submitted,

Sarah Puerner / Breyanna Cupp