

**BE IT REMEMBERED THAT** the Crook County Court met in a regularly scheduled Open Session on April 5, 2017 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: Sher Eriksen, Prineville; Matt Stableman, Bend; Casey Daly, Manager, Crook County Fairgrounds; Shirley McCullough, Prineville; Sarah Teskey, Paulina; Teresa Herrmann, County Human Resources; Tom Kemper, Housing Works,; Steve Meyer, Redman; John Giorgi, Paulina; Gail Merritt, Crook County Fair Board; Kim Merryman, Bend; Cheryl Seely, Crook County Clerk; Gordon Gillespie, Bowman Museum; Izaac Ross and Levi Roberts, County IT and GIS; Sarah Cipriano, Crook County Human Resources; Michael Ryan, Crook County Sheriff's Office; Bobbi Brooks, Housing Works; Barbara Punch, Housing Works; Tammy VanVleet, LRS Music Festival; Julie Martinez, District Attorney Victim's Assistance Program (DA/VAP); Karianne Aaron, DA/VAP, Clara Popelka, DA/VAP; Lacey Pedersen, LRS Festival; Kyle Linder, LRS Festival; Kris Williams, Crook County Health Department; John Gautney, County Sheriff; James Savage, Undersheriff; Leroy Gray, County Landfill Manager; Shelly Phillips, District Attorney Office; Kassandra Bliss, District Attorney Office; Laura Franzen, District Attorney Office; Sarah Wannamaker, DHS C-W; Alyse Meghan, DHS CW; Regina Paul, County Legal Office; Michael Warren II, Crook county Properties; Scott Porfily, SMAF; Brian Porfily, SMAF; Duane Garner, Director, Crook County Parks and Recreation District and Rebekah Burkhardt, Sheriff's Office.

The newspaper was provided with public notice.

Judge Crawford called the meeting to order at 9:00 a.m. Barbara Punch led the Pledge of Allegiance. Dana Barker, Missionary Baptist Church provided a prayer for the meeting.

### **CONSENT AGENDA**

1. Approve Minutes of January 18, 2017
2. Approve Order 2017-18, In the matter of appointment to the Hahlen Special Road District (HSRD) Board
3. Approve 2017-22, findings of fact for a sole source procurement of repair parts and services from Cascade Water Systems
4. Approve 13<sup>th</sup> Amendment to IGA 148006 with the State for Financing of Public Health Services
5. Approve Amendment No. 2 to Property Use license between Crook County and Oregon State University
- 5+ Approve Order 2017-20, In the matter of authorizing negotiation of credit facilities and related Documents

The Court reviewed the Consent Agenda. There were no changes made.

### **Motion**

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

## **SCHEDULED APPEARANCES**

### **Presentation, Certificates of appreciation celebrating years of employee service**

The Court awarded three County employees with certificates and pins honoring their years of service to the County and Community. Anne Hawkins, Parole & Probation, 15 years; Steven Lent, Museum, 15 years and Wade Page, Road Department, 15 years. Congratulations to all.

### **Public Hearing, Mass Gathering amendment , Country Music Festival, Increase in participants**

Ann Beier, Assistant Planner, County Community Development, presented the request by the organizers and applicants for the Lazy Rockin' Stirrup County Music Festival to amend the application to increase the number of attendees to the event from 3,500 to a7,500. The original application for the mass gathering was approved with 12 conditions. The festival will be held from June 29<sup>th</sup> through July 2<sup>nd</sup> that will include two evenings of music, and camping for the entire time. Ms. Beier explained the plans for the entrance and exit for the event with two lanes for traffic, graded and graveled. Additional parking will be designated. There will be a pilot car and traffic control. No parking is allowed on the main road way. The traffic control plan will be submitted and reviewed by the County Road Department and by ODOT. Ms. Beier has met on site with the vendors, and the infrastructure will be brought to the site. The site is large and can accommodate additional camping, RV sites have a safe distance between, and the Sheriff's Officers and Emergency Management will be on site 24/7. No campfires or fireworks will be allowed and quiet hours will be assigned. There will be no- trespassing signs posted to alleviate wondering on adjacent properties. Stage siting is directed east; not toward Paulina. SMAF is contracted for traffic control and is now doing the on-site traffic roads.

