



# **CROOK COUNTY WORK SESSION AGENDA**

**Wednesday, September 27, 2023 at 9:00 am**

**Crook County Administration Conference Room I 203 NE Court St. I  
Prineville OR**

Members of the public and media are welcome to attend in person or via Zoom: Phone: 1-253-215-8782; Meeting ID: 962 4214 4333; Passcode: 970900

## **PUBLIC COMMENT**

## **DISCUSSION**

**1. Grant applications through ODOTs Local Bridge Program**

Requester: Jeff Hurd

**2. Community Development Monthly Update**

Requester: Will VanVactor

**3. Crook County Solid Waste Application for a Disposal Fee Credit**

Requester: Sarah Puerner

**4. Consider ratification of appointment of Chief Information Officer (CIO)**

Requester: Andy Parks

**5. Consider actions to change form of government and positions of Crook County government**

## **ADMINISTRATOR REPORT**

## **COURT MEMBER UPDATES**

## **EXECUTIVE SESSION**

**6. 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.**

## **NOTICE AND DISCLAIMER**

The Crook County Court is the governing body of Crook County, Oregon, and holds work sessions to deliberate upon matters of County concern. As part of its efforts to keep the public apprised of its activities, the Crook County Court has published this PDF file. This files contains the material to be presented before the County Court for its next scheduled work session.

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Please also note that this file does not contain any material scheduled to be discussed at an executive session, or material the access to which may be restricted under the terms of Oregon law.

If you are interested in obtaining additional copies of any of the documents contained herein, they may be obtained by completing a Crook County Public Records Request form. Request forms are available on the County's website or at the County Administration office at 203 NE Court Street, in Prineville.

Additional items may be discussed that arise too late to be included as a part of this notice. For information about adding agenda items, please contact the County Administration office at 447-6555. Assistance to handicapped individuals is provided with advance notice.

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Contact: Seth Crawford (seth.crawford@co.crook.or.us (541) 447-6555) | Agenda published on 09/22/2023 at 2:19 PM

## AGENDA ITEM REQUEST



**Date:**

*9/19/2023*

**Meeting date desired:**

*9/27/2023*

**Subject:**

*Grant applications through ODOTs Local Bridge Program*

**Background and policy implications:**

*Crook County has the opportunity to apply for funding through ODOT's Local Bridge Program to replace one and possibly two bridges that are in need of replacement on the Counties Road system. ODOT requires a 10.27% local match and applications are due October 16<sup>th</sup>. If Court is amendable to applying for funding the full grant applications will be brought before Court on October 4<sup>th</sup> for formal action/motion to make the October 16<sup>th</sup> application deadline.*

**Budget/fiscal impacts:**

*Project costs for both bridges = \$3,724,836*

*Revenue Sources*

*ODOT (89.73%) = \$3,342,295.34*

*Crook County (10.27%) = \$382,540.66*

*If awarded, to be obligated as early as 2027 but no later than 2030.*

**Requested by:**

*Jeff Hurd, Public Works Director*

*James Staniford, Road Superintendent*

**Presenters:**

*TBD*

**Legal review (only if requested):**

*N/A*



## MEMO:

To: Seth Crawford, County Judge  
Brian Barney, County Commissioner  
Jerry Brummer, County Commissioner

From: Jeff Hurd, Public Works Director

Through: Andy Parks, County Administrator

Date: September 19, 2023

RE: ODOT Local Bridge Program 2027-2030

The Oregon Department of Transportation through the Local Bridge Program has notified the Public Works Department of the opportunity to pursue grant funding for bridge projects for ODOT's 2027-2030 budget cycle. ODOT has identified eight bridges on the County's system that are eligible to apply for funding. In conversations with ODOT's Senior Local Bridge Standards Engineer, Holly Winston, she advised the public works department that two of those bridges could be competitive for funding. Those are the Powell Butte Canal Bridge located on Powell Butte Highway at mile post 2.27 and Ochoco Main Canal Bridge located on Johnson Creek Road. Both of those bridges fall within the category of replace and recommendations from Holly are that bridges in the replace category get prioritized over bridges in the repair category.

