

BE IT REMEMBERED THAT the Crook County Court held a regularly schedule Crook County Court meeting on August 16, 2017 beginning at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon. 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.

Members of the public signing the attendance log were: MaryLou Bernard, Prineville; Kathy Gray, County Treasurer; Kris Williams, Crook County Health Department; Muriel DeLaVergne-Brown, Crook County Health Department Director; Rhonda Belanger, Parole and Probation Director; Charlotte Powell, Prineville; Mary Brook, Prineville; Kylie Loving, Crook County Health Department and Louis Seals, Community Development.

Judge Crawford called the meeting to order and asked Rhonda Belanger to lead the Pledge of Allegiance. Chris Cookson, Community Church, provided the invocation.

Consent Agenda

- 1. Approve Minutes of July 5 and July 19, 2017, June 21, 2017 with correction , adding August 16, 2017**
- 2. Approve Order 2017-46, Authorizing special procurement for Crook County Annex**
- 3. Approve Order 2017-48, Appointment to PLA #1 Special Road District Board of Directors**
- 4. Approve Order 2017-49, IGA # 5455 DOC and Crook County, funding for Corrections programs, July 1, 2017 through June 30, 2019**
- 5. Approve Order 2017-50, In the matter of obligation of Title III funds received in March 2016**
- 6. Order 2017-52, Exempting repairs at the Open Campus building from competitive bidding pursuant to County Code 3.12.100 and declaring an emergency**
- 7. Approve contract for Radio Equipment Maintenance**
- 8 .Approve Amendment #2 to Agreement between ODOT, City of Prineville and Crook County regarding Tom McCall Roundabout project**
- 9. Approve ODE juvenile crime prevention IGA # 11090**
- 10. Approve Youth in Transition Internship Program Agreement for Bowman Museum**
- 11. Approve of Personal Services contract with David V. Anderson dba Grant Central LLC for Grant Writing Services**
- 12 .Approve letter agreement for Quality Improvement measurement project 2017-2018 (Diabetes)**
- 13. Approve IGA State of Oregon, Crook County Community Corrections Measure 57 Supplemental Funds**
- 13A. Approve contract for HRIS software services, Tyler Technologies**
- 13B. Approve Rickman Pit Lease with McCormack Land Co.**
- 13C. Approve letter to Governor Brown regarding recommendation**
- 13D. Approve lot consolidation Mylar's regarding the jail project**
- 13E. Approve Easement Relocation Agreement**

The Court reviewed the Consent Agenda and removed item 11, contract not received back; removed number 6 for a brief discussion later in the meeting, added meeting minutes for August 2, 2017 and advised the Court of the corrected June 21st minutes that were approved at a previous meeting but have now corrected an incorrect ORS number at the end of the minutes.

Motion

Commissioner Brummer moved to approve the minutes with corrections as discussed. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

SCHEDULED APPEARANCES

Public Hearing, second reading, Ordinance No. 300, amending Chapter 8.20 of the Crook County Code regarding Tobacco Cessation Resource.

Motion

Commissioner Brummer moved to read Ordinance 300 by title only, amending Chapter 8.20 of the Crook County Code regarding Tobacco Cessation Resource. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

Judge Crawford read Ordinance 300 by title only and opened the public hearing. Hearing no comments, Judge Crawford closed the public hearing.

Motion

Commissioner Barney moved to approve Ordinance 300 as presented. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

Ordinance 300 will go into effect in 90 days.

Kris Williams, Tobacco Coordinator, Health Department, presented information regarding the Tobacco 21 program and the informational signing that will be placed in the sale areas.

Public Hearing, Order 2017-47, adopting a supplemental budget for 2017/2018 and making appropriations for the same

County Treasurer Kathy Gray presented Order 2017-47, adopting a supplemental budget for 2017-2018 and making appropriations for the same. This is the supplemental for the \$15 million dollars for bond proceeds.

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

Motion

Commissioner Brummer moved to approve Order 2017-47 as presented. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

DISCUSSION

Order 2017-52, To establish procedures for approving change orders for the new jail project.

Court discussed Order 2017-52, authorizing emergency procurements involved with the annex rehabilitation project and the jail projects. The advantage and disadvantage of the emergency procurement was discussed.

Assistant County Counsel Eric Blaine provided information on types of bonds, public works and public bonds and other remedies of law.

Motion

Commissioner Brummer moved to approve Order 2017-52 as presented. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

Change Orders

The Court discussed the final phase of approving the contract with Kirby Nagelhaut. There may be change orders required. Jerry Milstead, Project Manager for the annex and jail projects, would like authority to sign claim sheets and change orders up to \$25,000. The contract states that the County Court approves the changes and bills for the projects. Discussion was held regarding the process. The Court could designate Commissioner Barney as the representative Court member who would be contacted prior to any approval over \$25,000. Discussion was held regarding the process for Kathy Gray, Commissioner Barney and Mr. Milstead to follow when approving and providing payment.

Motion

Commissioner Barney moved to delegate authority to Jerry Milstead to sign change orders not to exceed \$25,000 with one member of the Court's signature. Over \$25,000 would require three signatures subject to the recommendation and signature of Jerry Milstead. Commissioner Brummer seconded the motion. Discussion: County Counsel, Court members and Treasurer discussed the process of approval, special meetings that could be scheduled, bills and change orders and the need for signatures of one Court member for bills over \$5,000, two Court member signatures for amounts over \$10,000 and three Court member signatures for over \$20,000. The vote was 3-0, motion carried.

Public Comment

At this time, Judge Crawford opened the floor to the public for comments.

Randy Kurths, Powell Butte, asked a question of a Consent Agenda item, 13B. Approve Rickman Pit Lease with McCormack Land Co. His question was asked on behalf of another person. He asked about the revision of the existing lease and if this was an existing pit. The Court explained that there are many aggregate pits in Crook County. This was the Rickman Aggregate Pit but is now owned by McCormack's. It is an existing pit used originally for 20 cubic yards of material but the new owner is asking for 40 cubic yards. It is located on Bear Creek Road. Mr. Kurths asked how close Bear Creek is to Powell Butte. The Court responded that Bear Creek is a very long distance from Powell Butte.

There being no further public input from the public, or items that require action at this time, Judge Crawford adjourned the Court into Executive Session under ORS192.660(2)(e) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions and ORS192.660(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.

EXECUTIVE SESSION

ORS192.660(2)(e) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions; and

ORS192.660(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

Judge Crawford convened the Court into Executive Sessions under ORS192.660(2)(e) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions and ORS192.660(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. The Court met with County Counsels and members of Community Development to discuss the matters before them. Following the discussion, Judge Crawford adjourned the Court out of Executive Session under ORS192.660(2)(e) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions and ORS192.660(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 and into Open Session.

OPEN SESSION

Judge Crawford convened the Court into Open Session following the Executive Sessions under ORS 192.660(2)(e) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions and ORS192.660(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 and invited any members of the public in waiting back into the meeting room.

Motion

Commissioner Brummer moved to direct staff to proceed on the real property and legal matters as discussed in Executive Session. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

There being no further business before the Court requiring action today, Judge Crawford adjourned the Crook County Court meeting. The next regularly schedule County Court meeting will be held on September 6, 2017.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson
Crook County Court Secretary