

BE IT REMEMBERED THAT the Crook County Court met in a regularly schedule Open Session meeting on June 7, 2017 at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, OR 97754.

Members 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: Dan Parks, Prineville; Roy Meyer, Redmond; Larry Smith, Redmond; Lsena Smith, Redmond; Hilma Vanderwilt, Redmond; Teresa Herrmann, County Human Resources; Lacy and Bruce Atkins, Prineville; Faith Wiles; Linda Stelle, Powell Butte; Kathy Gray, County Treasurer; Julie Sargent, Prineville; Russell Sargent, Prineville Jake Crawford, Powell Butte; Patty Smith, Bend; Tim Izo, Bend; Vance Lawrence, Bend; Jane Aggers Prineville; R. Stone, Prineville; Larry Stone; Tracy Sparks, Prineville Crea Lancaster, Prineville; Adin stone, Prineville; Rebekah Burkhardt, County Sheriff's Office; County Sheriff John Gautney; Jamie Stone, Sheriff's Office; Todd Stace, Prineville; James Savage, Sheriff's Office; Cheryl Seely, Clerk's Office; Heather Honacher, DHS; Randy Avery, Powell Butte; Julie Mogen, Prineville; Brian Bishop, Sheriff's Office; Gwen Smith, Prineville; Michael Warren II, Realtor Record, Prineville; Vickie Rhoden, Health Department; Ann Beier, Community Development.

The media was provided notice of the meeting.

Judge Crawford called the meeting to order and asked Louis Seals to lead in the Pledge of Allegiance.

Dan Parks provided the opening prayer for the Court meeting.

Consent Agenda

1. Approve Minutes of March 1, March 15, April 5, 2017
2. Approve Order 2017-29, In the matter of increased appropriations, Health Department Grants
3. Approve Order 2017-30, In the matter of increased appropriations, IT, Victims Assistance and Sheriff's Dept.
4. Approve Order 2017-31, In the matter of appropriation transfer, Reserve Fund GIS Mapping
5. Approve Order 2017-32, In the matter of appropriation transfer, General Fund, Jail
6. Approve Order 2017-33, In the matter of appropriation transfer, General Funds, Grant Funds, Reserve Funds, Enterprise Funds
7. Approve Order 2017-34, In the matter of increased appropriations, Grant Funds, Ind. Funds and Enterprise Fund
8. Approve Order 2017-35, In the matter of increased appropriations, Grant Funds, CC Human Service
9. Approve Order 2017-36, In the matter of appropriation transfer, General Fund, Non-Departmental
10. Approve Order 2017-37, In the matter of appointment to the Crook County Library Board of Trustees
11. Approve Order 2017-38, Authorizing the sale of full faith and credit obligations in an amount not to exceed Four Million dollars to finance capital costs related to public safety facilities (the Jail Project)
12. Approve STAR Towing Amendment
13. Approve Collective Bargaining Agreement between Crook County and Crook County Deputy Sheriff's Association July 1 2017 through June 30, 2021
14. Approve WEBCO Employee Transfer Agreement re HDESD
15. Approve IGA with Deschutes County, vital record sharing agreement
16. Approve Professional Services Contract with Dave Allen--Amendment 3
17. Approve Agreement with Oregon Department of Human Services

18. Approve License Agreement re: Library Parking Lot
19. Approve revised engagement letter from bond counsel, Ann Sherman
20. Approve extension agreement between Crook County and Business Doctor LLC to provide financial and accounting services required for final wrap-up of WEBCO monthly financials and audits
21. Approve extension agreement between Crook County and High Desert Aggregate and Paving Inc., to extend deadline for completion of project from June 15th to July 1, 2017.
22. Approve extension agreement between Crook County and 4-R EQUIPMENT, LLC. to extend deadline for completion of project from May 31st to July 15,
23. Approve IGA # 154107, biennial public health funding agreement with OHA.
24. Consider reimbursement of a portion of college tuition, Bill Elliott
25. Approve letter supporting federal diabetes research funding.
26. Consider approval: letter regarding Rager Ranger Station
27. Approve payment of MERS Litigation fee

The Court reviewed the Consent Agenda with discussion regarding the addition of the transfer of ownership of Oregon State Parks, Ochoco Lake Park, to Crook County and removal of the minutes of March 15th, 2017.

