



CROOK COUNTY COURT MEETING
Crook County Annex | 320 NE Court St. | Prineville OR
WEDNESDAY, September 2, 2020
9:00 A.M.

CONSENT AGENDA

(Routine matters which are not expected to generate discussion and are approved in a single vote. Any member of the Court may request removal of an item for separate discussion or vote.)

1. Approve Minutes of April 1, 2020 County Court Meeting; and
April 10, 2020 Special Meeting; and
April 21, 2020 and April 28, 2020 Work Sessions
2. Approve Extension Amendment with Apollo Mechanical for HVAC Maintenance at Jail

SCHEDULED APPEARANCES

3. Introduction of VISTA Volunteer Tre Madden
Requester: Muriel DeLaVergne-Brown (5 Minutes)

DISCUSSION

4. Mill Iron Estates Phase 3 Proposed Plat Map
Requester: Ann Beier (5 Minutes)
5. Consideration of Planning Commission Recommendations for Text Amendments to the
County Land Use Code
Requester: Katie McDonald (10 Minutes)

EXECUTIVE SESSION – TENTATIVE PLACEHOLDERS

6. ORS 192.660(2)(e) For the purpose of conducting deliberations with persons designated by the governing body to negotiate **real property transactions**
7. ORS 192.660(2)(f) To consider **information or records** that are exempt by law from public inspection

**The Court may add additional items arising too late to be part of this Agenda. Agenda items may be rearranged to make the best use of time.*

**The meeting location is accessible to persons with disabilities. If additional accommodations are required, please submit your request 48 hours prior to the meeting by contacting County Administration at 541-447-6555.*

BE IT REMEMBERED THAT the Crook County Court met in a regularly scheduled County Court meeting on April 1, 2020, at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 97754. In attendance in person and by phone were: County Judge Seth Crawford; County Commissioner Jerry Brummer; County Commissioner Brian Barney; County Counsel Eric Blaine; and Assistant County Counsel John Eisler; Colleen Ferguson, County Court Secretary; Jon Soliz, County Assessor; Buzzy Nielsen, County Library Director; Terra Tyger, Kids Center; Tim Rusk, Director Mountain Star; Wade Whiting, District Attorney; Tim Deboodt, Natural Resources Director; Janet Pritiskutch, Finance Officer and County Treasurer Debbie Palmer.

The media received public notice of the meeting.

Judge Crawford called the meeting to order and asked Debbie to lead the Pledge of Allegiance. Steve Gilday, Law Enforcement Chaplain, offered the prayer.

Consent Agenda:

1. Approve minutes of February 2, 2020 regular meeting of Crook County Court
2. Approve Pauly Rogers Audit Engagement Letter for the Annual Crook County Audit for FY ending June 30, 2020.
3. Approve Amendment 5 to School Based Health Center Contract with Mosaic Medical
4. Approve Pavement Management and Digital Imaging Letter Agreements (2) with Capitol Asset and Pavement Services
5. Approve Multi-County All Roads Transportation Safety (ARTS) Agreement #33640 with ODOT.

The Court reviewed the Consent Agenda There were no changes made.

MOTION:

Commissioner Brummer moved and Commissioner Barney seconded to approve today's Consent agenda as presented. Vote was 3-0, motion carried.

Proclaiming April 2020 as Child abuse Prevention Month; April Events and Local Collaboration

Terra Tyger, Program Manager for Kids Center in Crook and Jefferson Counties presented an overview of the Kids Center operations, now in the 25th year of prevention, evaluation and treatments. In 2019, they had 434 kids come through the door. The focus is on free cost of services. Kids Center has been partnering with Mt. Star for five years. The annual blue ribbon and pin wheels worn and set out for the month of April in honor of Child Abuse Prevention Month were not able to be done this year due to restrictions of Covid-19. Prineville Police did set up the pin wheel garden this year, thank you for that. The proclamation and message are "Speak up and Save a child." Talk openly, with kids, family, neighbors and friends and if a report is needed, call 855-503-7233 or 911.

Tim Rusk, Director of Mt. Star, spoke on the program and partnership with Kids Center and the programs that Mt. Star is involved in working with children and families.

There were 10 people present for the presentation of the Proclamation read by Judge Crawford.

In 2008 there were increased incidences of child abuse. In 2020, it will likely happen again due to the restrictions created by the pandemic. People are encouraged to listen, acknowledge, help when you can and do not wait to be asked. No one solution, agency or organization can protect. It really does take a

village to raise a child. Thank you for your help was given to Prineville Police Department, Parole and Probation, Crook County for Children, Crook County Sheriff Dept, Mt. Star, Crook County School District, DHS, Crook County District Attorney, CASA and many more were included.

MOTION:

Commissioner Barney moved and Commissioner Brummer seconded to approve the reading of the Proclamation of April 2020 as Child Abuse Awareness Month. Vote 3-0, motion carried.

Request of Lottery Funds of \$5,500 for Facility Use at Fairgrounds for High School Rodeo Club Meet and High School Rodeo Finals scheduled for May 1-3, 2020 and June 20-23, 2020.

Casey Daly, Crook County Fairgrounds Manager, requested \$5,500 to cover the costs of use of the Fairgrounds during the High School Rodeo Club Meet and the High School Rodeo Finals. These events bring economic boosts to the community when the 550 people or more attend the events. The request is valid but with the understanding that the future is uncertain due to the pandemic. This will be the 12th or 13th year of support, and the organization appreciates all the County does in supporting their events.

MOTION:

Commissioner Brummer moved to approve the use of Lottery Funds for the High School Rodeo events and finals. Commissioner Barney seconded the motion. Vote was 3-0, motion carried.

The Commissioners asked Treasurer Deb Palmer to commit the funds now.

Consideration of Revised Price Quote for Library Van Purchase

Buzzy Nielson, Library Director, presented a request that would add \$600 to the original quote for the van purchase for the Library. There is a need for roof rails and two side windows in the cargo area.

MOTION:

Commissioner Barney moved to approve the new price quote as best value to the County. Commissioner Brummer seconded. Vote was 3-0, motion carried.

Discussion of 6th Amendment to IGA 159807

Mr. Blaine presented the 6th Amendment to IGA 159807 regarding Public Health Services and Financing. The amendment is due to Oregon Health Authority providing an additional \$52,000 funding increase to the County to assist with the COVID-19 requirements and additional staff, hours and needs for the community and the State of Emergency and the increase in the value to the County. The Crook County Public Health Director strongly encouraged the approval at this time so that funding can begin to flow. Mr. Blaine wants a paper trail since this is rushed and out of the norm.

Consideration of Order 2020-22 re: Extension of Emergency Declaration to June 11, 2020.

Mr. Blaine presented Order 2020-22 that will extend the Declaration of Emergency to June 11, 2020, the same date as the State's extension. Mr. Blaine asked for a motion to adopt the date. This will also give authority to one commissioner to sign for emergencies, and not have to wait for signature at a Court meeting, providing greater speed in acting on an emergency. Library Director Nielson had a question regarding the information being released to the public regarding the June 11, 2020 extended date. At this time, the County offices will continue to use April 30 until time to announce the declaration for June 30th.

