




CROOK COUNTY WORK SESSION

**Administration Conference Room
203 NE Court Street, Prineville, OR**

Tuesday March 22, 2022 at 9 a.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: 2557 624 5694
Meeting Password: 37qgD2rbpy2**

| | Requester | Discussion Matter | Packet Docs |
|---|------------------------|--|---|
| 1 | Commissioner Barney | Congressionally Directed Spending Requests Letters of Support |  |
| 2 | Eric Blaine | Coney Hangar Lease |  |

| | Requester | Executive Discussion Matter | Packet Docs |
|---------|------------------|--|---|
| 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 | |
| Exec #2 | | ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection |  |

*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 by 5 p.m. the Thursday before the Work Session*

March 22, 2022 Work Session Agenda



Crook County

Mailing: 300 NE 3rd Street • Prineville, Oregon 97754
 Physical: 203 NE Court Street • Prineville, Oregon 97754
 Phone (541) 447-6555

Senator Merkley
 531 Hart Senate Office Building
 Washington, DC 20510

Senator Wyden
 221 Dirksen Senate Office Bldg.
 Washington, D.C. 20510

Dear Senator Merkley and Senator Wyden,

I am writing today to express support for the Congressionally Directed Spending request for the City of Prineville's water and wastewater extension project. This project will extend water and sewer services underserved areas. There is an immediate need for these services due to human health and safety concerns resulting from shallow wells and their close proximity to septic systems and the problem is getting worse as aging septic systems fail. Small lot sizes in the area and a high concentration of homes do not allow for new septic systems to be safely installed while meeting well and septic setback requirements. These issues have already resulted in the condemnation of some homes and will be exacerbated as further septic systems fail.

Recognizing the health and human safety concerns in this area as well as the high concentration of members of disadvantaged groups, it is critical that the City of Prineville move quickly to provide an opportunity for all residents to have access to basic water and sewer services to ensure safe drinking water and sanitary wastewater disposal. This project would provide 580 homes with access to city water and 460 homes with access to city sewer. Additionally, Prineville has been experiencing a shortage of housing and the lack of city services in this area is deterring home buyers. Completing the project will ensure that homes in the area are livable and will help to maintain a variety of housing in the community, particularly at a more affordable price point.

Benefits of the project include safe drinking water, sanitary wastewater disposal, and elimination of additional condemnations and groundwater contamination due to failing/failed septic systems. Thank you for the opportunity to support this important project that will benefit rural residents of the State of Oregon.

Sincerely,

Seth Crawford
 County Judge

Jerry Brummer
 County Commissioner

Brian Barney
 County Commissioner

Seth Crawford, Judge • Jerry Brummer, Commissioner • Brian Barney, Commissioner



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Senator Merkley
 531 Hart Senate Office Building
 Washington, DC 20510

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 221 Dirksen Senate Office Bldg.
 Washington, D.C. 20510

Dear Senator Merkley and Senator Wyden,

I am writing today to express support for the City of Prineville's Congressionally Directed Spending request for the Prineville Renewable Energy Project (PREP). The PREP is a proposed 24.9MW biomass power plant that will provide significant environmental, economic, and community benefits.

With the devastating fire seasons in Oregon over the past few years, it is critical that proactive measures be taken to improve forest health. The PREP offers a solution by creating a market opportunity for the restoration/treatment of up to 21,000 acres per year. Forest health improvements associated with these activities would reduce the amount and severity of wildfires and associated damages to life, property, natural resources, air quality and public health impacts from wildfire smoke, as well as improve water quality and quantity in local watersheds.

The PREP aligns with recommendations from Governor Brown's Wildfire Task Force which calls for increasing the number of acres treated for fuels reduction. This recommendation was supported by the legislature with the passage of SB 762 which creates a multi-pronged approach to reducing wildfire risk. Biomass is included in Oregon's Renewable Portfolio Standard and in 2020 the Oregon Legislature invested \$50 million for community energy and resilience projects.

Additionally, the PREP will spur economic development in multiple ways that are beneficial to region's economy and residents, including job creation and generation of baseload electricity. The facility is anticipated to create 20 direct jobs, 100 indirect jobs, and 200 temporary jobs during construction. Generation of local, baseload electricity will help to alleviate transmission constraints and add needed power capacity to the region without costly, long-term transmission infrastructure improvements. Additionally, the facility will improve community resiliency by creating a potential power source for critical and emergency services in an extreme event such as the Cascadia Event.

