

BE IT REMEMBERED THAT the Crook County Court met in a Special Executive Session on August 24, 2017 at 9:00 a.m. in the County Legal Office located at 203 NE Court Street, Prineville, Oregon. In attendance were: County Judge Seth Crawford; Commissioner Jerry Brummer; Commissioner Brian Barney; Assistant County Counsel Eric Blaine, Planning Director Ann Beier and County Court Secretary Colleen Ferguson. County Counsel Jeff Wilson was not available.

There were no members of the public in attendance.

Public Notice was sent out on email lists, posted on notice boards and posted on the web site.

Judge Crawford called the meeting to order and convened the Court into Special Executive Session under ORS 192.660(2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions

EXECUTIVE SESSION

ORS 192.660(2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions

The Court met with Legal Counsel to discuss the matters before them under ORS 192.660(2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions. Following the discussion, Judge Crawford adjourned the Court out of Executive Session and into Open Session.

OPEN SESSION

Judge Crawford convened the Court into Open Session after adjourning out of Executive Session under ORS 192.660(2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions, opened the doors and invited any members of the public in waiting into the meeting room. There were no members of the public.

Motion

Commissioner Brummer moved to direct staff to correspond with the County's counter party as discussed in Executive Session. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

Consider quote for COCC Open Campus Repair

Assistant County Counsel Eric Blaine presented a price quote received from Kirby Nagelhout Construction Company. The quote is \$43,250.00. No other quotes were received. The quote is for repair of the OSU Prineville COCC Open Campus water damage at 510 SE Lynn Boulevard, Prineville, Oregon. Discussion was held regarding the reuse of counter tops in the kitchen or if the counter tops can be reused – the price quote specifically recommended that \$10,000.00 be held “in reserve” in the vent that the countertops could not be salvaged. Discussion was also held regarding BOLI prevailing wage costs: if the countertops could not be salvaged and the costs to replace them was \$10,000.00 as described in the price quote, that would trigger the dollar threshold that would make the repairs a prevailing wage project. The timeline for completion is short due to school classes beginning in two weeks. The discussion was whether to assume, based on the price quote, that the project is not a prevailing wage job until we reach the statutory dollar value threshold, or to assume it is a prevailing wage job from the outset. If the County treats the repairs as not

being a prevailing wage job at the outset, but the repairs later cross the threshold, the County will be required to retroactively apply the prevailing wage rules (including back pay). When the County has had to do so in the past, this retroactive application of the prevailing wage laws has been burdensome on both the County and the contractors. If the County treats the repairs as a prevailing wage job at the outset but the statutory dollar value threshold is never reached, the County will end up paying a higher rate than what was in hindsight strictly necessary. Commissioner Brummer provided information on the damage from the water line break, and the area of the water and why the drains that were installed up to code were not able to disburse the water.

The Court members discussed the permit fees, the list of what portion of the project should be completed first, and the point of contact for the Construction Company. Points of contact will be Project Manager Jerry Milstead, Open Campus Representative Suzie Kristensen and Commissioner Barney.

Motion

Commissioner Barney moved to approve the County's standard construction contract with Kirby Nagelhout subject to receiving an updated price quote reflecting prevailing wage rates. Due to the emergency nature of the repair, Court members are authorized to sign the contract outside of County Court.

Commissioner Brummer seconded the motion. The vote is 3-0, motion carried.

There being no further business before the Court requiring action at this time, Judge Crawford adjourned the meeting. The next regular meeting is scheduled for September 6, 2017.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson
Crook County Court Secretary