MOTION:

Commissioner Brummer moved to extend the emergency declaration to match the date of the State of Oregon, June 11, 2020. Commissioner Barney seconded the motion. Vote was 3-0, motion carried.

PUBLIC HEARING: First Reading of Ordinance No 319, replacing Chapter 8.12 of the Crook County Code re: Public Burning

Assistant County Counsel John Eisler presented Ordinance No 319 to replace Chapter 8.12 of the Crook County Code regarding public burning. This would bring the County into compliance with the State OARs. Crook County Fire and Rescue (CCFR) could issue a Class B misdemeanor citation.

There are two steps to this. 1st is clarity of requirements and 2nd, is enforcement, this is not a criminal act. The proposed purpose is:

1. Definition of the rules and terms
2. CCFR/Sheriff have clear authority in escalating fine regarding permits and regulations.

Commissioner Barney voiced concerns: #1: contradiction with the need to fine tune the language; and #2: the Ordinance was written for the County in general, but there are outlying districts of Post and Paulina that need different regulations regarding open burn piles and other situations. Russ Deboodt, CCFR, relayed that the burn permit is a copy of the burn regulations which are free to everyone in Crook County. Three to four years ago, the County was facing “non-attainment” from DEQ. That would have limited large business permits such as Facebook. An Air Quality Committee began meeting monthly. At that time, DEQ wanted to limit/erase outdoor burning in Crook County. The Fire District and Air Quality Committee is working with DEQ. Burn and non-burn days are issued based on the ventilation index of 100 to 1050 max. Crook County follows CCFR. Law enforcement enforces City and County Ordinances. The fire district cannot enforce this and does not issue tickets. The Sheriff does not see this as a criminal offense. In winter, there are burn days but no demo or industrial within 3 miles of Prineville. For the solar farms clearing the juniper trees with fire, the DEQ letter of permit is required. Seldom does this get to the level of enforcement. CCFR is very good at education with the community.

Burn days were discussed and information received regarding using burn barrels, burn pile sizes, and the public being responsible to check if burning is allowed on any particular day. CCFR requests a notification phone call on burn days when debris piles are larger than 6x6 or if an agricultural burn is planned, and to confirm the ability to manage. Then the information will be sent to 911 and the Central Oregon Agency Dispatch (Wildlands) so they will know it is an approved burn.

Discussion was held regarding a burn on Willowdale Dr (City) or Paulina (County). How do we manage? It can be in the City but County controlled. Judge Crawford liked the idea of just requiring a call to the CCFR to advise them that the burn is going to take place. Commissioner Barney added that a reference to following the Ag burning rules for larger burns be added to Section 1. A.

Discussion

Changes need to be that burn piles over 6x6 are subject to rules of Section 6 Agricultural (Ag) Burns. “Outdoor Burning” is used as all encompassing. Russ Deboodt said to leave the language in because large Ag burns and forestry burns both get permits from DEQ and have the same requirements.

Tim Deboodt, Natural Resources Manager, presented additional information on Section 6 regarding an exception for rangeland burns having to be extinguished one hour after dark. Oregon Department of Forestry (ODF) Forest Service (FS) and many acres of Crook County is not covered by this. They are outside the ODF zone, on private land, and still have to call in. Like Bear Creek. Who issues the exception, CCFR? Russ Deboodt said that under Section 6, there is no burning after dark. DEQ is focused on neighbor complaints and #6 should be removed because it is already listed in #3.

Tim Deboodt read from the pages regarding being physically present during agricultural burns, and Russ Deboodt added that someone should be physically present during barrel and debris burning also. A burn that gets out of control is considered 'reckless.

CCFR Chief Matt Smith joined the conversation discussing pressure from DEQ on the County regarding burning. A copy of a portion of DEQ's regulations is posted.

MOTION:

Commissioner Brummer moved to read Ordinance 319 regarding Crook County burn regulations by title only. Commissioner Barney seconded the motion. Vote was 3-0, motion carried.

Judge Crawford opened the public hearing. There were no comments. Judge Crawford closed the public hearing. There is no emergency, therefore this Ordinance 319 will have a second reading at the next County Court Session.

ADDITION:

Rules for attending the County Court meeting sessions via WEBEX were discussed. All attendees are to stay on mute unless they need to speak to avoid cancellation interruptions through the speaker and to announce your name when beginning to speak.

There being no Executive Sessions scheduled for today, Judge Crawford adjourned the meeting.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson, Crook County Court Secretary

The minutes written per hand notes of Jennifer Orozco, thank you.

BE IT REMEMBERED THAT the Crook County Court met in a Special Session - County Court meeting on April 10, 2020, at 11:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 97754. In attendance in person were: County Judge Seth Crawford; County Commissioner Jerry Brummer; County Commissioner Brian Barney; County Counsel Eric Blaine; and Assistant County Counsel John Eisler; Colleen Ferguson, County Court Secretary; IT Director Troy Poncin, Juvenile Director Debbie Patterson; HR Director Kim Barber; Keity Crismon, HR and by phone: Public Health Director Muriel DelaVergne-Brown; Buzzy Nielsen, County Library Director; Wade Whiting, District Attorney; Shannon Dearth, Veterans Service Officer; Levi Roberts, GIS; Sandy Cohen, Bowman Museum Director; Tim Deboodt, Natural Resources Director; Janet Pritiskutch, Finance Officer; and County Treasurer Debbie Palmer.

The media was provided public notice of the meeting.

The purpose of the Special Meeting called today is to discuss the new federal laws that began due to the COVID-19 pandemic, the County and State Declarations of Emergency, and the new Families First Act in effect until December 31, 2020. The Act provides that covered employers must provide up to 80 hours of paid sick leave at the employee's regular rate of pay if the employee is quarantined pursuant to a doctor's advice or federal, state, or local order, or having COVID symptoms and seeking a medical diagnosis. Two weeks (80 hours) of sick leave must pay two-thirds the employee's regular rate of pay if the employee is unable to work due to caring for a family member subject to quarantine, or a child whose school or childcare provider is closed for reasons related to COVID. If the employee has worked for the County for at least 30 days, the County must provide up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay.

The policy affects County resources and sustainability to meet State and Federal requirements. Discussion held regarding the policies, Finance's role in accountability, and the timeline to adopt, the laws put in place on March 16. Discussion was held regarding qualifications for the Act, exhausted time off banks, exhausted sick leave and vacation, and the absolute cap on the number of hours allowable and available. These decisions need to be made as soon as possible as people need to have the information to submit timecards. No one has exceeded the accrued amount yet. Several scenarios were discussed regarding part-time people and full-time employees with exhausted sick leave banks and what they can expect through the Families First Act. Requests for donated time were discussed. In order to qualify for the donations, an employee must be on FMLA.