The public works director and the road superintendent contacted Anderson Perry & Associates, who is currently under contract for the Weigand Bridge Replacement, to request assistance in preparing a grant application for both bridges. Anderson Perry is willing to prepare the grant applications at a cost of \$4-\$5k per application. Anderson Perry in advance of the writing the applications has prepared preliminary estimates to for staff and the court to discuss the magnitude of funding request along with matching requirements. The two estimates are attached to this report.

ODOT's Local Bridge Program requires a 10.27% local match. The preliminary cost estimate to replace the bridge on Powell Butte Highway is \$2,312,800. This would require a local match of \$237,524.00 if awarded. The preliminary cost estimate to replace the bridge on Johnson Creek Road is \$1,412,036. This would require a local match of \$145,016.

Staffs' recommendation is to apply for both bridges for the following reasons:

- Only two of the bridges identified on the list are competitive but are of equal value. To increase our chances of an award, we should apply for both in hopes of obtaining at least one.

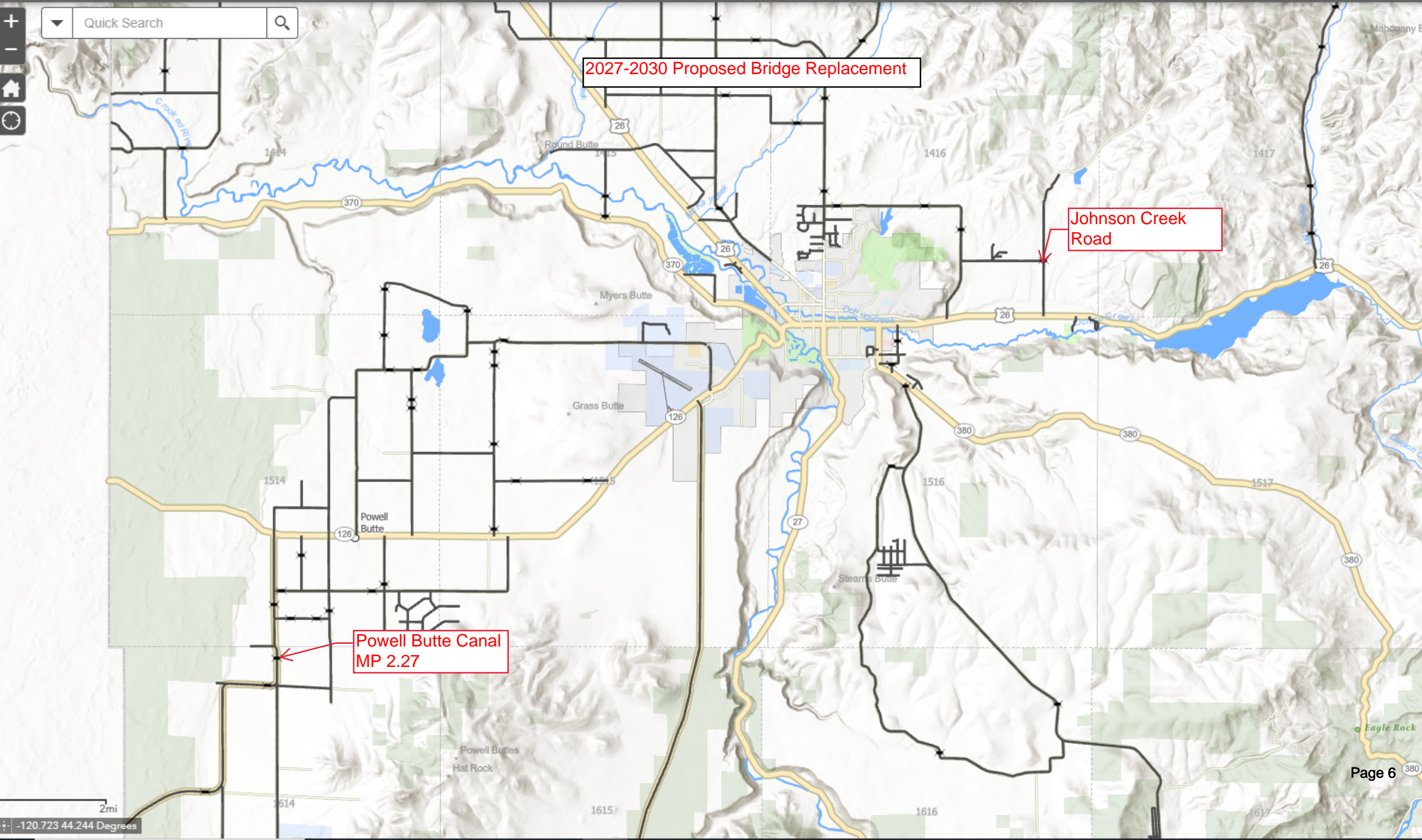
- Applying for grant funding does not obligate the County to enter into an agreement and proceed with the project but bridges are in decline and will continue to decline and this is an opportunity to potentially obtain funding for close to 90% of the costs.
- The project (or projects if granted two awards) would not occur until 2027-2030. This allows time to plan for the financial obligation.