Motion

Commissioner Barney moved to approve the Consent Agenda adding the transfer of ownership from Oregon State Parks to Crook County and the removal of the March 15th 2017 minutes. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

Swearing in of Sheriff's Office Deputy Jamie Stone and Corrections Deputy Crea Lancaster

Crook County Sheriff John Gautney administered the oaths of office to Jamie Stone, Sheriff's Office Deputy and to Corrections Deputy Crea Lancaster and presented their issued challenge coins. Ms. Stone will be assisting in the office and Emergency Management. She has served in the National Guard for 20 years and has retired as a Staff Sergeant. Ms. Stone has lived in Crook County since 2006 and has served with the County Search and Rescue for two years as well as being a ham radio operator for two years. Mr. Lancaster has a history as a serving with the Redmond and Bend Police Departments, has worked in Corrections, and served four and one half years in the Air Force during Desert Storm.

Employee recognition; certificates and pins

The County Court recognized Scott Granger for his 15 years of service with Crook County Sheriff's Office by presenting him with his 15 year pin and certificate. The Court recognized Clayton Rhoden for his 30 years of service with the County Road Department by presenting him with his 30 year pin and certificate.

Public Hearing for the Approved Crook County Budget Kathy Gray

County Treasurer Kathy Gray presented the Crook County 2017-2018 Budget. Judge Crawford thanked Ms. Gray, the Commissioners and Department Heads for working this year with the many changes to the budget program.

Ms. Gray presented the changes that must be made prior to the adoption of the County Budget. Changes were made to budgets of the Library, Maintenance, IT Security and to the reserve for future expenses. A line item was also created for the Rager Emergency Services.

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

Motion

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

Public Hearing for the approved Crook County Historical Society Budget, Kathy Gray

Ms. Gray presented the budget for the Bowman Museum Historical Society. The total is \$445,970.00.

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

Motion

Commissioner Brummer moved to approve the Bowman Museum Historical Society budget as presented. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

The tax rate for the museum remains the same as the prior year.

Public Hearing, 10th Annual Crawfest – July 13-16, 2017

County Counsel Jeff Wilson presented a staff report regarding the previous Crawfest, the complaints related to noise and music beyond the cut off time and the expenses not paid until May of this year to cover the additional expenses of the Sheriff's officers. Mr. Wilson encouraged the Court to consider the cash deposit to cover unforeseen expenses such as paying for the Sheriff's Deputy's and other unknowns. The event plan has been reviewed. Michael Ryan, Emergency Manager, advised the Court that the security plan is not detailed. There needs to be a responsible party for security. Alcohol will not be sold on site and the music time limit enforced.

Louis Seals, Community Development, provided information on the event plan, site map and information on the solid waste and porta potty issues. His discussed the concern of security and the music that went on after midnight previously. Mr. Seals has been in touch with the Roadmaster and the signs will be reused. Ms. Beier, Community Development said that no insurance document has as yet been received. Mr. Seals said the fire suppression is in place.

Undersheriff James Savage provided information on the timing of the event. This is the same weekend as the horse racing and will be stretching the resources of the Sheriff's Office. The calls are usually noise complaints and nuisance. Last year, the Sheriff's office, after multiple calls, sent deputies out. Five calls were made with no response or phone answers. The last report was taken at 1:30 a.m.

Sheriff Gautney discussed that last year the Court had talked about a deposit but did not require it. All other events are required to pay. It is overtime for Sheriff's deputies to go out. The deposit is refundable if not used for costs. The Sheriff's Office has only had one major case at the event. Most are noise complaints.

Applicant

Dr. Jacob Crawford discussed the noise complaint issues, the payment that was mailed in and returned , and is entirely paid, the problem with the phone and why he had not answered his phone when the deputies called making it necessary for them to make the trip out to his event. Judge Crawford reminded Dr. Crawford that the County needed him to be available to answer the phone. Discussion was held regarding the deposit.