Judge Crawford questioned if the County knew why each person was staying home or working from home. Is it because of school leave, extended FMLA or OFLA, a displaced worker due to COVID 19, self or family, and if the children are displaced and there is no daycare open or allowed during the pandemic. Discussion was held regarding borrowing on sick time banks or if that would be creating a financial burden when the employees return to work. That could add up quickly and could become an issue. Commissioner Brummer said the County does not want the employees to have a debt to pay back when people return to work.

Other options were discussed to take care of the employees. Ms. Barber spoke to the extra unemployment benefits the government is offering, and noted it is scheduled to expire July 31, 2020. The County benefit package will continue for the employees with no interruption. Ms. Barber reported that the State has eliminated the waiting week for unemployment. Library Director Buzzy Nielsen asked if there was a chance to "leave share." Judge Crawford advised that the County is trying to have people retain their hours. Mr. Nielsen relayed that the wait time for unemployment processing that is very long making it hard for a wage earner to support their family, especially if both wage earners have lost their employment.

Commissioner Brummer believes it is up to the employees to apply for State and Federal assistance and retain their sick time. The HR Department can assist employees in figuring out what to apply for in their certain circumstance, and can help interpret the State and Federal programs. Jan Pritiskutch, Finance, suggested the County not allow employees to borrow their time, and to use the Families First Act remedies initially. Ms. Pritiskutch and payroll will track the time used in conjunction with the Act. Commissioner Barney suggested giving HR a list of the employees using the Families First program and HR will contact the employee regarding hours. It is very important that Department Heads keep in communications with HR and vice versa. Ms. Pritiskutch and Judge Crawford will craft the language of the message to go out on April 20th.

Mr. Blaine stated that when the Court has made a motion on these matters, the message will be sent to the Department Heads regarding the Court's decision, and they will share with the employees without a lot of details about the Act. If the employees have questions about the Act, they may contact HR. Commissioner Barney questioned the utilization and qualification for use of the program. Mr. Barber answered that all employees qualify, but no one has utilized the program to date.

MOTION:

Commissioner Barney moved and Commissioner Brummer seconded that for purposes of the COVID-19 pandemic, the County will suspend the March 16 policy as of April 13, utilize the Families First legislation for benefit of the County employees. Vote was 3-0, motion carried.

MOTION:

Commissioner Barney amended the motion to suspend the March 16 policy as of April 1, 2020. Commissioner Brummer seconded the motion. Vote was 3-0, motion carried.

There being no further discussion, Judge Crawford adjourned the Court Special Session.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson
Crook County Court Secretary

BE IT REMEMBERED THAT the Crook County Court met in a regularly scheduled Work Session on April 21, 2020 at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 97754. 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. Members of public and Department Heads: Juvenile Director Debra Patterson; Ann Beier, Community Development Director; IT Director Troy Poncin; Jon Soliz, County Assessor; John Gautney, County Sheriff; Buzzy Nielsen, Library Director; Debbie Palmer, Treasurer; Janet Pritiskutch, Finance; Muriel Delavergne-Brown, Public Health Director; Tim Deboodt, Natural Resources; Katie McDonald, County Planner; and Stephanie Wilson, Sheriff's Office.

COVID-19 Weekly Update

Muriel DeLaVergne-Brown provided the weekly update on COVID-19 virus. The County has just one known positive case so far. Discussion of the criteria to apply for Phase I. The hospital will have to sign off on the application to go to Phase I, along with 3 letters in support. Ms. DeLaVergne-Brown's recent conversation with the tri-counties discussed the limited opening of businesses and other facilities. PPE will be provided to the hospital and first responders first. If a COVID-19 case is here and needs hospitalization, they will be transferred to Bend. The County has enough tests available and temporary OHA employees are assisting in the process. The County's Reopening Plan will be submitted to the Governor today with a reopening goal date of May 4, 2020. Discussion held regarding testing follow-up, contact tracing, quarantine and isolation during the contact tracing. State will assist with contract tracing if needed. If Crook County is approved to open into Phase I but Deschutes or Jefferson are not, Crook will have to wait due to the tri-counties being viewed as a region. Discussion held that people are not removed from the active cases list after recovery, and that the state will monitor patients if there is an increase. Due to Public Health losing 50,000 positions in the last ten years but the 3 counties are working as a group so are doing pretty well. The Court thanked the Health Department for all their hard work in keeping our community safe.

Community Development Fee Update Request

Ann Beier, Community Development Director, presented the fee updates for the department. Planner Katie McDonald gathered information regarding other counties fees for comparison and it was determined, the request if a 5% increase to recapture costs for employees, mailing, fee, and combining the fees. There are also Acela and credit card charges of 2.5 percent. Discussion was held on planning and on-site increases to try to cover costs. All fees have been reviewed, county to county. These fee increases presented today will accurately reflect costs, and the next step will be the tracking of fee changes. This will take one Public Hearing on the fees. The County Court meeting is scheduled for May 6. The fee schedule is sequenced well through the system and fees have been combined. From now on, they will do 'across the board' percentage changes. Discussion was held regarding fees predicted on actual costs and time, based on Crook County needs, not the needs of other counties. Another time-consuming task that must be considered is the preparation time for the Planning Commission meetings.

State Executive Order #20-16

Assistant County Counsel John Eisler presented Executive Order 20-16 from the Governor's Office. This order pertains to local government and public meetings. Directives included any public meetings to be virtual, removing the physical space restriction, and these can be on-line. Testimony is to be taken as written or by email. The budget process should be the same as public meetings. The local requirement for the budget is July 1, and the deadline has now been extended. Regarding post email comments, Mr. Blaine said written review must be in a timely manner as long as it is a public body. Discussion was held

regarding the IT department receiving a lot of inquiries and questions. All those matters are to be routed to Administration. Discussion was held regarding Chat and email, tracing, general mail that goes into the help desk is now going to general emails, and now routing as it should be. There is a contact list for department heads. Discussion was held regarding setting up an agenda list for emails. Discussion was held regarding nasty emails being received. Options were discussed. For the meetings, remain status quo.

Office Access Procedure Changes

Discussion was held regarding the Assessor and Treasurer/Finance building security, safety, plans for accepting tax payments, etc., to maintain a safe and secure area for employees as well as the public. Hours for walk-ins, appointments and number of people allowed in the building for tax payments etc., signs to be posted with options for contacting the departments, and the costs that will be billed as emergency due to COVID-19 were all discussed at length.

Judge Crawford adjourned the Court into Executive Session under 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: 10:10 a.m.

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

Discussion regarding a proposed solar project and the interconnection agreement with the Power company as well as City charges, escalation charges, and figures to be based on power and CPI.

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

OPEN:

The Executive Session was an update only, no decisions or motions required.

There being no further matters for discussion before the Court at this time in Work Session, Judge Crawford adjourned the Work Session.

ADDITION: Helibase Update

Commissioner Barney discussed the phone service to be provided by the County at the Helibase. IT Director Troy Poncin stated the County got a good deal with Century Link for the 300-foot Copper and Fiber run to amount to \$15,000. The County will have to pay for some of the costs for the phone service as it will provide service for the subdivision at the Airport and includes the Forest Service.

