

CROOK COUNTY WORK SESSION

Administration Conference Room
203 NE Court Street, Prineville, OR

Tuesday **March 9, 2021** at 9a.m.

Members of the public and media are welcome to attend in person with social distancing
or via Webex 1-408-418-9388; Access Code: 623 057 025
Meeting Password: zRNvGMYM286

Discussion Items

	<i>Requester's Name</i>	<i>Matter</i>	<i>Docs in Packet?</i>
1	Muriel	COVID-19 Update (if any)	
2	Heather Stuart Nadia LeMay	Oregon Tobacco and Alcohol Legislative Update	Y
3	Eric Klann Marvin Sumner	Ochoco Creek Park Basketball Court Upgrade Proposal	Y
4	Kevin Spencer	BLM Road Accessing Powell Butte	
5	Jeremy Thamert	Janatorial Services	
6	Dennis Marshall Carolee Kirkelie	Majestic View Road Variance	Y

Executive Discussion Items

	<i>Requester's Name</i>	<i>Matter</i>	<i>Docs in Packet?</i>
Exec #1		ORS 192.660(2)(e) For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions	Y

Items placed on the Work Session agenda are intended for discussion only, without making decisions or finalizing documents unless an emergency exists.

**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.*

*Requests to be placed on the Work Session agenda are
due at **5 p.m. on Thursday** before the Work Session*

March 9, 2021 Work Session Agenda Items

Oregon Tobacco and Alcohol Legislative Update

[SB 317](#) - Allows holder of full on-premises sales license to make retail sales of mixed drinks in sealed containers for off-premises consumption. Defines "mixed drink" and "sealed container."

[HB 2742](#) - Allows holder of off-premises sales license to sell factory-sealed containers of malt beverages that hold more than seven gallons

[HB 2758](#) - Requires at least two commissioners of Oregon Liquor Control Commission to have public health background.

[HB 2640](#)- *public hearing held 2/9*. Allows third party to provide alcoholic beverages for on-premises consumption at certified smoke shop.

[HB 2261](#)- No online Inhalant Delivery System (IDS) sales. Prohibits remote sales of inhalant delivery systems. Defines "inhalant delivery system." Requires tobacco retailer to obtain local license if operating in jurisdiction with local license requirement

[HB 2148](#)- Flavored tobacco sales and no online tobacco sales. Prohibits distribution or sale of flavored inhalant delivery system product or flavored tobacco product. Defines "flavored inhalant delivery system product" and "flavored tobacco product." Allows Oregon Health Authority to impose civil penalty of up to \$5,000 per violation.

[HB 3058](#)- ICAA expansion to 25 feet. Increases distance from certain parts of public places and places of employment in which person may not smoke, aerosolize, or vaporize from 10 feet to 25 feet.

[HB 2621](#)- ICAA expansion to 25 feet. For purposes of Oregon Indoor Clean Air Act, expands definition of "public place" to include common areas of commercial residential buildings and residential buildings with two or more rental units.

[SB 587](#)- Tobacco retailer licensing; *public hearing held 3/1* [HB 2071](#)- Tobacco retailer licensing

Requires Department of Revenue to issue license to qualified retailers of tobacco products and inhalant delivery systems. Allows Oregon Health Authority and local public health authorities to impose civil penalty for violation of certain state public health and safety laws related to tobacco products and inhalant delivery systems.

Heather Stuart hstuart@h.co.crook.or.us

Nadia LeMay nlemay@h.co.crook.or.us

Crook County Public Health – Prevention and Health Promotion

Ochoco Creek Park Basketball Court Upgrade Proposal

SUMMARY

By

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Project – Upgrade the Crook County Parks & Rec Ochoco Creek Park Basketball Court in total to provide a quality setting and equipment for use by all ages. The current complex consists of two full-sized side-by-side courts with an asphalt surface, four separate standards/uprights with backboards and rims/goals. In seeking the age of the court, estimates have been made by a number of Prineville residents citing that in their memories it has been existence in excess of 30 years.