Michael Ryan, Emergency Management, Sheriff's Office and Undersheriff James Savage provided information on the emergency and security coverage for the event..

County Counsel Jeff Wilson provided information regarding the financial obligation of the applicants and the financial requirements of bonding, insurance and deposits. Discussion was held on how the amount of the bond was set.

Applicant Terry VanVleet presented plans and presented cookies to the Community Development, and Emergency Management departments for all the help in organizing this event. Ms. VanVleet provided information on the entertainment for the event and her team working together to bring the event to the local area. Local vendors will be providing services as well as others from across the state.

Ms. VanVleet and her father met with members of the Paulina community to address the locals concerns of trash and illegal parking as well as other concerns that had been addressed previously. Ms. VanVleet provided information on the deposits at this time and the insurance that has been secured for this event. Discussion was held regarding adding neighbors as named on the insurance coverage.

Judge Crawford thanked Ms. VanVleet and her staff for working well with the departments. Ms. VanVleet said it has been a pleasure, and she hopes to have the event become an annual happening. Some individuals are not happy about the event, and she will do her best to address all the concerns.

Commissioner Barney addressed the issue of fires and medical needs. He has been meeting with the Fire Chief and is impressed with the coverage on site and with the plan for medical on site as well as the transport teams.

Discussion was held regarding the economic impact of the event on the local area with an extensive list of vendors and the local company working on the road, traffic control and safety.

Ms. VanVleet had her supporters and team stand for acknowledgement.

### **Public Hearing**

Judge Crawford opened the public hearing.

John Giorgi , property owner discussed the controversy and working with the Sheriff, Community Development, County Planning, Medical and Security teams and safety first with the response team available to the locals as well as attendees.

Sarah Teskey, land owner and Rager Services member, believes the applicant has gone above and beyond to meet and exceed the needs. Ms. Teskey was in support of the 3,500 number of attendees; the 7,500 is concerning. She likes Ms. VanVleet's desire to make this a solid event and move forward. She has concerns on all the firsts of the event and with the additional people, it makes her a little nervous.

The public hearing was closed at 10:40 a.m.

### **Discussion of the Court**

Judge Crawford thought 7,500 people is a little high, he would like to see the number at 6,000, or 6,500.

Commissioner Brummer appreciated including the other ranches on the insurance and doubling the deposits. He is alright with the 7,500 number but wants a cap put at that number. He believes the organizers want to put on a quality product.

Commissioner Barney said he believes the organizers have the experience to hold the event with the 7,500 people.

Ms. VanVleet said they would not be asking for more.

Mr. Wilson presented information on the bond, \$250,000, the insurance at 1.6 million; the permit costs and cash deposit of \$5,000 increased to \$10,000. The organizers are increasing the insurance as well.

Mr. VanVleet explained that there is a deposit for \$10,000 for Sheriff's costs and an extra \$10,000 to cover any other needs. The deposits are refundable if not used.

Ms. Beier discussed the \$2,500 application fee and the coordination time spent by County staff. She believes that this figure is good at this time. At the end of the summer, they staff will see if it needs to be amended. She does not believe the fee change should take place in midstream. Ms. VanVleet said that the \$2,500 additional could be made for the application fee.

### **Motion**

Commissioner Brummer moved to amend the application to a "not to exceed" figure of 7,500 attendees, implement the \$250,000 bond, statutory insurance, \$2,500 permit cost plus adding \$2,500 for the permit

coordination time, \$10,000 for Sheriff's costs plus an additional \$10,000 for any other coverage needs. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

**Announce the successful bidder for the McKay Creek Overlay Project**

County Roadmaster, Bob O'Neal, presented the information on bidders from three companies, all in compliance with the bids and the low bid coming in at \$149,500. The lowest responsible bidder was High Desert Aggregate.