Action/Motion Request: Staff is requesting the authorization to apply for a grant through ODOT's Local Bridge Program for the replacement of the Powell Butte Canal Bridge located on Powell Butte Hwy at Milepost 2.27 and replacement of the Ochoco Main Canal Bridge located on Johnson Creek Road for a total project cost of \$3,724,836 to be funded at 89.73% ODOT funds in the amount of \$3,342,295.34 and Crook County Road Department funds at 10.27% in the amount of \$382,540.66.

Attachments: Preliminary cost estimates for Ochoco Main Canal and Powell Butte Canal; ODOT preliminary notice of request; Vicinity maps of bridge replacements.



# Crook County Road Department



2027-2030 Proposed Bridge Replacement

Johnson Creek Road

Powell Butte Canal MP 2.27



08/07/2023

Jeff Hurd  
Public Works Director  
Crook County  
1306 N Main Street  
Prineville, OR 97754

**SUBJECT: Preliminary Notice of Request for 2027-2030 Local Bridge Program (LBP) Projects – Response Requested by October 16, 2023**

Dear Jeff,

The Local Agency Bridge Selection Committee, or Committee (LABSC), is soliciting local bridge project applications for 2027-2030 funding under the ODOT's Local Bridge Program. Applications for funding are due October 16, 2023.

Only bridges listed in the National Bridge Inventory are eligible for this funding since the program is modeled on the old Federal Highway Bridge Replacement and Rehabilitation Program. The primary selection criteria is the Technical Ranking System. However, priority is given to investments that are strategic in nature to ensure that freight corridors are maintained.

The current Bridge Priority Selection Policy is enclosed as well as a list all bridges expected to be eligible for LBP funding. The list includes On- and Off-Federal Aid Highway System status, sufficiency rating and deck surface area.

The preliminary Local Bridge Program eligibility list is based on data from the National Bridge Inventory as of April 2023. The final eligibility list will be taken from the April 2024 inventory. If a more recent NBIS inspection or ODOT-approved load rating shows that a bridge would later be eligible, please provide the relevant information so the eligibility list can be updated accordingly.

The guidelines developed in 2004 separate bridges into "small bridges" (smaller than 30,000 square feet) and "large bridges" (those larger than 30,000 square feet).

- Small bridges- The TRS will be applied to bridge replacements with decks less than 30,000 square feet.
- Large bridges- The LABSC will determine the ranking system for bridges over 30,000 square feet.

The Highway Bridge Program requires a 10.27 percent funding match when using traditional Federal project delivery. Fund exchange project delivery will follow practices agreed with AOC and LOC. Recipients must provide the applicable percentage of the project cost depending on the type of delivery agreed by ODOT and the local agency.

Your applications will be processed by ODOT and the Committee will prioritize them and prepare the scoping list in early 2024. The Committee will make funding recommendations for 2027-2030 in early 2025 after field scoping and a final technical ranking is calculated.

Local Bridge Program Application Instructions are enclosed and include an outline of the format and forms to submit for Local Bridge Program funding. This letter, the outline of the format, and forms for local agency submittals for HBP funding are available at this website:

<https://www.oregon.gov/odot/Bridge/Pages/Local-Agency.aspx>

Your submittal of candidate bridges is due by October 16, 2023. Please submit it electronically to [michael.mcdonald@odot.oregon.gov](mailto:michael.mcdonald@odot.oregon.gov).