Current condition of court and standards/backboards with nets -

- Surface – The asphalt (121 feet north/south x 110 feet east/west) is in fair condition considering age with proper grade to shed rain, melt or other water source. There are multiple cracks that have been crack-sealed/tar-filled over the years as preventive maintenance. The surface is compromised, but currently there aren't any tripping hazards. (See photos)
- Standards for backboards and rims/goals – The standards are not plumb on any of the four half-courts; if they are plumb left to right, they are not forward and back. Relative to rim height, one rim/goal is at regulation 10 feet; the other range between 9' 9" and 9' 10 ½". Some of the backboards are rusted, others have had the rim/goal relocated on the backboard due to wear through re-drilling mounting holes. (See photos)

The front of two rims/goals are tipped downward, the result of years of use and the attempts of some players attempting dunks – a natural and unavoidable tendency.

- Nets – The quality net is an essential piece of enjoyment in playing basketball as the net checks the flight of the ball on a made basketball. Without a net, players find themselves running down balls often off the court that sail through the rim/goal. The cable net has been the one of choice for the complex; there seems to be tendency for them to fail where cable end connections do not hold together. (See photos)
- Benches – There is a bench adjacent to the basketball court near to and facing the pathway; they are not specifically for basketball player(s) use.

Relative to the first three of the four above bullets, the lack of standard and quality are deterrents to basketball players as they sense proper rim/goal height, in addition to other failings such as out-of-plumb standards, bent rims/goals, and inadequate nets.

Proposal for New or Upgraded Facilities –

- Replace asphalt surface – Upgrading the court system with crack filling, re-sealing surface, and repainting lines would provide a temporary resolve, an estimated 5 to 7 years according to three asphalt and/or sport court providers. All sources state that in that fairly short period of time the larger cracks would reemerge with both the crack fill/seal/squeegee process or an overlay. Therefore, new asphalt, application of a sport/cushion court and new line application is recommended. To make facility multi-use it has been recommended that lines in different colors for Pickle Ball, and 4 Square be included, the 4 Square in one of the half-courts. Hopscotch was discussed to be included with 4 Square, but is not included in provider proposal; it will be revisited.
- Replace all four basketball standards with heavy duty square tubular steel type, replace all four backboards with rectangular style that is most desired by players, replace all four rims/goals with heavy duty double rimmed variety, and upgrade all nets with premium grade nylon made to provide long life despite the elements.

To encourage the participation of younger players, adjust one standard to an 8' level. It is expected through natural and normal inclination for older players to use such setups to dunk the ball; it is also known that they soon lose interest and return to the regulation 10' rims/goals. The recommended rims/goals will withstand such tests.

A summary budget in Excel format accompanies this narrative. Proposals/bids support budget numbers.

Additional features not previously a part of the basketball facilities –

- Install minimum of one bench with back rest on each the east and west ends of grass border of the courts to provide a place for players to place belongs while playing.

Other considerations at or near basketball courts -

- Drinking fountain – A fountain is near the picnic area on the north side of Ochoco Creek approximately 40 yards from the basketball facility, and it benefits the picnic area, basketball court, bike park, the adjacent horseshoe pits, volleyball court, and bocce ball court.
- Restrooms – Public restrooms are within reasonable distance of courts (approximately 80 yards), and no additional like facilities are proposed. However, an additional restroom facility would be beneficial to all of activity areas referenced in the previous bullet.
- Lighting – This is not a needed asset, but there are light standards to the pathway on the S.E. and S.W. corners of the asphalted court area. If lighting would be considered, possibly the present lighting poles could be retrofitted for additional output. Respecting the hours most desirable for the park use, natural darkness does create its own curfew.
- Garbage management – A large lidded can at the converging edges of the basketball courts and the bike park is on regular service.

Though not monitored to accurately assess, the complex does appear to have consistent usage. The usage is not only used by the public-at-large, but also by school basketball programs currently affected by the current pandemic environment. One of the great characteristics of the sport is that it can be played by person one or many. It is an excellent asset to the community, and as the community grows, likewise will the use of the facility.