Ms. Blaine explained the process if the bid is approved today. Mr. O'Neal and Commissioner Brummer discussed the site and the bridge size and adjustments.

**Motion**

Commissioner Barney moved to approve the award of the bid to High Desert Aggregate for the McKay Creek Overlay Project. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

**2017-2018 CAFFA Grant, Brian Huber, Assessor**

County Assessor Brian Huber presented information regarding the 2017-18 CAFFA Grant (County Assessment Function Funding Assistance (**CAFFA**), an annual **grant** program to help cover assessment and taxation costs in several departments including the Assessor's Office, Treasurer's Office and the County Clerk. This year the grant is reduced by approximately \$3,000.

**Motion**

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

**Proclamation: April, Child Abuse Prevention Month, Terra Tyger Kids Center**

Robin Antonson appeared today in place of Terra Tyger to present and read the proclamation designating April as Child Abuse Prevention Month.

**Request for funding, Terra Tyger, Kids Center**

Robin Antonson appeared in place of Terra Tyger to request funding for the Kids Center operation in the Crook County area. Ms. Antonson presented statistics regarding child abuse, the number of children in Crook County that were evaluated this last year (70), the number of families needing support and services (144) and the grant from Ford Foundation that has helped fund an additional employee locally. The Kids Center is working with Lutheran Community Services NorthWest (LCSNW) to provide a support group locally, and Terra Tyger, the local representative for Kids Center, will have an office in the LCSNW facility. The request for funding from the County last year was for \$6,000.

The Court discussed the reduction of funding from the Video Lottery Funds and using the funding for economic development.

Commissioner Brummer suggested not cutting the funding off completely this year, cutting back this year and then next year, set up a fund and then figure the amount the County can afford to provide to the non-profit organizations that have previously requested and received funding from Video Lottery funds.

Discussion was held regarding the percentage to allow this year with suggestions from 50 percent up to 65 percent.

No decision was made but the consensus is to use the 65 percent. There is no set time line. The decision will be made after budget hearings.

Ms. Antonson said the annual support for this year would be used for almost 200 families, and the funds can be used anytime this year.

### **Presentation by Housing Works, Tom Kemper and Housing Works Commissioners**

Tom Kemper, Bobbie Brooks and Barbara Punch presented the information for today's presentation. The organization is celebrating its 40<sup>th</sup> year, formed in 1977 and promoting the mission of "Fostering Dignity through Housing". A Power Point was presented that addressed the households of Central Oregon and Crook County. Local income statistics included: 30 percent of locals make less than \$25,000; 30 percent of the household income is used for housing and 31 pay more than one-half their income for rent. There are 2400 affordable units in Central Oregon. The need in Crook County is 1814 with 219 available. Jefferson County (Madras) has the most affordable housing.

Additional information was presented regarding vouchers, with two-thirds of those going to elderly or disabled with income of \$14,022 or less, and the list of affordable housing at this time along with plans for additional housing with the Ochoco School renovation on six acres and 29 units of affordable housing. The Ochoco School units will have small patios with overhangs, the 4,000 square foot cafeteria will be used as the Neighbor Impact Headstart community and the gym will be leased to Crook County Parks and Recreation District for \$1.00. The facility will access off of Locust Street and should be ready in the spring of 2018.

### **Update on RV Park and discussion of RV Park Reserve Funds**

Duane Garner, Director, Crook County Parks and Recreation District (CCPRD), presented information on the agreement that agrees to have CCPRD operating the RV park for Crook County. This is a quarterly update, the first ever since Mr. Garner became Director.