Commissioner Barney believes the Airport may be able to reimburse the County at a time in the future. Mr. Poncin explained that quotes were secured but the construction costs were not included. The Court thanked Mr. Poncin for all his help with the finalization of this step of the Helibase.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson, Crook County Court Secretary

BE IT REMEMBERED THAT the Crook County Court met in a Work Session of the Crook County Court on April 28, 2020, at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 97754. This meeting was held in person and via WebEx. In attendance in person and by phone were: County Judge Seth Crawford; County Commissioner Jerry Brummer; County Commissioner Brian Barney; County Counsel Eric Blaine; Assistant County Counsel John Eisler; Colleen Ferguson, County Court Secretary; Casey Daly, Fairgrounds Manager; Muriel DeLaVergne-Brown, Public Health Director; Debbie Palmer, Treasurer; Wade Whiting, District Attorney; Jeremy Thamert, Facilities Manager; Bob O'Neal, County Roadmaster; Shannon Dearth, Veterans Service Officer; Janet Pritiskutch, Finance; Andy Parks, Consultant; Cheryl Seely, County Clerk; Shelly Phillips, Haylee Crow, Kirsten Velle and Laura Franzen, DA Office; County Sheriff John Gautney; County Assessor Jon Soliz; Ann Beier, Planning Director; Buzzy Nielsen, Library Director; Kim Barber, HR Director; Deb Patterson, Juvenile Director; Rich Alm, WHA Insurance; and Troy Poncin, IT Director.

Judge Crawford opened the Work Session.

COVID-19 Weekly Update

County Health Director Muriel DeLaVergne-Brown presented the County COVID update. There have been no additional reported cases in Crook County out of 153 tests with 1 positive; Jefferson County has 6 positive cases. The State is working on the reopening Phase I of the counties. Ms. DeLaVergne-Brown is writing the reopening statement for Crook County based on the requirements of the State. She reported that now there is increased testing available.

Budget Update

Andy Parks provided an overview of the memo from the Finance Office summarizing the current situation of the County budget. The budget team met with each department to discuss the level of impact on revenue and expenditures that COVID-19 may have including staff reduction short term, and the difficulty of employees returning to work before a vaccine is in place. Discussion held regarding additional deaths in Oregon and the flattening of the curve based on the public following the State guidelines of social distancing and masks. Discussion was also held on COVID cases prior to December 2019 and the data that is showing a decline in the number of hospitalization and cases. The Governor has executed a Stay at Home order through mid-May along with other restrictions, some going beyond May.

General Fund—Information was provided regarding the transient room tax, the unknowns, the uncertainty with Crook County Community Development, the 20-21 taxing, and the Road department funding that may lesson as restrictions are removed. Discussion was held on the gas tax impact with less use of vehicles due to the virus. The Fairgrounds will need \$250,000 through the 1st quarter of the year due to cancellation of events because of COVID-19. Negative fund balance exists now and requires assistance from the General Fund or Rainy-Day fund. Staff is working on some kind of a Fair. Grants, 2021 reductions, May forecasts and the increased activities at the Landfill were discussed. The FAA Airport grant will be 100% funded.

The first step to be taken regarding the loss of revenue is the imminent implementation of furloughs and certain operations at the Fairground and Library. Immediate changes in operations were discussed, unemployment benefits and the additional \$600 of stimulus benefits for employees furloughed will expire July 2020. The Court discussed the Fairgrounds, Library and District Attorney's office scaling back significantly by being closed to the public. HR Kim Barber and Judge Crawford have had contact with all departments that are anticipating operation changes. Implementing the furloughing process county-wide

may be necessary. Discussion was held regarding a cost reduction of one unpaid employee furloughed for every three employees. An emergency plan is needed now for the Fairgrounds with its negative balance and limited anticipated revenue for the year to be sustainable. Downsizing employees at the Library would be a \$44,500 salary savings and a \$13,800 salary saving at the Fairgrounds. The County will continue to pay medical. The Court is waiting on clarification of the 401k contributions that may be suspended. The contributions currently are \$335 per month per employee, so this would result in a \$62,000 savings for 2020 and \$65,00 FY2020-2021. Additional proposals were discussed that could eventually result in some extra savings, the internal cost recovery plan, and the final draft of the budget due the first week of May.

Budget Board meetings will be rescheduled to May 26, 27, 28 or June 2, 3 and 4 with the County adoption of the budget scheduled in late June. Commissioner Brummer and Commissioner Barney both requested time to look at the overall summary of the information provided.

Library Director Buzzy Nielson advised the Court that the Library is not closed. Staff is still doing a lot of work. Ms. DeLaVergne-Brown said that the Health Department is also still serving clients. If the staff is reduced in the Health Department, grant funding would be lost. The Department has to be very careful not to underfund.

Commissioner Brummer advised the Court that the additional \$600 in federal stimulus ends July 31. People who are eligible for unemployment can receive the additional \$600 per week. If only a single furlough per quarter, the County cannot reimburse. Mr. Parks advised the Court that the County has a solid rainy-day fund, and recommended continuing the discussion in anticipation of the governor's direction.

Discussion was held regarding options, information, and the plan expected next week for the re-opening of the County. Management will be working at reopening at following the guidelines. Mr. Nielsen said he will send over his plans for the Library moving forward. Commissioner Brummer and Commissioner Barney discussed getting on with the furlough process so this will help in the future. It is a tough decision but will look forward to when employees can come back to work.

WHA Insurance

HR Keity Crismon introduced Rich Alm, WHA Insurance, to talk about open enrollment, three changes that include the dental plan change, change of the carrier for the optional savings plans, and addition of the HSA Account at no additional cost to the County. These savings are tax free.

Mr. Alum presented information on the dental program. The cap amount available is still \$1,500, but now the preventative can be done and not come out of the \$1,500. This is a 1.08 percent savings for the County totaling \$8,000 and a larger section of dentists are enrolled. Ms. Barber reported that employees met with Rich from WHA to discuss the current dental options available, and the majority of the staff wanted to move to the MODA program. Mr. Alum discussed the change of putting all the extra FSA, HRA, VEBA and Flex spending under one program and simplifying this for the employees as well as for HR and Payroll. The flexible spending allows for a \$500 roll over. This will cause a 90-day period delay for moving to the new carrier.

Mr. Alm summarized the changes. The HSA addition will be added at no additional charge to the County. Dental will move to MODA with an \$8,000 savings, and BPA administrators will now have all the extra savings/medical accounts under one umbrella instead of some under BPA and others under PacificSource. Treasurer Debbie Palmer will talk about this tomorrow at County Court.

COIC Loan Program

Commissioner Brummer presented information regarding a long-term loan program that COIC is working on that will have funding provided and a match from Crook County for loans to be used in Crook County by Crook County residents. There would be a 2 percent interest, no payment the first 6 months, and the second 6 months would be interest only. This would help businesses with restocking. Commissioner Barney would like to know more about this tomorrow. The Jefferson County account is for \$70,000. Crook County can make their amount anything they would like. COIC will administer the program. Commissioner Brummer will forward the information on to the other Court members and Debbie Palmer. Later more discussion will be held prior to a decision.

