

B **E IT REMEMBERED THAT** the Crook County Court met in a regularly scheduled meeting on October 18, 2017 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 Jeff Wilson; Assistant County Counsel Eric Blaine and County Court Secretary Colleen Ferguson.

Member of the public signing the attendance log: Cheryl Seely, County Clerk; MaryLou Bernard, Prineville; Joe Bessman, Bend; Brian Wilkinson, Bend; Tom Burke, Powell Butte; Muriel DeLaVergne-Brown, Public Health Director; Vicky Ryan, Crook County Health Department; Teresa Herrmann, County Human Resources; Carl Marshall, Powell Butte; Tish Plasterer, Crook County Sheriff's Office; Michael Ryan, Crook County Sheriff's Office; Rebekah Burkhardt, Crook County Sheriff's Office; County Sheriff John Gautney; John Savage, Crook County Sheriff's Office; Brian Bishop, Crook County Sheriff's Office; Kurt Klein, Crook County Sheriff's Office; Aaron Boyce, Crook County Sheriff's Office; Robert Killingsworth, Crook County Sheriff's Office; Anla Killingsworth, Prineville; Tess Jenck; John Jenck; Melissa Scaramuzzo, LCSNW; Tony Bridgeman, DCSO; Michael Warren, Crook County Realtor of Record and Larry York, Prineville.

The media was provided public notice of the time, date and place of today's meeting.

Judge Crawford opened the public meeting and asked Jack West to lead the Pledge of Allegiance. Pastor Mike Wilson gave the invocation.

CONSENT AGENDA

1. Approve minutes of October 4th, 2017
2. Approve Order 2017-58, Increased Appropriations, Justice Reinvestment Program
3. Approve Order 2017-59, Increased Appropriations, Health Department Grant Funding
4. Approve Order 2017-60, Appropriation Transfer, IT Department
5. Approve Order 2017-61, Increased/Decreased Appropriations, CJC Drug Court Grant
6. Approve Order 2017-62, Increased/Decreased Appropriations, Community Corrections
7. Approve Order 2017-63, Increased/Decreased Appropriations, Community Corrections Measure 57 Grant
8. Approve Order 2017-64, Appropriation Transfer, Library
9. Approve Order 2017-65, Appropriation Transfer, Health Department to Jail, associated with jail nurses
10. Approve Order 2017-66, Appropriation Transfer, Health Department, to Jail, jail nurses
11. Approve Order 2017-67, Increased Appropriations, Veterans Services
12. Approve Order 2017-68, Appropriation Transfer, Veterans
13. Approve Order 2017-70, Mental Health Director's Designees for Civil Commitment
14. Approve Order 2017-71, Distribution of proceeds for sale of County properties
15. Approve Locust Street County addendum to extend the escrow closing period, Ben and Patsy Owens.
16. Approve notice of decision and final decision, Garcia Land Use Appeal
17. Approve listing agreement for County owned property—Easy Street
18. Approve Mental Health Services agreement with Crook County School District.

The Court reviewed the Consent Agenda. There were no changes, corrections or additions.

Motion

Commissioner Brummer moved to approve the Consent Agenda as presented. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

Swearing in, Corrections Deputy Robert Killingsworth

9:00 a.m.

Sheriff Gautney introduced Corrections Deputy Robert Killingsworth. With the hiring of Deputy Killingsworth, the Jail will be fully staffed, and the Courthouse will have a full time security staff. Sheriff Gautney provided background on Deputy Killingsworth's previous career choices, the Navy for 5 years, corrections for 12 years at Oregon's Snake River Facility and the Deschutes County Jail for the last 7 years.

Deputy Killingsworth said that he and his wife own the Third Street Floorcovering business in Prineville. While in the Navy he was a Surgical Technologist. When returning to civilian life, he chose to go into Law Enforcement, working in the 3000 bed Snake River facility and then in Deschutes County. He said he is grateful and happy to be serving in Crook County. He introduced his wife, Anla, his in-laws John and Tess and his best friend from the Deschutes County, Tony. Deputy Killingsworth is from Mississippi.

Sheriff Gautney performed his portion of the oath of office. Deputy Killingsworth took his oath of office and when Sheriff Gautney presented the Deputy with his badge, his wife pinned the badge on his uniform. Sheriff Gautney then issued the challenge coin to the Deputy and explained the purpose and the wording on the coin: Above all, Integrity.