The ODOT Transportation Project Manager for your projects is:

Paul Singer  
[paul.singer@odot.oregon.gov](mailto:paul.singer@odot.oregon.gov)  
(541) 410-2993

For LBP questions, please contact Holly Winston at (503) 798-3364, [holly.m.winston@odot.oregon.gov](mailto:holly.m.winston@odot.oregon.gov), or Michael McDonald at (971) 283-5611, [michael.mcdonald@odot.oregon.gov](mailto:michael.mcdonald@odot.oregon.gov).

Sincerely,

Raymond BOTTENBERG

Raymond BOTTENBERG (Aug 3, 2023 10:06 PDT)

Ray Bottenberg, P.E., S.E.  
State Bridge Engineer

Enclosure(s): Jurisdiction-Specific LBP Eligible Bridges, PDF  
Project Prospectus, PDF  
Local Agency Information, Excel  
ODOT Project Business Case, PDF

Cc: Paul Singer  
Bob Townsend








# Crook County

Final Audit Report

2023-08-03

Created:	2023-08-03 (Pacific Daylight Time)
By:	Caitlin ARCHIBALD (Caitlin.ARCHIBALD@odot.oregon.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAmhAYUmAO1wy6yZfbFMN92iLHWemOrH

## "Crook County" History

-  Document created by Caitlin ARCHIBALD (Caitlin.ARCHIBALD@odot.oregon.gov)  
2023-08-03 - 9:53:40 AM PDT
-  Document emailed to Raymond BOTTENBERG (Raymond.D.BOTTENBERG@odot.oregon.gov) for signature  
2023-08-03 - 9:55:16 AM PDT
-  Email viewed by Raymond BOTTENBERG (Raymond.D.BOTTENBERG@odot.oregon.gov)  
2023-08-03 - 10:06:31 AM PDT
-  Document e-signed by Raymond BOTTENBERG (Raymond.D.BOTTENBERG@odot.oregon.gov)  
Signature Date: 2023-08-03 - 10:06:38 AM PDT - Time Source: server
-  Agreement completed.  
2023-08-03 - 10:06:38 AM PDT

## AGENDA ITEM REQUEST



**Date:**

September 19, 2023

**Meeting date desired:**

September 27, 2023

**Subject:**

CDD Monthly Update

**Background and policy implications:**

Update on Department services, including permit and application activity

**Budget/fiscal impacts:**

N/A

**Requested by:**

Will Van Vactor

will.vanvactor@crookcountyor.gov | 541.447.3211

**Presenters:**

Will Van Vactor

Randy Davis

**Legal review (only if requested):**

n/A

**Elected official sponsor (if applicable):**

# Community Development Department

Mailing: 300 NE Third St. RM 12, Prineville, OR 97754 ☐ Phone: 541-447-3211



## MEMO

TO: Crook County Court

FROM: Will Van Vactor, Director  
Randy Davis, Building Official

DATE: September 21, 2023

SUBJECT: Community Development Activity Update

Below is a summary of building, planning and onsite activity for the last month.