I highly recommend selection of the PREP for CDS funding and thank you for the opportunity to support this important project.

Sincerely,

Seth Crawford

Jerry Brummer

Brian Barney

Seth Crawford, Judge • Jerry Brummer, Commissioner • Brian Barney, Commissioner

County Judge

County Commissioner

County Commissioner

DRAFT

Crook County Counsel's Office

301 NE 3rd St. • Prineville, Oregon 97754 • (541) 416-3919 • FAX (541) 447-6705

MEMO

**For Work Session
March 22, 2022**

TO: Crook County Court

FROM: Crook County Legal Counsel's Office

DATE: 3/17/2022

RE: *Hangar Leases – Coney Lease*
Our File No.: AIRPORT 43

On March 2, 2022 the County Court executed a hangar lease at the airport with Michael Coney. Our hangar leases do not get recorded, but a lessee may request a memorandum of lease to be recorded.

AmeriTitle contacted us and requested a memorandum, enclosed for your signature. The memorandum does not change any terms or conditions in the recently executed lease, it merely re-states some of the terms and puts third parties on notice of the rights of the lessee.

Let me know if you have any questions.

After recording, return to:
 John Eisler
 Crook County Counsel
 300 NE Third St.
 Prineville, OR 97754

Memorandum of Ground Lease

THIS Memorandum of Ground Lease (Memorandum) is dated February 28, 2022 (the “Effective Date”), by and between Crook County, a political subdivision of the State of Oregon (Landlord) and Michael Coney (Tenant).

RECITALS

- A. Landlord and Tenant entered into that certain Ground Lease and Use Agreement (the “Lease”) dated February 28, 2022 with respect to the real property described on attached Exhibit A (the “Leased Premises”).
- B. Landlord and Tenant desire to record this Memorandum to put third parties on notice of certain terms contained in the Lease.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. **Lease Term.** The Term of the Lease expires on February 28, 2042. Tenant has an option to extend the Term of the Lease for an additional ten years.
2. **Use of the Property.** Tenant shall use the Leased Premises primarily for the storage of aircraft.
3. **Ownership of Improvements.** All improvements constructed or installed on the Leased Premises are the property of Tenant. The Parties agree that all Improvements constructed or installed on the Leased Premises by Tenant are hereby severed by agreement and intention of the Parties, even though attached or affixed to the Leased Premises.
4. **No Liens or Merger.** Tenant has no power or authority to permit a lien to attach to the property of Landlord, nor may there be a merger of this Lease, nor of the leasehold estate created by this Lease, with the fee estate of Landlord.
5. **General.**
 - a. This Memorandum must be construed in accordance with the laws of the State of Oregon.
 - b. This Memorandum may be amended only by a written instrument by the parties hereto.
 - c. This Memorandum is subject to the requirements and limitations set forth in the Lease. The Lease also contains various covenants, obligations and rights of the Parties,

including without limitation, provisions relating to rent, conduct of Tenant, restoration of the Leased Premises, and lender protections.

- d. All capitalized terms not otherwise defined herein have the meaning ascribed in the Lease.

IN WITNESS WHEREOF, the parties have executed this Memorandum effective as of the date first set forth above.

For Tenant
Michael Coney

For Landlord
CROOK COUNTY COURT

Seth Crawford, County Judge

Jerry Brummer, County Commissioner

Brian Barney, County Commissioner

STATE OF OREGON)
) ss:
COUNTY OF CROOK)

This instrument was acknowledged before me on _____, 2022 by Seth Crawford in his capacity as Crook County Judge, and Jerry Brummer and Brian Barney in their capacities as Crook County Commissioners of Crook County, Oregon.

Notary Public for Oregon

STATE OF OREGON)
) ss:
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2022 by Michael Coney.

Notary Public for Oregon

EXHIBIT A

A TRACT OF LAND LOCATED IN THE SOUTH ONE-HALF (S1/2) OF SECTION 11, TOWNSHIP 15 SOUTH, RANGE 15 EAST, W.M., CROOK COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 11, THENCE NORTH 48°09'50" EAST A DISTANCE OF 3787.29 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 50°38'54" EAST A DISTANCE OF 55.30 FEET; THENCE SOUTH 39°21'06" EAST A DISTANCE OF 55.30 FEET; THENCE SOUTH 50°38'54" WEST A DISTANCE OF 55.30 FEET; THENCE NORTH 39°21'06" WEST A DISTANCE OF 55.30 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 3,058 SQUARE FEET, MORE OR LESS.