Public Hearing, Ordinance No. 301, amending County Code Chapter 5.04, article one, regarding outdoor mass gatherings and declaring an emergency, second reading, Vote

This matter was removed from today's agenda pending additional review and will be heard at a future County Court session.

Public Hearing, Ordinance No. 303, Updated County Transportation System Plan (TSP), Power Point

Marc Butorac and Camilla Dartnell, from Kittelson & Associates, provided the draft TSP. Three options were presented to the Court:

1. Recommend for summary and approval today.
2. Continue the matter until the next meeting
3. Refer to staff for changes.

Ms. Dartnell presented a review of the process followed in drafting the TSP. This TSP identifies the needs and goals for the next 20 years. The Planning Commission has approved the draft TSP for recommendation to the Court. Individual projects were presented and discussed that are part of the draft TSP. Information was presented and discussed regarding safety plans, completed projects,

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roundabouts, analysis and plans, vision improvements, Powell Butte highway signage and routes, education of cyclists and rules of the road, the Trans America Bikeway system, 90 degree corners on Powell Butte Highway, funding gaps of revenue and expenses, maintenance, and recommendations to the County Code to update the code to be consistent with the new TSP. The County roads are currently in really good shape, and the plan is to keep them in good shape.

Discussion was held on the ordinance in relationship to the TSP, clarifying road standards and insuring that Transportation, Bicycles and Pedestrian's concerns are all considered.

Ms. Beier provided information regarding cul-de-sacs and multifamily dwellings, language that could be removed and parking provisions.

Marc Butorac, from Kittelson & Associates, provided information on the choke point of the Powell Butte community occurring at the Powell Butte Store and Powell Butte School on Highway 126. Ms. Beier provided information on a meeting held with ODOT to discuss the problems in that area, the speed zone, school entrance and traffic concerns. A roundabout at the intersection of Highway 126 and Powell Butte Highway was discussed.

County Counsel Jeff Wilson discussed the possible need for clarification for signoff of an engineer on developments. He wants to make sure that the proposed TSP states it is the responsibility of the developer to have the engineer review and stamp the plans. He asked that staff look at that section of the TSP and make sure it is consistent with the County Code. . The Roadmaster can inspect the job, but it must be the developer's engineer that signs off and stamps the document. The language for this requirement is found in the subdivision section of the County Code. .

End of staff presentation.

Motion

Commissioner Barney moved to read Ordinance 303 by title only. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

Judge Crawford read Ordinance 303 by title only and opened the public hearing.

Mike Warren, 6111 SE Juniper Canyon, Prineville Oregon commented on the issue of bike parking . He reminded the Court that there is not a lot of multifamily development now that would require 10 parking spaces for cars to one bike parking space, but this plan is for 20 to 30 years from now, and multifamily development may change in that time.

Joe Bessman, Transportation Consulting, discussed and complimented the plans. He discussed the Highway 126 corridor, different targets on the solutions today from the thoughts earlier, the interchange, multilane roundabout and single lane roundabouts. The intersection of Highway 126 and Powell Butte Highway has been a priority. He believes the TSP is very well put together. Commissioner Brummer discussed changes in plans and how future revisions are can be made. .

Tom Burk ,15663 SW Highway 126, Powell Butte and Carl Marshall, 17350 SW Hahlen Avenue , Powell Butte presented information to the Court on the need for a stop light at the intersection of Highway 126 and the Powell Butte highway to create a break in traffic so that traffic coming from the side roads can get onto the highway. At this point, there is no break in traffic coming from the Powell Butte Highway and

from Redmond, and it is very difficult and dangerous to get farm equipment or regular vehicles off the side roads and onto the main highway. This is very time consuming and dangerous for those trying to farm this area. They also would like to see a light at the school and an approach lane to Stillman road for an option to transfer traffic off of Highway 126. The traffic at this time on Highway 126 near the store should be at 45 MPH but it is really at 55 to 65 MPH, and people are not paying attention to other vehicles trying to turn off the Highway.

Judge Crawford discussed alternatives to revamping traffic in the area. Mr. Burk reminded the Court that when Brasada was approved, they were required to put money aside for the improvement of the intersection of Highway 126 and Powell Butte Highway.

Mr. Marshall discussed a proposed roundabout that continues the flow of traffic but does not provide a break in traffic. A stop light would give a break, and the drivers would get educated to a stop light. He talked about how Prineville has become a bedroom community. People like living in Prineville and raising their families in Prineville, but they work out of town.