At this time, Judge Crawford adjourned the Court out of Open Work Session and into Executive Session under ORS 192.660(2)(e) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property and 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)(e) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property

Matter discussed regarding the extension of a current 25-year lease of County property for a solar project with equipment that has a useful life of 30 to 40 years.

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.

Matter discussed regarding payments from PacificSource for Mental Health services per agreement regarding capitation.

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.

Discussion regarding imputed income and tax, 401k, domestic partnerships, policy regarding net pay, cash contributions and IRS policy language

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.

Matter regarding an expected Tort Claim notice having to do with the arrest of a person.

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

OPEN WORK SESSION

ORD 192.660(2)(e)

MOTION:

Commissioner Brummer moved and Commissioner Barney seconded to direct staff to correspond with County party as discussed in Executive Session. Vote was 3-0, motion carried.

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.

No motion was required for two of the matters discussed under ORS.192.660(2)(h) as they were updates. One of the items required a motion.

MOTION:

Commissioner Brummer moved and Commissioner Barney seconded to direct staff to prepare a policy on imputed income for consideration at tomorrow's County Court meeting. Vote was 3-0, motion carried.

With no further business before the Court at this time in Work Session, Judge Crawford adjourned the meeting at 10:55 a.m.

Respectfully Submitted,

Colleen Ferguson
Colleen Ferguson, Crook County Court Secretary

Crook County Legal Counsel

Mailing: 300 NE Third St., Rm 10, Prineville, OR 97754 • Phone: 541-416-3919
Physical: 267 NE 2nd St., Ste 200, Prineville, OR 97754 • Fax: 541-447-6705



MEMO

TO: Crook County Court

FROM: John Eisler, Assistant County Counsel

DATE: August 26, 2020

RE: *HVAC Maintenance Extension with Apollo Engineering*
Our File No.: Sheriff 182(22)

Enclosed is a one-year extension to our professional services contract with Apollo Engineering for HVAC maintenance at the Crook County Jail. This extension alters the agreement in the following ways:

- Quarterly pre-filter replacements are included;
- There are numerous additional obligations for Apollo to communicate, document the work performed, and allow a County employee to shadow/train during visits; and
- The price is higher, which is mainly a result of the pre-filters being included in the price.

Apollo's performance the past year, at least as far as communication and documentation go, was subpar. Jeremy Thamert has had extensive discussions with them and received various assurances from Apollo that they will do better. This extension will make Apollo contractually obligated to those assurances. The goal is for the County employee who shadows Apollo to perform the work in-house following this year. This extension is effective as of the date the original agreement terminated, which was the beginning of August.

Please place this memo and the attached document(s) on the Wednesday, September 2, 2020 County Court Agenda as a CONSENT ITEM, for approval and signatures.

EXTENSION TO PROFESSIONAL SERVICES CONTRACT

This Extension to Professional Services Contract ("Extension Agreement") is entered into effective August 1, 2020, by and between Crook County, a political subdivision of the State of Oregon (hereinafter "County"), and Apollo Mechanical Contractors, Inc., (hereinafter "Contractor").

RECITALS

WHEREAS, on July 17, 2019, County and Contractor entered into a Professional Services Contract for Crook County Jail HVAC maintenance services (the "Agreement"); and

WHEREAS, the Agreement is set to expire on July 31, 2020; and

WHEREAS, County and Contractor desire to extend the term of the Agreement an additional year.

AGREEMENT

NOW, THEREFORE, in consideration of the promises set forth herein, the parties to this Extension Agreement agree as follows:

1. Term. Paragraph number 2 of the Contract is hereby amended to extend the duration of the Contract through July 31, 2021 unless terminated or extended according to the provisions of the Agreement.
2. Scope of Services. Paragraph number 3 and Exhibit F are hereby amended by the attached Exhibit F.
3. Fee for Services. The fee for services identified in Exhibit F for the period of this Extension Agreement shall be Nineteen Thousand Eight Hundred Eighty-Eight and no/100 Dollars (\$19,888.00)
4. Reaffirmation of Agreement. Except as modified by this Extension Agreement, all terms and conditions of the Agreement are reaffirmed and remain unmodified and in full force and effect.
3. Counterparts. This Extension Agreement may be executed in one or more counterparts, including electronically transmitted counterparts, which when taken together shall constitute one in the same instrument. Facsimiles and electronic transmittals of the signed document shall be binding as though they were an original of such signed document.

In witness whereof, the parties have hereunto affixed their hands and seals the date first hereinabove written.

For Contractor:

Apollo Mechanical Contractors, Inc.

By: _____
Signature

Print Name

Its: _____

Date _____

For County:

CROOK COUNTY COURT

Seth Crawford, County Judge
Date: _____

Jerry Brummer, County Commissioner
Date: _____

Brian Barney, County Commissioner
Date: _____

Exhibit F Scope of Services

- A. Contractor shall service all HVAC equipment at the Crook County Jail. All maintenance shall be done in accordance with manufacturers' recommendations and industry standard practices. Contractor to provide all maintenance materials (including filters, belts, gaskets, O-rings, igniters, etc.) and labor required to maintain HVAC equipment in optimal operating condition. Contractor will meet or exceed all preventative maintenance schedules to maintain warranty requirements for installed HVAC equipment.
- B. The equipment to be serviced includes:
- 32 TUs
 - 10 RTUs (including annual filter replacement)
 - 8 unit heaters
 - 5 LG ductless spit systems
 - 2 boilers
 - 2 hot water heaters
 - 1 booster skid
 - 2 hot water pumps with VFDs
 - 25 exhaust fans
- C. The equipment to be provided includes:
- Furnish and install MERV-8 pre-filter replacements on 10 RTUs quarterly
 - Gaskets, O-rings, igniters, etc. required for boiler maintenance
- D. Additional work: Contractor will identify if BMS alarms exist and address with client as needed.
- E. Exclusions: Overtime labor and repairs. Contractor will provide detailed proposals for repairs if needed.
- F. Procedure: Contractor will notify Facilities Manager, Jeremy Thamert, at 541-447-1029 or 541-403-2265 (cell) to schedule Contractor's maintenance visit. County may provide an employee to shadow Contractor during the maintenance visit. Contractor will provide detailed work orders following each maintenance visit, describing the work that was completed and photo documentation to support said work.



Crook County
Community Development Department - Planning Division
300 NE 3rd Street, Room 12
Prineville, OR 97754
(541)447-3211
plan@co.crook.or.us
<https://co.crook.or.us/>

August 19, 2020

Crook County Planning Commission Code Amendments

Background: Crook County staff identified code language to be edited for better clarification, understanding, update to align with changes made at the State level, and help in administering the County's land use program.