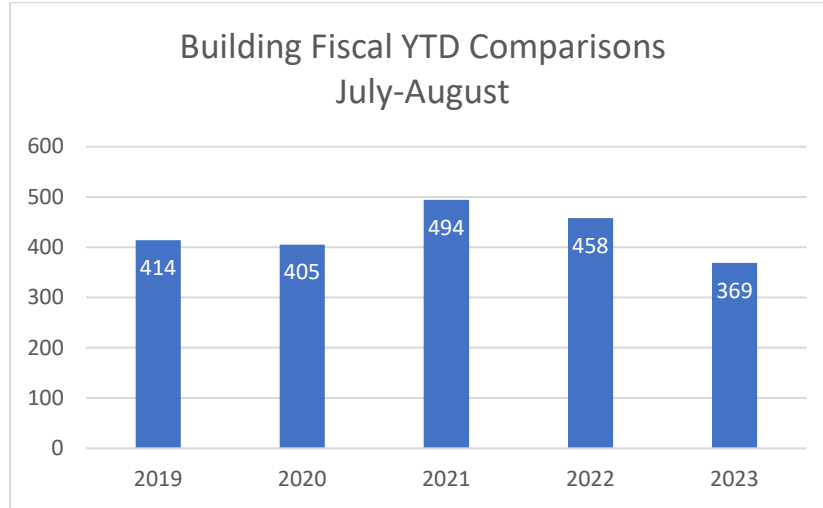
### **Building:**

#### Permits issued summary (August):

Permit Type	Number of Permits
New Residential Dwellings (Site Built or Manufactured)	19
Commercial (plumbing, electrical, structural, etc.)	42
Residential Permits (plumbing, electrical, mechanical etc.)	112
Residential Structural (shops, etc.)	23
Other (e.g. demo)	1
<b>TOTAL</b>	<b>197</b>

#### Comparisons:

Time Frame	Permits
August 2023	197
August 2022	261
YTD 2023	1419
YTD Comparison 2022	1776
Fiscal YTD 23-24	369
Fiscal YTD Comparison 22-23	458



Active Permits:

Permit Type	Amount Still Active as of end of August
Dwellings (Site Built or Manufactured)	229
Other Residential Permits	821
Commercial Permits	277

Daily Inspections:

Inspection Type	Amount this month
Residential	1036
Commercial	196
All	1232

Larger Projects Under Construction:

Justice Center
CCO5&6 Data Center
Apple Data Center
Liquor Store on N. Main
Hangers at Airport
Museum
Grizzly Pavilion at Fairgrounds
OID Project
Area H & I of Prineville Campus
Sherptek (Prineville Campus)
High Desert Christian Academy (old hospital)
Advantage Dental Remodel

C.O.P. Prineville Campus “H” Occupancy
CCSD Remodel for Daycare
14 unit RV Park
Autozone
R-2 Construction – 22,840 sq ft Industrial Building with Office Space

Larger Projects Under Review or Incoming:

Packaging Plants for O’Neil Hwy
Addition - Tightwads
Abby’s Pizza
9600 sq. ft. Commercial Structure – Construction company shop/warehouse on Cessna Dr.

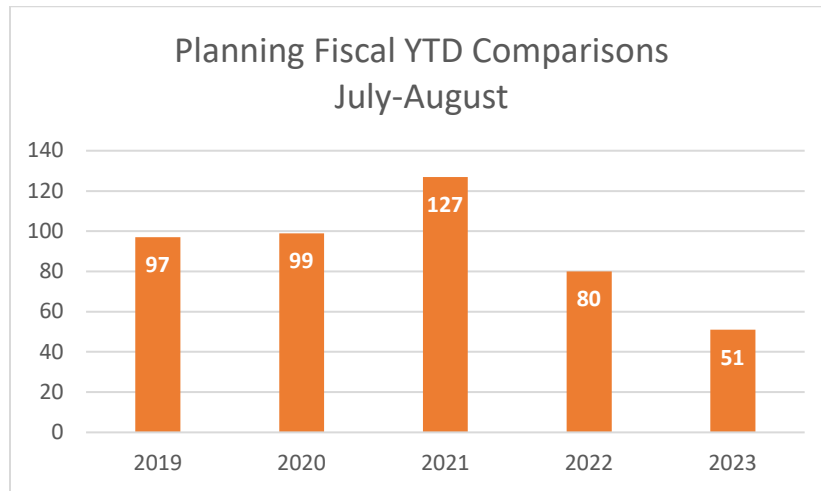
**Planning:**

Applications received (August):

<b>Application Type</b>	<b># of Applications (August 2023)</b>	<b>YTD</b>
Appeals	0	0
Variance	0	2
Site Plan Review	11	177
Land Partition	1	3
Combine/Un-Combine Lots	0	0
Road Approach	2	20
Boundary Line Adjustment	1	7
Destination Resort	1	1
Conditional Use	2	7
Miscellaneous (Temporary Hardship Two-year renewals)	3	38
Sign	0	1
Extension	0	5
Subdivision	0	1
Amendment	0	3
Road Name/Rename	0	1
<b>TOTAL</b>	<b>21</b>	<b>266</b>

Comparisons:

<b>Time Frame</b>	<b>Permits</b>
August 2023	21
August 2022	37
YTD 2023	266
YTD Comparison 2022	334
Fiscal YTD 23-24	51
Fiscal YTD Comparison 22-23	80



Notable Land Use Applications:

Request	Status
Grandridge II (15 lots)	Hearing schedule for 9/27/23
Huston Agri-Tourism	Hearing scheduled for 11/8/23
RMG Modification	In completeness review, tentative hearing scheduled 11/8/23

Notable City Land Use Applications:

Request	Status

On-Site:

Applications (August):

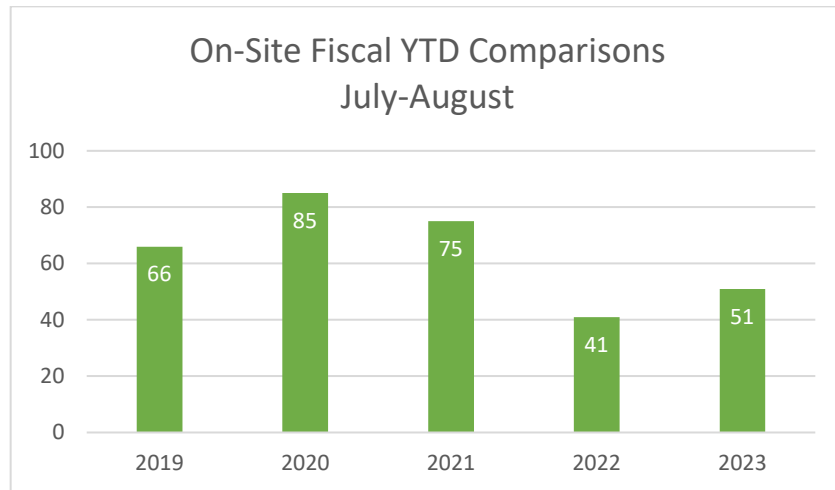
Application Type	Number of Applications
Residential Authorization	4
Commercial Authorization	0
Construction Permit (Residential)	11
Construction Permit (Commercial)	0
Repair (Major) - Residential	1
Repair (Minor) - Residential	1
Repair (Major) - Commercial	0
Repair (Minor) - Commercial	0
Residential Site Evaluation	4
Commercial Site Evaluation	0
Alteration (Minor) – Residential	1



Alteration (Major) – Residential	1
Alteration (Minor) - Commercial	0
<b>TOTAL</b>	<b>23</b>

Comparisons:

Time Frame	Permits
August 2023	23
August 2022	22
YTD 2023	154
YTD Comparison 2022	211
Fiscal YTD 23-24	51
Fiscal YTD Comparison 22-23	41



**Code Compliance:**

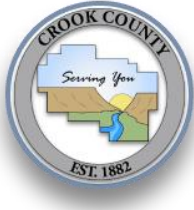
Case Load:

Year	Building	Land Use	Waste	Septic
YTD 2023	35	39	18	6

Activity:

Cased Opened in August: 1  
 Case Closed in August: 1

## AGENDA ITEM REQUEST



**Date:**

**Meeting date desired:**

**Subject:**

**Background and policy implications:**

**Budget/fiscal impacts:**

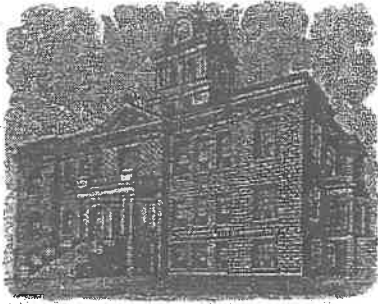
**Requested by:**

**Presenters:**

**Legal review (only if requested):**

**Elected official sponsor (if applicable):**

/



# Crook County

300 N.E. 3rd Street • Prineville, Oregon 97754  
Phone (541) 447-6555 • FAX (541) 416-3891

## Crook County Solid Waste Application For A Disposal Fee Credit

Organization: Bestcare Treatment Services

Contact Name: Jessica Tucker Phone: 541-323-5330

Address 1059 NW Madras Hwy. Prineville, OR 97754

Physical Address of Place of Business In Crook County, if different from above:

To qualify for a fee credit an organization must be recognized as a non-profit and charitable under sections 501(c) 3 of the Internal Revenue Service Code and be registered as a non-profit corporation with the State of Oregon. A qualified organization must have a physical place of business in Crook County and must be engaged in an ongoing basis in the business of encouraging consumers to reuse and recycle consumer and durable goods in order to generate revenue to further the interests of one or more segments of society. No commercial hauler of municipal waste or any business unit thereof shall also be qualified as a "qualified non-profit organization" under this section. Certification is not valid until approved by the County Court or an official or body it may designate, and any certification and any unused credit shall expire on June 30. Recertification may be applied for starting in April. The credit if approved shall be used to facilitate the disposal of goods received by qualified non-profit organizations for the purpose of reuse or resale, which by reason of defect or lack of market, cannot be returned to consumer use. This credit shall not be used to allow qualified non-profits to dispose of demolition or construction waste associated with facility demolition, construction or remodel, nor shall this credit be used to allow any person, organization or business to avoid the need to dispose of an ordinary volume of municipal waste usually and customarily generated by person, organization or business. Organizations using the credit shall physically segregate from the ordinary and customary wastestream those goods received for the purpose of reuse or resale, which by reason of defect or lack of market, cannot be reused and shall clearly identify the same upon entering the landfill. Only those goods shall qualify for use of the credit. Qualified non-profit organizations using the credit shall comply with all requirements of the landfill related to source separation of recyclable and non-recyclable materials. The landfill manager is empowered to revoke the certification of any organization which shall fail to comply with the terms of this certification application.

Requested credit for this year: (may not exceed \$3,000) \$ 3000.00

ATTACH TO THIS APPLICATION A COPY OF YOUR FEDERAL LETTER CERTIFYING YOUR NON-PROFIT STATUS (Form 501)

By my signature, I agree to abide by all the terms and conditions herein and the terms and conditions set forth in County Court Order 2006-69.

Jessica Tucker, Operations Date: 9/12/23  
Name, title Manager

<p><b>Office use only:</b></p> <p>Form 501 attached: <input type="checkbox"/> yes <input type="checkbox"/> no</p> <p>Credit last year: \$ _____ Credit used last year: \$ _____</p> <p>Credit approved for current fiscal year: \$ _____</p>
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INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: SEP 29 2004.

BESTCARE TREATMENT SERVICES INC  
PO BOX 1710  
REDMOND, OR 97756-0000

Employer Identification Number:  
93-1269087  
DLN:  
17053185747064  
Contact Person:  
FELICIA JOHNSON ID# 31287  
Contact Telephone Number:  
(877) 829-5500  
Public Charity Status:  
170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated October 13, 2000, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at [www.irs.gov](http://www.irs.gov).

If you have general questions about exempt organizations, please call our toll-free number shown in the heading between 8:00 a.m. - 6:30 p.m. Eastern time.

Please keep this letter in your permanent records.

Sincerely yours,



Lois G. Lerner  
Director, Exempt Organizations  
Rulings and Agreements

Letter 1050 (DO/CG)



## Agenda Item Request

**Date:**

*September 20, 2023*

**Meeting date desired:**

*September 27, 2023*

**Subject:**

*Consider ratification of appointment of Chief Information Officer (CIO).*

**Background and policy implications:**

**Budget/fiscal impacts:**

**Requested by:**

*Andy Parks, Contract County Administrator*

**Presenters:**

*Andy Parks, Contract County Administrator*





## Agenda Item Request

**Date:**

*September 20, 2023*

**Meeting date desired:**

*September 27, 2023*

**Subject:**

**Public Hearing**

*Following the public hearing, the County Court is to consider actions to change form of government and positions of Crook County government.*

- a. Court order to change form of government from a County Court to a Board of Commissioners, effective immediately, and*
- b. Court order to change the elected governing position of the County Judge to a part-time commissioner position, effective with the election of the position for the January 2025 to December 2028 term of office.*
- c. Direct staff to proceed with the necessary steps to move forward with the appointment of a Charter Committee to review the County's form of government and refer the issue to the voters of Crook County.*

**Background and policy implications:**

**Budget/fiscal impacts:**

**Requested by:**

*County Court*

**Presenters:**

*Andy Parks, Contract County Administrator*