Mr. Burk believes a stop light would be best. He is ok with the plan as long as there is more in depth conversation. Mr. Marshall said there has also been talk about the possibility of moving the Post office from its current location at the corner of Powell Butte Highway and Highway 126 to an area with less traffic.

Larry York, 9509 SE Jerry Drive, expressed his appreciation for the work of Ann Beier on the TSP. Mr. York discussed the escape route from Juniper Canyon that would come out on highway OR 27. Mr. York said he was the only vote in opposition on the Planning Commission regarding the plan due to the cul-de-sac and connectivity provisions. . He read the section regarding residential planning and said the majority of people prefer living in a cul-de-sac for the safety feature and the value of the property. Connectivity is basically a grid. Communities should have connections, but they can be connected with 10 foot fire lanes of asphalt. Mr. York said that Brasada is a success due to the cul-de-sacs. Mr. York presented an Exhibit 1, a graphic of a cul-de-sac preferred by a lot of planners. Mr. York, Chair of the Planning Commission, said he is not speaking on behalf of the Planning Commission but this is the reason he voted against the plan.

Ms. Beier expressed her thanks to Mr. York. She discussed the code language and the presumption that the Planning Commission does not want more cul-de-sacs. The TSP does require that road design meet all Fire and Rescue requirements. She provided examples of some subdivisions that can be connected and others that never could be connected due to location. Judge Crawford said he believes currently it would give the developer more leeway.

Mr. York said that it would be much better for developers if they knew up front whether a cul-de-sac development is allowed before they did a set of plans. Commissioner Brummer discussed his previous position in City public works and the problems with keeping the 10 foot openings for access to emergency vehicles free of weeds and of material stored by the residents in that area.

Mr. Butorac discussed cul-de-sacs and the movement away from that plan. He said the increased valuation is supported; however there is a need for public safety and welfare, and each cul-de-sac runs back to the problem of getting in and out of the one entrance/exit onto a main road. Further discussion was held regarding the parallel system, cul-de-sacs, volume increases, and value of the needs of the County.

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Mr. Marshall and Ms. Dartnell discussed the reroute plans for the Shumway Curve. The realignment of the curve is a vision project and is not expected for the next 20 to 30 years.

Bob O'Neal discussed projects in the TSP that were brought forth by previous Crook County Courts.

Former County Planning Director Bill Zelenka talked about the time when the Shumway Corner was addressed as a safety issues. He suggested keeping the vision in case the highway ever reverts back to a State highway. This would keep the opportunity available.

Devin Hearing, ODOT, provided comments on the Powell Butte Highway. ODOT does not at this time have any intention of taking the Powell Butte Highway back into ODOT's program.

There being no further comments, Judge Crawford closed the public hearing.

Today was the first hearing on Ordinance 303. No action is required today. The second reading will be held at the County Court meeting to be held on November 1, 2017.

Commissioner Brummer discussed the parking spaces with the requirement of bike parking. Ms. Beier said her understanding for the next meeting is: to remove the requirement of the bike parking and to look into the clarification of the engineer's inspection. She will bring a red-lined version back to the next meeting on November 1, 2017.

There being no additional items requiring action of the Court at this time, Judge Crawford adjourned the meeting into Executive Session under **192.660(2)(e)** For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions; **192.660(2)(e)** For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions and **192.660(2)(h)** To consult 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

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192.660(2)(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Judge Crawford convened the Court into Executive Session under **192.660(2)(e)** For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions; **192.660(2)(e)** For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions and **192.660(2)(h)** To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. The Court met with County Counsel and the County Planning Director to discuss the matters before them. Following the discussion, Judge Crawford adjourned the Court out of Executive Session and back into Open Session at 2:30 p.m..

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Open Session

Judge Crawford convened the Court back into Open Session and invited any members of the public waiting back into the meeting room.

Motion

Commissioner Barney moved to instruct staff to contact the attorneys regarding the two real estate transaction discussions held in Executive Session and continue those as discussed in Executive Session. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

There was no discussion or decision necessary regarding the legal consultation discussed in Executive Session.

There being no further action items before the Court at this time and no objections to adjournment, Judge Crawford adjourned today's meeting. The next regularly scheduled meeting will be held on November 1, 2017.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson
Crook County Court Secretary