The code cleanup will accomplish the following:

- Bring zoning ordinances into compliance with current State statutes and regulations.
- Provide clear and objective application criteria within the zoning ordinance to provide for greater understanding of requirements
- Allow for local flexibility in interpreting code language
- Edit code language that is incorrect
- Remove references to outdated or removed sections

Proposed Amendments: See Track Changes

Attachment A: Code Clean Up 18.132 – list of updated references

Title 17 - Subdivisions

17.36.020 Road Standards (3)

(3) Minimum Right-of-Way and Roadway Width. Roads shall be constructed according to the standards and specifications set forth in this title, ~~including Chapter 17.56 CCC.~~

Roads to be constructed within the urban growth boundary shall be constructed in compliance with the applicable city street improvement standards and specifications.

Title 18 – Zoning

18.08 – Definitions

18.08.010 A Definitions

~~“Accessory structure” means a detached structure, the use of which is customarily incidental to that of the primary structure or the primary use of the land and which is located on the same lot or parcel as the primary structure or use, and for which the owner files a restrictive covenant in the deed records of the county agreeing that the accessory structure will not be used as a residence or rental unit.~~

“Accessory use” or “Accessory structure” means a use or structure incidental and subordinate to the main use of the primary structure or the primary use of the property and which is located on

the same parcel as the primary use.

18.08.060 F Definitions

"Farm use" means the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, furbearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. "Farm use" includes the preparation and storage of the products raised on such land for human use and animal use and disposal by marketing or otherwise. "Farm use" also includes the current employment of land for the primary purpose of obtaining a profit in money by stabling or training equines including but not limited to providing riding lessons, training clinics, and schooling shows. "Farm use" also includes the propagation, cultivation, maintenance and harvesting of aquatic species, and bird and animal species that are under the jurisdiction of the State Fish and Wildlife Commission, to the extent allowed by the rules adopted by the Commission. "Farm use" includes the on-site construction and maintenance of equipment and facilities used for the activities described in this definition. ~~It does not include the use of land subject to the provisions of Chapter 321 ORS, except land used exclusively for growing cultured Christmas trees as defined in ORS 215.203(3) or land described in ORS 321.267(1)(e). It does not include the use of land subject to the provisions of ORS chapter 321, except land used exclusively for growing cultured Christmas trees or land described in ORS 321.267 (3) or 321.824 (3).~~

18.08.080 H Definitions

~~"Height of building" means the vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the center height between the highest and lowest points on other types of roofs.~~

"Height of building" means the vertical distance from the average of the finished grade adjacent to the building walls to the average height of the highest roof surface.

~~"Home occupation" means any lawful occupation carried on by a resident of a dwelling as an accessory use within the same dwelling, or in an accessory building, as allowed in the zone, and employing no more than one full-time employee other than members of the immediate family. In exclusive farm use zones on parcels greater than 20 acres, no more than five full-time or full-time equivalent persons may be employed. (Ord. 309 § 1 (Exh. B), 2019)~~

"Home Occupation" means an occupation carried on within a dwelling and/or a residential accessory structure by a resident or employees depending on type pursuant to Crook County Code 18.160 and is secondary to the residential use of the dwelling and/or the residential accessory structure.

18.08.130 M Definitions

~~"Medical hardship" means a temporary circumstance caused by serious illness or infirmity, authorized by a licensed medical practitioner (medical doctor, physician assistant or nurse practitioner).~~

18.08.140 N Definitions

~~“New construction” means any structure for which the “start of construction” commenced on or after the effective date of the ordinance codified in this title.~~

~~“Nonconforming structure or use” means a lawful existing structure or use at the time the ordinance codified in this title or any amendment thereof becomes effective, which does not conform to the requirements of the zone in which it is located~~

“Nonconforming structure or use” means a structure or use that was lawfully created or established, but which does not conform to current zoning regulations.

18.16 Exclusive Farm Use Zones, EFU-1 (Post-Paulina Area), EFU-2 (Prineville Valley-Lone Pine Areas), and EFU-3 (Powell Butte Area)

18.16.010 Use Table

<u>1.4</u>	A facility for the processing of farm products with a processing area of less than 2,500 square feet.	<u>A</u>		
1.45	Agricultural buildings customarily provided in conjunction with farm use.	STS	Administrative	
1.56	Creation of, restoration of, or enhancement of wetlands.	STS	Administrative	
1.67	A facility for the processing of farm crops, biofuel or poultry. <u>A facility for the processing of farm products with a processing area of at least 2,500 square feet but less than 10,000 square feet.</u>	STS	Notice and Opportunity for Hearing	18.16.015 (1)
1.78	A facility for the primary processing of forest products.	C	Planning Commission Hearing	18.16.015 (2)

18.16.015 Use Standards

(1) A farm on which a processing facility is located must provide at least one-quarter of the farm crops processed at the facility. A farm may also be used for an establishment for the slaughter, processing or selling of poultry or poultry products pursuant to ORS 603.038. If a building is established or used for the processing facility or establishment, ~~the farm operator may not devote more than 10,000 square feet of floor area to the processing facility or establishment~~with a processing area of at least 2,500 square feet but less than 10,000 square feet, exclusive of the floor area designated for preparation, storage or other farm use. A processing facility or establishment must comply with all applicable siting standards, but the standards may not be applied in a manner that prohibits the siting of the processing facility or establishment. A county may not approve any division of a lot or parcel that separates a processing facility or establishment from the farm operation on which it is located.

8) A guest ranch must comply with the following provisions:

(a) Definitions.

- (i) "Guest lodging unit" means a guest room in a lodge, bunkhouse, cottage or cabin used only for transient overnight lodging and not for a permanent residence.**
- (ii) "Guest ranch" means a facility for guest lodging units, passive recreational activities described in subsection (8)(f) of this section and food services described in subsection (8)(g) of this section that are incidental and accessory to an existing and continuing livestock operation that qualifies as a farm use.**
- (iii) "Livestock" means cattle, sheep, horses and bison.**

(b) A guest ranch may be established unless the proposed site of the guest ranch is within the boundaries of or surrounded by:

- (i) A federally designated wilderness area or a wilderness study area;**
- (ii) A federally designated wildlife refuge;**
- (iii) A federally designated area of critical environmental concern; or**
- (iv) An area established by an Act of Congress for the protection of scenic or ecological resources.**

(c) The guest ranch must be located on a lawfully established unit of land that:

- (i) Is at least 160 acres;**
- (ii) Contains the dwelling of the individual conducting the livestock operation; and**
- (iii) Is not high-value farmland.**

(d) Except as provided in subsection (8)(e) of this section, the guest lodging units of the guest ranch cumulatively must:

- (i) Include not fewer than four nor more than 10 overnight guest lodging units; and**
- (ii) Not exceed a total of 12,000 square feet in floor area, not counting the floor area of a lodge that is dedicated to kitchen area, restrooms, storage or other shared or common indoor space.**

(e) For every increment of 160 acres that the lawfully established unit of land on which the guest ranch is located exceeds the minimum 160-acre requirement described in subsection (8)(c) of this section, up to five additional overnight guest lodging units not exceeding a total of 6,000 square feet of floor area may be included in the guest ranch for a total of not more than 25 guest lodging units and 30,000 square feet of floor area.