Dr. Crawford and the Court discussed the deposit, the bond, minimum deposit of \$1,000 and that this event is not a money maker. Deposits are refundable if not used to cover expenses of the County due to calls out to the event. Mr. Wilson presented the information on the problem with Dr. Crawford's check payment of last year. He was sent a letter with billing for \$140. There was interest due to the time it went unpaid. He received no response from Dr. Crawford. Dr. Crawford sent a check for an unusual amount, and Mr. Wilson could not figure that out. In the last couple of weeks, the correct amount was received. Mr. Wilson recommends a \$5,000 deposit and sees no reason to reduce that amount.

Undersheriff James Savage said the Sheriff's Officer had called at 11:19 p.m. to answer a complaint and there was no answer. The Sheriff's Office then sent a deputy out after midnight.

Commissioner Barney discussed with Dr. Crawford that his track record was not very good. He discussed the rights and enjoyment of property. Commissioner Barney said he has known Dr. Crawford for quite a while as a veterinarian and wanted that known in the Court record. Commissioner Barney recommends the total deposit, \$5,000 and if compliant, then reducing the amount. He would like Dr. Crawford to enjoy the event and to have his friends enjoy the event as well.

Commissioner Brummer said he would like to see the music cut off at 10:00 p.m. for quiet time. He would like the total deposit of \$5,000, and if all the rules of compliancy are followed, reduce the amount. Judge Crawford suggested 11:00 p.m. for music cut off time.

Judge Crawford read a letter from DC Lundy asking that all music stop at 12:00 a.m. He also discussed all the attendees remaining in the established confines of the event. Two additional neighbors had signed the letter. Another neighbor wrote a letter, but it was not received in time to enter into today's record.

Public Hearing.

Linda Stelle, a neighbor east of Dr. Crawford for 10 years of the Crawfest event, said it has grown and matured. She said she is fairly sure that the music ended at midnight, and there had been speaker control. She was impressed with the sanitation, vendors, family area and the parking area. She discussed Brasada and the music that comes from Brasada that is located a mile and one half away. She said she thinks the deposit is excessive at \$5,000. Ms. Stelle said there are no CC&Rs for Crook County as a subdivision. The people at Brasada do not know that you do not get the same thing as you do in suburbia.

Alan Cornelius of Brasada said there have been complaints from the Brasada residents, and he requests that the cut off time for amplified music be at 11:00 p.m. as it is in Brasada. He wants to be a good neighbor.

Response of applicant

Dr. Crawford said he agrees to 11:00 p.m. however, there may be possible technical difficulties, but everything will shut off at midnight. As far as the bond (deposit), he does not have it in the budget.

There are no other sponsors. He asked for the \$1,000 deposit amount. Dr. Crawford said he will be available by phone for the entire event.

Ann Beier, Community Development, provided some requirements. She asked for a detailed security plan within two weeks. She would like a minimum of three alternative phones for answering to officers calling regarding complaints. Louis Seals, Community Development, will provide a security outline. She explained that everyone else has paid the deposit. The County did not used to enforce the conditions, but now they have to be enforced. Mr. Seals added that the Sheriff's Office must have full access as in the past if responding to a call. Many events are using volunteers for security. The volunteers do need training. If we don't hear from Dr. Crawford on these requests, we will be back. Ms. Beier said the County is trying to work with Dr. Crawford to use the property.

Motion

Commissioner Brummer moved to approve the event contingent on a security plan in by June 16th, a \$2,500 deposit and 11:00 p.m.; establish a firm time to stop all amplified music, and full access to the Sheriff's Office Deputies and additional payment if costs are over the \$2,500 deposit. Commissioner Barney asked about insurance and deposits. Ms. Beier said they are asking for a deposit by June 16th. Everyone else pays 30 days in advance. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

Public Hearing, Oregon Dirt Park Eclipse (This is RV/tent camping at the Oregon dirt park – Juniper Canyon)

Information was provided on the Oregon Dirt Park Eclipse event scheduled for July 18 through the 21st. The application is for an event where there is infrastructure in place, ingress and egress areas with check in and an event plan. They are waiting on insurance and requesting a \$1,000 security.