Examples of crack conditions in court surfaces



Examples of standards conditions – Lack of vertical trueness or being plumb



Examples of current condition of backboards, rims/goals and nets



The image below is of the entire basketball facility in an outstanding setting, not only having beauty, but also a spacing from residential areas giving a level of privacy and quietness from the noise that can come from athletic activities.



Exhibit A

Dear Commissioners and Judge,

I am asking the Court to consider making any existing Road improvement not trigger a road to have to be built to County road standards. This is what your code reads.

17.36.010 Compliance required.

A land division, by subdivision, creation of a street or other right-of-way, or planned unit development, shall be in compliance with the design standards set forth by this title.

I live on Majestic View lane in Powell Butte. There are 8 homes here and all have approx. 40 acres each. Our road is 1-3/4 mile long and a mile of it is a BLM road which we have an access permit for. This community was created as a series of land partitions and is not a subdivision. It was done in 2001 and the plat recorded then. We have dealt with a poor road since that time. Now, several owners want to pave it and improve it. We got bids from 3 paving companies and used their recommendations as to how much base, asphalt and width. 12 feet wide with 9 turnouts, from 2 to 4 inches of base rock and 2.5 inches of compacted asphalt was recommended as sufficient from all paving companies.

We now learn from the road master that if we improve our road it has to be 24 feet wide with 6 inches of base rock and 4 inches of asphalt. I feel that this is totally unreasonable. We aren't doing any partitions or subdivisions. We only want to improve our existing road. BLM would never let us pave to that width and why would we need a 24 foot wide road for 8 homes. What constitutes an improvement? Did adding gravel and grading it trigger us to have to pay \$400,000 now for a 24 foot wide road? We all know the County isn't going to ever take this landlocked road in.

Please read my enclosed email correspondence with the road master and I will try not to duplicate it all below.

Roads all over the county are being improved every summer and that is a good thing. Less dust, better for Fire and emergency vehicles, better for all delivery and garbage companies, and just better for everyone. I know first hand that Hahlen Avenue has had at least 5 partitions done in the last year and everyone at the County signed those plats and their road is boulders and chuck holes. That road serves way more homes than ours. Yates street just got paved, aquatic view just got paved along with many more roads in the County. None to County Specs.