(f) A guest ranch may provide passive recreational activities that can be provided in conjunction with the livestock operation's natural setting including, but not limited to, hunting, fishing, hiking, biking, horseback riding, camping and swimming. A guest ranch may not provide intensively developed recreational facilities, including golf courses as identified in ORS 215.283.

(g) A guest ranch may provide food services only for guests of the guest ranch, individuals accompanying the guests and individuals attending a special event at the guest ranch. The cost of meals, if any, may be included in the fee to visit or stay at the guest ranch. A guest ranch may not sell individual meals to an individual who is not a guest of the guest ranch, an individual accompanying a guest or an individual attending a special event at the guest ranch.

(h) The governing body of a county or its designee may not allow a guest ranch in conjunction with:

- (i) A campground.**
- (ii) A golf course.**

(i) The governing body of a county or its designee may not approve a proposed division of land:

(i) For a guest ranch; or

(ii) To separate the guest ranch from the dwelling of the individual conducting the livestock operation.

(j) A guest ranch that is authorized by a county under this section on or after January 1, 2020, shall annually report to the county. Counties shall make available to the public, upon request, reports collected from guest ranches under this subsection. The report must contain:

(a) The size of the guest ranch's livestock operation;

(b) The income that the guest ranch obtained from:

(A) Livestock operations; and

(B) Guest ranch activities; and

(c) Other information the county may require to ensure ongoing compliance with this section or any condition of approval required by the county.

18.28 Forest Zone, F-1

18.28.030 Fire-siting standards for dwellings and structures.

(4) The dwelling shall have a fire-resistant roof, subject to Oregon Specialty Structural Code.

18.36 Park Reserve Zone, P-R

18.36.010 Uses permitted outright.

(4) Single-family dwelling, including a manufactured dwelling in compliance with CCC 18.132.040, located within Juniper Hills, Jasper Knolls or Bottero Park subdivisions, and Indian Rock Planned Unit Development.

18.44 Recreation Residential Zone, RR-1 & RR-5

18.44.020 Conditional uses permitted.

~~**(2) Mobile home as a single family dwelling on an individual lot not permitted by CCC 18.44.010(1), subject to the requirements set forth in CCC 18.132.050.**~~

18.80 Rural Aviation Community Zone, RAC

18.80.080 Lot size.

In the RAC zone, any new residential lot or parcel shall have an area of at least 10 acres; except as may be provided in a Planned Unit Development approval.

18.88 Rural Residential Zone (R-5)

18.88.070 Site plan.

~~A site development plan shall be submitted by the applicant with applicable fees to the planning department for review for all uses allowed by CCC 18.88.010. All noncommercial uses greater than 1,000 square feet and all dwellings are subject to this requirement. The planning department shall review the site development plan for compliance to the zoning standards of this~~

~~chapter. (Ord. 18-5-3.180(7), 2003)~~

18.92 Rural Residential Zone (R-10).

18.92.005 Purpose

The rural residential, R-10 zone is intended to provide for low-density rural home sites that have a minimum parcel size of 10 acres. ~~The zone is to apply to the property described as T14S, R15E-WM, Section 11C, tax lots 3100 and 3200.~~

18.92.070 Site plan review.

~~For all uses allowed by CCC 18.92.010, the uses are subject to this subsection. Before a new building or use may be constructed, a site development plan shall be submitted to the planning department for approval. The planning department shall review for compliance to the zoning standards of this chapter. (Ord. 18-5-3.181(7), 2003)~~

18.96 Recreation FR-10

18.96.050 Building requirements.

(2) Dwellings and accessory structures shall be constructed and located in a manner as prescribed in ~~the pamphlet "Planning for Survival – How to Protect Your Home from Wildfire."~~ the Crook County Fire Ready handbook.

18.132 Manufactured Dwellings

During the last update to the Manufactured Dwelling section, there were quite a few references in other areas of the code that needed to be updated as well. (See Attachment B)

18.144 Aggregate Resource Sites

18.144.020 Application.

The provisions of this chapter apply only to aggregate and mineral resource uses permitted subject to ~~site plan~~ Conditional use review under the ~~EFU-1, EFU-2, EFU-3~~ Exclusive Farm Use (EFU) and Forest (F1) zones.

18.160 Conditional Uses

18.160.060 Procedure for taking action on conditional use application.

~~—— (1) A property owner may initiate a request for a conditional use by filing an application with the planning department, using forms prescribed pursuant to CCC 18.172.040.~~

~~—— (2) Before the planning commission may act on a conditional use application, it shall hold a public hearing thereon, following procedure as established in CCC 18.172.081.~~

~~—— (3) Within five days after a decision has been rendered with reference to a conditional use application, the planning director shall provide the applicant with written notice of the decision of the planning director or planning commission and shall provide all parties of record with notice of the decision.~~

See Crook County code Chapter 18.172 for the procedure for taking action on a conditional use application.

18.172 Administrative Provisions

18.172.060 Director Decisions

(1) Administrative Decisions.

(a) Subject to ORS 215.416(11), the director shall have the authority to make an administrative determination on a land use application as set forth in specific zones in this title.

(b) After receiving a complete application for an administrative determination, the director shall make a determination and, if approved, issue a permit to the applicant in accordance with the requirements of ORS 215.427.

(c) The director shall cause a written notice of administrative determination and of the appeal procedure to be given to the applicant and to those persons who would have had a right to notice under this title if a hearing had been scheduled or who are adversely affected or aggrieved by the administrative determination. Such notice shall be given in accordance with the requirements of ORS 215.416(~~1011~~).

18.172.080 Members of the planning commission.

(h) A member's term of appointment may be terminated by the county court, after a ~~determination that hearing, if he or she~~the member is absent has unexcused absences from 20 percent or more of the scheduled commission meetings or if ~~he or she~~they exhibits personal or business conduct which raises questions concerning ~~his or her~~their bias or objectivity in fulfilling the duties of a commissioner.

18.172.110 Appeals

(1) Every land use decision relating to the provisions of this title made by the planning commission, hearing officer or other official of Crook County is subject to review when appealed within 12 calendar days of the date the decision was ~~final~~mailed in accordance with state statutes and the following provisions.

(10)(a)

(10) Notice and Hearing of the Appeal.

~~(a) Where practicable, the director shall place the appeal on the agenda for the next regularly scheduled appellate body's hearing in order to determine whether or not the appeal has been properly filed.~~

~~(ia)~~ If the ~~appellate body~~director determines that the facts stated in the notice of appeal meet the requirement for a hearing, ~~it a time and date shall be set shall set a time~~ for such hearing to be held

not later than 60 calendar days after receipt of the notice of appeal.

(~~ib~~) If ~~the appellate body determines to~~ the appeal is dismissed ~~dismiss the appeal, it~~, the reasons ~~will be provided in writing must state in writing the reasons~~ how the application has not met the requirements for an appeal. Upon dismissal, the appealed decision is final.

