

Minutes of the May 9, 2017 County Court work session.

Persons in attendance were: Commissioner Jerry Brummer; Commissioner Brian Barney; County Counsel Jeff Wilson; Assistant County Counsel Eric Blaine; Jean Breese; Cindy Snyder; HR Director Teresa Herrmann; Judge Seth Crawford; County Treasurer Kathy Gray; County Roadmaster Bob O'Neal; Jere Breese; County Clerk Cheryl Seely.

- Discussion of Breese Ranch, LLC's request to release "excess" security (roughly \$24,500.00) from the County's security interest in the Breese Ranch development.
- Jeff Wilson presents an overview of the project's history.
 - The trust deed states that the specified infrastructure will be completed "not sooner than 2 years after execution," which is probably a typo for "not later than 2 years."
 - Breese Ranch, LLC has stated that the required wells have been constructed, though the County has not yet received confirmation of it.
 - It is recommended that the County establish a deadline for completing the improvements, regardless of whether the excess security is released.
- Discussion on a deadline of the end of 2018. Jean Breese would like a deadline of the summer of 2019.
- The Breeses states that the postal boxes, stop signs, and wells have been installed.
- They oppose paving a certain road, Bull Boulevard, if it means that the subdivision must pay for its maintenance – they argue that it is a public way, and that should remove their responsibility to ensure its maintenance.
 - They state that five homes are not in the Public Utility District but use the road, so the PUD should not have to pay to maintain it.
- The County discusses the Planning Commission's decision on the maintenance of Bull Boulevard, which required the applicant (Breese Ranch, etc.) to create road maintenance agreements for the maintenance of the specified roads (including Bull Boulevard).
 - The timeframe for appealing the Planning Commission's decision has passed.
 - Surrounding properties have very likely been purchased in reliance of the dedication and paving of these specified roads.
- Bryan Iverson states that there is a difference in his mind between paving and maintenance. He does not want to be responsible for maintaining the road after it is originally paved.
 - He also states that the price quote Breese Ranch received in 2008 which was utilized in the trust deed was astronomic, and that they received a bid last year of only about \$70,000.00.
- Discussion. The Commissioners are comfortable with a final completion date of summer of 2019.

- Judge Crawford directs Bob O'Neal to recite the County's policy on assuming maintenance of new roadways. Bob O'Neal explains the policy and states that because of a decrease in available funding, he does not support assuming the maintenance of any additional roadways.
- Jean Breese states that the maintenance of Bull Boulevard will unequivocally not be the responsibility of the subdivision's home owners association, because it is outside the PUD.
 - Discussion of the Planning Commission approval, which conditioned approval on maintenance agreements for platted roads both inside and outside the PUD including Bull Boulevard.
 - The maintenance agreements must meet the County's adopted road standards.
 - Jean Breese asks the County whether Breese Ranch, LLC or anyone else ever drew up such maintenance agreements. She is encouraged to check the records in the Clerk's office.
- Discussion on whether to release the "excess" security.
 - The County requests documentation that the required wells have been properly installed.
 - Jean Breese asks that more than the excess \$24,500.00 be released because so much time has passed since the Trust Deed was first executed. Jeff Wilson states that this would require an amendment to the improvement agreement.
- Commissioner Barney moves to authorize a release a portion of the Breese Ranch PUD security in the amount of \$24,428.61, plus authorize releasing the value of the required wells shown on the trust deed plus the 20% contingency for the wells, upon a demonstration of proper completion, with a requirement that all improvements be completed by August 30, 2019. Seth Crawford seconds.
 - Commissioner Brummer announces that because he works for the Ranch, he has a conflict of interest and therefore abstains from any discussion or decision on this matter.
 - Motion carries, 2-0.
- Eric Blaine presents on the proposed HRIS project, an integrated human resources and financial management software program.
- Eric Blaine presents on the 252-page biennial mental health funding contract issued by OHA. A committee of attorneys from several counties are pooling their expertise to negotiate terms with OHA, including a representative from Crook County.
- Jeff Wilson presents on the jail construction project. He asks Seth Crawford to visit Amerititle to sign an 8th Amendment.
- Also, Mary Jo Johnson has signed a deed for the portion of Dunham Street which would, once the road is vacated, be transferred by operation of law to her as the adjacent property owner.

Approved August 2, 2017

- The County is negotiating a purchase of her property subject to a life estate, and she is interested.
- Discussion on whether the County could trade other property located within the City.
- Ms. Johnson would like the County to pay for an appraisal of the property.
- The Court asks Mr. Wilson to engage an appraiser for these purposes.
- Teresa Herrmann discusses drinking water and lead.
 - Our courthouse was recently tested and showed no signs of lead.
 - Should other County buildings be tested? The cost per test is roughly \$85.00 each.
 - The Court directs that every building should be tested.
 - Judge Crawford volunteers to ask Box R Water Analysis to reduce the price.

Meeting adjourned.

Respectfully submitted,
Eric Blaine