Judge Crawford advised the Court that two letters were received. One neighbor is concerned about neighbor trespassing. Jason will be posting "No Trespass" signs. All other concerns are addressed in the event plan. If liquor is going to be sold, the organizers go through OLCC. They have complied with no fires and no fireworks. There will be generators for some safety lighting at night. There will be seven PortaPotties for 800 is the requirement. There is a site plan, PortaPotties, event in progress signage but not an evacuation plan. Mr. Seals said that exiting could go on to Simpson road. A gated access if needed. Music would cease at 10:00 p.m.

Mike Ryan, Emergency Manager, said the plan references security but there is no security plan. Mr. Bronson explained that there will be one security person for each 250. Six people including Mr. Bronson will be providing security. The plan is set for up to 1000 attendees. The Sheriff is OK with the event plan.

Applicant

Jason Bronson, 12600 SE Juniper Canyon Road, said the event area is already outright permitted for event over 1,000. There are seven security people plus Mr. Bronson, and he is in charge of Wildland Fire Fighting Equipment.

Public Hearing

Terry Buckmaster, 10601 Lazy back Lan, and neighbor to the event area, advised the Court that there are a lot of events held at this venue and all go off well. He has no complaints.

Janice Street, 10563 SE Prairie Schooner Rd, provided history on the Dirt Park area that was originally the Prineville Adventure Park. She discussed the conditional use permit, she said she had never been notified that they were granted camping, and the first five years of the Adventure Park were very contentious. She asked if this would be for 1000 people or 1000 campsites. She has concerns about the amount of people coming to the tri-counties and that community members need to be prepared. She discussed the ingress and egress.

Judge Crawford advised Ms. Street that today, the Court is considering the approval of an application for the Eclipse event as a special event. The community is not inviting people, they are coming. And the Court would much rather have them in an area that is prepared, providing toilets and prepared for the people expected.

Bill Zelenka, County Planner, explained the permit for the event only, which has nothing to do with the conditional use permit; this is a one-time deal, and it will set no precedent. If the applicant wants to address the Conditional Use Permit, he will have to come back in at a different time.

Judge Crawford said again, today's discussion is for today's special event only.

Ms. Beier explained that this is for up to 1000 people. She explained the differences between a special event and a mass gathering. Today is just for a special event.

Ms. Street spoke again of the one ingress and egress onto Juniper Canyon, a three day party and the impact for a three day party.

Judge Crawford said the people are coming anyhow, and we would rather they be when it can be regulated.

Ms. Street spoke more on security, history and people that were denied entry.

Judge Crawford said that Mr. Seals will work out a security plan on the 650 acres site. Mr. Seals addressed the security qualifications.

Judge Crawford closed the Public Hearing.

Response

Judge Crawford reminded everyone that today we are only talking about the special event permit for the Eclipse Event.

Mr. Bronson addressed the letters received and said that he is respectful of our neighbors. We are recreational zoning and are only asking for overnight for this event. At this time, there is nothing else planned, and if so the neighbors will be notified. He addressed the zoning of the area.

Ms. Beier said the insurance is pending, recommended a deposit of \$1,000, music off at 10:00 p.m. and said the master plan is good for the campground rules. Mr. Seals and Mr. Bronson will get together for the planning of security. Mr. Beier said that Jason will post phone numbers and will pay the \$1,000 refundable deposit. Environmental Health Sanitarian will be checking all the food vendors.

Motion

Commissioner Brummer moved to approve the eclipse event contingent on the \$1,000 deposit,; the security plan, Insurance, Proof of Insurance, No Trespassing signs, access for security, the security deposit by July 1st. Discussion was held on possible need for flaggers. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

Public Hearing, Request for social gathering, Camping the Eclipse, (Avery Property on the Powell Butte Hwy)

Ms. Beier provided Information on the Camping the Eclipse event to be held on the Randy Avery property. The application for permit is for up to 3000 people with room to park many RV's. Mr. Avery is working with ODOT to get the RV's off the highway. There will be no sale of alcohol, and Mr. Avery is working with Environmental Health on sanitation. There will be no waste, no music, basic fire prevention, self-contained vehicles with some camping for the August 17 through the 22, 2017 dates.

Mr. Seals discussed the need for the ODOT approved access. He also spoke on the need to make sure there is gray water disposal and to make sure that is incorporated in the master plan. There is a request for Mr. Avery to have certified flaggers and access for personnel, fire and Sheriff. Also, a deposit of \$1,000 will be required.

