

BE IT REMEMBERED THAT the Crook County Court met on February 19, 2020 at 9:00 a.m. for a regular Court meeting in the County meeting room located at 320 NE Court Street, Prineville, Oregon. In attendance: County Judge and Commissioners; Legal Staff and County Court Secretary. Judge Crawford opened the meeting and asked Russ Deboodt to lead the Pledge of Allegiance. Brian Carmack, Eastside Church, offered the opening prayer.

Consent Agenda

- 1. Approve Minutes of December 31, 2019 Work Session of the Crook County Court**
- 2. Approve Order 2020-07 re Appropriation Transfers-Justice Reinvestment Grant Fund**
- 3. Approve Order 2020-08 re Appropriation Transfers—Health Grant Fund**
- 4. Approve Order 2020-10 re Removing Check Signing Authority**
- 5. Approve Order 2020-11 re Cypress creek's exemption from Increasing Employment in Zone**
- 6. Approve Amendment #1 to CaCoon Agreement with OHSU**
- 7. Approve Amendment #3 to Professional Services Contract for Drug Court with Imagine Freedom**
- 8. Approve Oregon Emergency Mgmt. Grant for Mobil Refueler**
- 9. Approve Amendment 1 to Kids Intervention and Diagnostic Service Center (KIDS Center) Agreement**
- 10. Approve tracking Home Visiting Effectiveness in Oregon (THEO) Data use Agreement**
- 11. Approve Contract with GEL Oregon (Andy Parks, CPA) for Budget Services**
- 12. Approve Letter of Support to Legislature for DEQ's Low Interest Loans re Septic Repair**
- 13. Approve Family Resource Center CAMI Agreement**
- 14. Approve Fourth Agreement to Extend Construction Contract with Richard Bartels**

The Court reviewed the Consent Agenda and removed item # 13.

MOTION:

Commissioner Brummer moved to approve the Consent Agenda as presented removing item #13. Commissioner Barney seconded the motion. Vote was 3-0, motion carried.

Addition:

Proclamation—Opposition to Senate Bill 1530

Judge Crawford Read the Proclamation opposing Senate Bill 1530 of the 80th Oregon Legislative Assembly, which will have punitive impacts on Crook County and the Citizens of Crook County.

Millican Solar Decommissioning Plan Revision

County Counsel Eric Blaine presented information regarding the decommissioning plan and rider, or if the County chooses to approve the December plan it may not do the rider, subject to receiving the rider by Monday, March 2nd. If received, it will be all set. If not, a conditional approval becomes void. Discussion was held on the additional 80 acres. Planning Director Ann Beier explained that this project has panels the will be over a larger space to help prevent shading of one panel over another. The panels move with the sun. The number of acres in the decommission plan is up from 320 to 400. Mr. Blaine explained the cardinal changes risk of surety and obligation to pay. The risk is to have the company drag it out if no rider.

MOTION:

Commissioner Brummer moved to approve the January 13, 2020 revisions of the Millican Solar plan upon condition of the receipt of the February 19, 2020 letter. If not received, the revision application will be void. Commissioner Barney seconded the motion. Vote was 3-0, motion carried.

PUBLIC HEARING

Ordinance 318 Amendment Chapter 15.04 of the Crook County Code regarding Building and Fire Codes and declaring an Emergency—Second Reading.

MOTION:

Commissioner Barney moved, and Commissioner Brummer seconded to read Ordinance 318 by title only. Vote was 3-0, motion carried.

Judge Crawford read Ordinance 318 by title only and opened the Public Hearing. There being no comments, Judge Crawford closed the public hearing.

MOTION:

Commissioner Barney moved and Commissioner Brummer seconded to approve Ordinance 318 on this second reading and declaring an emergency. Vote was 3-0, motion carried. Ordinance 318 will go into effect immediately.

Building Official Randy Davis added that the State Representative for the Building Officials will be searching for the letter sent regarding the changes being made. Commissioner Barney expressed his disappointment in the Solar Panel issue. Mr. Davis added his disappointment in the Solar Panel, and also with the Ag. Rules and fire suppression. The Representative is going to ask questions of the Building Commission.

PUBLIC HEARING

Hearing to determine whether appeal of approval of Application 217-19-000987 is Proper under CCC 18.172.110(10)(a)

Mr. Blaine presented information on the public hearing under the land use code and whether or not the appeal is proper. It is not on the merits. Public testimony can be received as to whether the appeal is proper. The members will speak by way of Lisa Andrach, Attorney for the applicants.

Judge Crawford opened the public hearing. Staff Report was presented by Counsel representing Crook County, Will Van Vactor, and Ann Beier, Planning Director. An appeal of the CUA for agricultural. This is a timely appeal. Mr. Van Vactor pointed out that the list of parties in the appeal are not those listed that participated in the previous hearings. Filing an appeal as affected party statement. The argument is that the notice should have been broader.

Ms. Andrak, Attorney at Bryant and Emerson, argued that the record shows the parties appeared offering testimony and in writing. The statement that the appellants signed shows that they did

appear and do have standing. She asks that the Court find the appeal statement is sufficient and the appellants do have standing.

Judge Crawford closed the public hearing.

Mr. Van Vactor and Ms. Beier provided the response to the appellants comments and advised the Court that it was fair to continue with the appeal. They referred to the number of appellants and there being no time for when they appeared but advised the Court to go ahead and approve the appeal. Judge Crawford asked if Ms. Andrach would be willing to put together a paper referring to the dates and times. Ms. Andrach agreed. The letter from the neighbors in the Powell Butte Area dated December 9, 2019; CCCD Exhibit 1, letter signed by a number of people.

Mr. Blaine explained the hearing was originally scheduled for March 18, 2019, and is now scheduled for 3:00 on Friday, March 13, 2020. Public Notice is for a special hearing on that date.

MOTION:

Commissioner Brummer move and Commissioner Barney seconded that the appeal was proper. Vote was 3-0, motion carried.

ADDITION:

The Court received a request for the County to waive rental fees of the Carey Foster hall at the Fairgrounds for the Stockgrowers dinner.

MOTION:

Commissioner Brummer moved to approve the request for waiver of fees for use of the Carey Foster Hall for the Stockgrowers event and to use lottery funds to cover the cost. Commissioner Barney seconded the motion. Vote was 3-0, motion carried.

There being no further business from the Open Session requiring action of the Court at this time, Judge Crawford adjourned the Court out of Open Session and into Executive Session under 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.

EXECUTIVE SESSION

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.

This matter had to do with a grievance filed.

Following the discussion in Executive Session, Judge Crawford adjourned the Court out of Executive Session and into Open Session, inviting members of the public into the meeting room.

One motion was required for the item discussed in Executive Session

MOTION:

Commissioner Brummer moved, and Commissioner Barney seconded to direct staff to proceed as discussed in Executive Session.

There being no action items to be acted upon by the Court, Judge Crawford adjourned the County Court Session for today.

Respectfully submitted,

Colleen Ferguson
Crook County Court Secretary