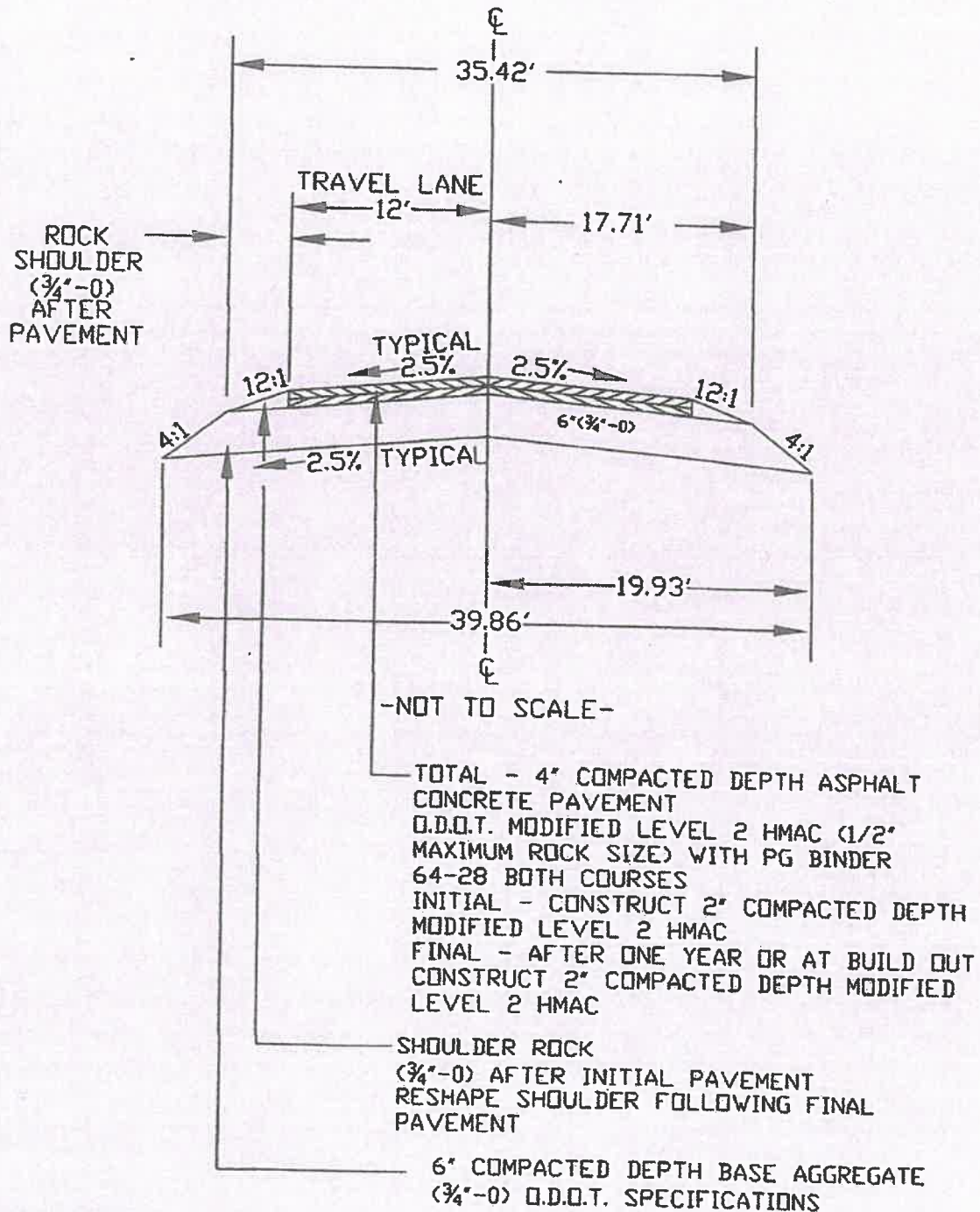
Mr O'Neal makes it sound like it is ok in his email if you don't ask permission. We can't do that. I am not just asking for permission for our road but the County needs to be consistent. They need to allow an improvement without triggering a new road. If a subdivision is created, then I agree they need to abide by the road standards. I just did that at GrandView subdivision I am building and I am fine with it. It cost me a lot but I understand it is a new development and it is alright. All these other little roads around the County should be able to be improved without consequences. Not constructed new but improved. Both Deschutes and Jefferson County could care less if private roads are improved as long as it meets County spec at tie in. That makes perfect sense. Majestic View tie in is in Deschutes County and then travels into Crook County.

In closing, I would hope you would talk to the Fire Marshal and the senior planner and get everyone's opinion instead of just asking the road master. This only makes sense and I really can't believe it hasn't already been addressed.

Thank you again for taking the time to review this and very sorry I have to be the one to bring it to the Courts attention as I know there are more important and pressing issues it has to deal with.

Sincerely,
Dennis Marshall

ROADS WITH 21-99 PADT SHALL BE BUILT
ACCORDING TO THE FOLLOWING STANDARD:



DESIGN NOTES:

1. ROCK AND COMPACTION SHALL CONFORM TO OREGON DEPARTMENT OF TRANSPORTATION (O.D.O.T.) SPECIFICATIONS.
2. PAVEMENT FILLET RADIUS AT INTERSECTIONS SHALL BE 20 FEET OR GREATER UNLESS APPROVED BY CROOK COUNTY ROAD MASTER.
3. ALL PHASES OF ROAD CONSTRUCTION SHALL BE COORDINATED WITH ROAD MASTER FOR INSPECTION AND APPROVAL.