Michael Ryan, Sheriff's Office, discussed the concern regarding the entrance and exit on 126. There is a curve on one end and a hill on the other. The ODOT permit will address that. Event signs will be placed with placement to be before the curve and before the crest of the hill. .

Applicant

Mr. Avery, POB 34, Powell Butte, 97753, spoke with the Court. He discussed the number of incidents on the highway, thanking the Sheriff's Office personnel for coming to help with those incidents, and explained the 200 units that can come off the highway before needing to start parking. Mr. Avery said there will be two signs on each end, and additional as required. He has applied for 3000 attendees but does not expect that many. Discussion was held on the providing a space for those coming in to view the event and having a specific spot as a wise thing to do.

Public Hearing

Gwen Smith, POB 79, Powell Butte discussed the complicated matters of getting to and from anywhere during that one day. The permit is asking for five days, and she is very concerned. The plan has been in the works requesting the permit, the web site is already set up and accepting reservations. She asked what would happen if not approved. Judge Crawford explained that they were responsible to do due diligence. And, that everyone locally will have to figure out what to do for this week because the people are coming no matter what. Ms. Smith added that this will not be happening every year and all agreed.

Motion

Commissioner Brummer moved to approve Camping the Eclipse LLC subject to a \$1000 deposit due on July 1st, insurance, addressing the gray water issue, ODOT's approval, access for emergency personnel and additional signage. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

Award contract for Grassy Butte cinder crush services

County Roadmaster Bob O'Neal presented information on the Grassy Butte cinder crushing contract for crushing near the airport. 4R was the only bid received at \$276,250 for the original crush. He explained the sharing of mobilization cost, bringing this in at \$10.95 instead of \$11.05. Mr. O'Neal recommends approval of the bid at \$273,750 including the \$2,500 savings.

Motion

Commissioner Barney moved to accept the bid of 4R Company at \$10.95 per ton for a total of \$273,750 and authorize signing of the contract outside of Court. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

DISCUSSION

Consider offer to purchase County-owned property, Mike Warren II

Mike Warren II, County Realtor of Record, presented an offer to purchase a piece of County owned foreclosed property that is adjacent to the owners of another property and would only be of value to them as it is located in the creek and could only be used as an easement. The property is not accessible and not buildable. The Court discussed a Counter offer of \$2,000.

Motion

Commissioner Brummer approved \$2,000 as a Counter offer to be conveyed by a Bargain and Sale Deed. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

Discussion on County office closures during August eclipse

Judge Crawford recommended the closure of all County offices on August 21, 2017, the day of the eclipse event. The concern of the number of people on the roads coming to view the event would make coming and going to and from work next to impossible. Discussion was held on the safety of the employees, the ability for the Clerk's office to be closed and declaring this an emergency closure or as a holiday.

Roadmaster Bob O'Neal said he would like to bring his camper over and place it at the road department, staying here during the event to be available at all times. All Road Department employees will be available before, during and after the event.

Motion

Commissioner Brummer moved to call August 21, 2017, Eclipse Event, a holiday for the County. This is for 2017 only. Commissioner Barney seconded the motion. The vote was 3-0, motion carried

Wildland FEMA project pool

County Counsel presented an update on the pool for wildland fire protection. The Counsel recommended approval of Arbor 1 contract be approved, placing the company in the pool for selection and signed outside of Court. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

Approved August 2, 2017

At this time, 1:10 p.m., Judge Crawford adjourned the Court out of Open Session and into Executive Session under ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations

EXECUTIVE SESSION

ORS 192.660(2) (d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations

Judge Crawford convened the Court into Executive Session under ORS 192.660(2) (d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations. The Court discussed with Counsel the matter before them. Following the discussion, the Judge Crawford adjourned the Court out of Executive Session under meeting ORS 192.660(2) (d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations at 2:17 p.m.

Open Session

Judge Crawford convened the Court into Open Session following adjournment out of Executive Session under ORS 192.660(2) (d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations and invited and public in waiting back into the meeting room.

There were no decisions or motions to be made. A brief discussion was held regarding the next County Court work session.

There being no further business before the Court today requiring action, Judge Crawford adjourned the meeting.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson
Crook County Court Secretary