(~~b~~c) If the appellate body is the county court, the county court may order the appeal sent directly to the Land Use Board of Appeals as the final decision of the county without an appeal hearing.

(~~b~~d) At least 10 calendar days prior to the hearing, the hearing authority shall give notice of time, place and the particular nature of the appeal. Notice shall be published in the newspaper and be sent by mail to the appellant(s), to the applicant (if different) and those persons who testified at the subject hearing where a hearing was held and affected parties in accordance with this section.

Attachment A: 18.132 Code Amendments

Code Location	Referenced Section	
18.36.010(4)	18.132.040	(4) Single-family dwelling, including a manufactured dwelling in compliance with CCC 18.132.040 , <u>18.132.010</u> located within Juniper Hills, Jasper Knolls or Bottero Park subdivisions.
18.36.020(9)	18.132.050	(9) Single-family dwelling or vacation cabin subject to CCC <u>18.36.060</u> , including a mobile home subject to CCC 18.132.050 <u>18.132.010</u> .
18.44.010(1)	18.132.040	(1) Single-family dwelling, including a manufactured dwelling on an individual lot in compliance with CCC 18.132.040 <u>18.132.010</u> .
18.44.020(2)	18.132.050	(2) Mobile home as a single-family dwelling on an individual lot not permitted by CCC <u>18.44.010</u> (1), subject to the requirements set forth in CCC 18.132.050 <u>18.132.010</u> .
18.48.010	18.132.040 and 18.132.050	(1) Single-family dwelling, including a mobile home on an individual lot in compliance with CCC 18.132.040 <u>18.132.010</u> , or in compliance with CCC 18.132.050 if within a duly platted and approved mobile home subdivision or PUD.
18.48.080	18.132.050	Mobile homes permitted by CCC <u>18.48.020</u> (7) that are not located on a lot within a duly platted and approved mobile home subdivision or PUD shall only be approved in compliance with CCC 18.132.050 <u>18.132.010</u> .
18.52.020(13)	18.132.040	(13) Mobile home on an individual lot which is not in compliance with CCC 18.132.040 <u>18.132.010</u> and which is within 300 feet of three or more conventional residential dwelling units unless also within 200 feet of two or more mobile homes on individual lots.
18.60.010(11)	18.132.040 and 18.132.050	(11) Residential use, including manufactured dwellings on individual lots subject to CCC 18.132.040 and 18.132.050 <u>18.132.010</u> .
18.64.010(10)	18.132.040 and 18.132.050	(10) Residential use, including manufactured dwelling on individual lots subject to CCC 18.132.040 and 18.132.050 <u>18.132.010</u> .
18.80.020(1)	18.132.040	(1) Planned unit development for a minimum of five dwelling units and a maximum of 32 single-family dwellings, associated aviation hangars, airstrip, accessory uses appurtenant to permitted uses, excluding permanent mobile homes on an individual lot in compliance with CCC 18.132.040 <u>18.132.010</u> .
18.88.010(1)	18.132.040	(1) Single-family dwellings including manufactured dwellings in compliance with CCC 18.132.040 <u>18.132.010</u> .
18.92.010(1)	18.132.040	(1) Single-family dwellings including manufactured dwellings in compliance with CCC 18.132.040 <u>18.132.010</u> .
18.108.010(1)	18.132.040	(1) Single-family dwellings, including manufactured dwellings in compliance with CCC 18.132.040 <u>18.132.010</u> .

The manufactured dwelling code was changed to recognize a manufactured dwelling as a single-family dwelling. The above code changes represent the updated references to the applicable codes.

18.132.040 referred to standards where a dwelling was on outright use and 18.132.050 referred to standard where a dwelling was a conditional use. Both sections of code referred to individual lots and platted PUD's and Subdivisions.



Crook County
Community Development
 300 NE 3rd Street, Prineville, OR 97754
 (541)447-3211
plan@co.crook.or.us

Code Location	Referenced Section	
17.36 Design Standards	17.36.020(3)	Remove Reference to 17.56 as it was repealed by Ord.231
18.08 Definitions	18.08.010 A Definitions	Accessory Structure is defined twice and the recommendation is to remove the stand alone definition.
	18.08.060 F Definitions	Remove the incorrect reference in the last sentence of the Farm Use definition
	18.08.080 H Definitions	Replace Height of Building definition with a simpler definition and in line with the OR Specialty Structural Code
	18.08.080 H Definitions	Replace Home Occupation definition with updated version from last code update
	18.08.130 M Definitions	Remove Medical Hardship definition as it is defined in CCC 18.16 and 18.124
	18.08.140 N Definitions	Remove New Construction as it is defined in the criteria for flood plain zone
	18.08.140 N Definitions	Revise Nonconforming structure of use for clarity
18.16 Exclusive Farm Use	18.16.010 Use Table	Add language for processing facilities up to 2500 square feet
	18.16.010 Use Table	Revise Language for processing facilities from greater than 2500 sf to 10,000 sf

	18.16.015 (1) Use Standards	Revise language for processing facilities reflecting the recent adoption of language from HB2844
	18.16.015 (8) Use Standards	Add language regarding Guest Ranch reporting
18.28 Forest Zone, F-1	18.28.030 (4)	Add language "subject to Oregon Specialty Structural Code"
18.36 Park Reserve Zone, P-R	18.36.010(4)	Add Indian Rock PUD to allow with Site Plan Review Single Family Dwellings
18.44 Recreation Residential Zone RR1 & RR5	18.44.020 Conditional Uses	Remove (2) because CCC 18.132 addresses the criteria for Manufactured Dwellings
18.80 Rural Aviation Community Zone, RAC	18.80.080 Lot Size	Adding language " Except as may be provided in a PUD approval" to allow for development on lots smaller than 10 acres
18.88 Rural Residential Zone (R-5)	18.88.070 Site Plan	Site Development Plans are required for structures regardless of size for minimum setbacks
18.92 Rural Residential Zone (R-10)	18.92.005 Purpose	Remove the reference to specific properties
18.96 Recreation FR-10	18.96.050 Building Requirements	Replace reference to "Fire Wise" with reference to Crook County Fire Ready
18.124.090 Riparian protection zone	18.124.090(1)	Remove specific reference to Class I and II, refer to streams only
18.132 Manufactured Dwellings	See Attached	Updated references throughout the code
18.144 Aggregate Resource Sites	18.144.020 Application	Remove "site plan", replace with conditional use
18.160 Conditional Use	18.160.060 Procedure	Revise to direct procedure to CCC18.172

18.172 Administrative Provisions	18.172.060 Director Decisions	Revise ORS reference	
18.172 Administrative Provisions	18.172.080 Members of the Planning Commission	Revise language to indicate unexcused absences	
18.172 Administrative Provisions	18.172.110 Appeals (1)	Add "mailed" regarding appealed time frame	
18.172 Administrative Provisions	18.172.110 Appeals(10)(a)	Revise language to remove appellant body determining if the appeal is properly filed and setting a time and date certain.	