Mr. Garner presented information on the tremendous amount of work done on the RV park over the last few years beginning with the removed of 80 plus willow trees and the killing of the root systems, new RV Electrical Pedestals, 81 RV Park sites old yard hydrants removed, and the water system improved. The underground electrical system still needs to be updated and larger septic lines need to be installed. A new dumping station and the sealing of the asphalt was done last summer, and currently, there is construction of a laundry facility for the RV Park residents. The revenues look as expected, \$117,490, in the RV Park reserve fund. The profits split usually amount to around \$45,000 for each, CCPRD and Crook County, and this year Mr. Garner would like to add another \$45,000 to the reserve account. Mr. Garner would like to finish the laundry room and needs approval of the Court to use the reserve for Capital Improvements. If the Court agrees, Mr. Garner would like to get more public bids including going out for electrical. He asked for use of the funds to move forward with the projects. Mr. Garner wants to have engineering for the new wiring and conduit, do the project and then overlay the sites. He said the new laundry will be handy for the residents and will bring in additional revenue. CCPRD will also be upgrading the sprinkler system.

Discussion was held regarding plans for the underground wiring, use of the reserve funds, asking to approve up to \$50,000 from the reserve for the project and putting the project out to bid.

**Motion**

Commissioner Brummer moved to approve up to \$50,000 for project costs to complete the laundry facility. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

**Consider quotes and purchase of material for cabling and phone project in Courthouse/ Izaac Ross/Levi Roberts**

Izaac Ross, County IT Manager and Levi Roberts, GIS Manager discussed with the Court the cable quotes received for the cabling for the Court house. Elite Electric was the quote recommended.

**Motion**

Commissioner Barney moved to approve Elite Electric as low bid for the cabling quotes for the telephone project. Discussion: The costs are separate for conduit, \$10,300 and cabling \$15,050. The cabling will be installed with the anticipation of extra growth. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

**Order 2017-19, Bendtel proposal for Telephone System Upgrade**

The Court discussed with Mr. Ross and Mr. Roberts, the VOIP phone system purchase. 112 unites are needed and the refurbished cost is \$145.00 per unit. Both feel confident using the refurbished phone units. The VOIP Phone System will now include the Library and Corrections. The refurbished phones will have a 12 month warranty. The original phone count was 75 and is now 112. By using the refurbished phones from Bendtel, there is a savings of \$200.00 for a total of \$16,240.

**Motion**

Commissioner Brummer moved to purchase the refurbished phones from Bendtel at the cost of \$16,240 and authorize signature outside of Court. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

**Consider approval of Desk Top Technician position**

Mr. Ross and the Court discussed a new position of Desktop Technician. The Court would need to approve the new position in order to post the hiring notice. Commissioner Brummer explained that this position is basically the same as was through the AccTech Contract for 50 hours per week. (The County will not be renewing the contract with AccTech). This position is a 40 hours per week position. The position is included in the budget for the IT/GIS Department.

**Motion**

Commissioner Brummer moved to approve the new position of Desktop Technician. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

### **Discuss USDA-APHIS Wildlife Services Budget**

The Court has received a letter of March 10, 2017 requesting \$47,000 for services at this time. The Court discussed the services rendered by USDA-APHIS for predator control and the funding for the service. The Court will address this matter during budget hearings.

### **Updated version of the Safety Committee Operating Charter**

Sarah Cipriano, County HR and Safety Committee Coordinator, presented an updated Safety Committee Operating Charter. 2009 was the most recent copy of the charter, and Ms. Cipriano and Jim Brinkley, Maintenance, upon direction of the Safety Committee, took on the project of updating the charter. The charter has been reviewed with Assistant County Counsel Eric Blaine. The new charter includes any State Administrative changes. The Court thanked Ms. Cipriano and Mr. Brinkley for their work on the updated Operating Charter.

### **Motion**

Commissioner Barney moved to approve the changes to the Safety Committee Operating Charter. Commissioner Brummer seconded the motion. The vote 3-0, motion carried.

### **Consider offer to purchase County-owned property at SE Beaver Creek Road Paulina**

The Court has received an offer to purchase property, 19.7 acres, on Beaver Creek Road (Paulina Ranches Subdivision). The minimum bid price is \$19,000 and the offer is \$5,000. Mike Warren II, County Agent of Record, recommended rejecting the offer and countering with \$17,000.

Both County Counsel Jeff Wilson and Mr. Warren recommended rejecting the offer.

### **Motion**

Commissioner Brummer moved to reject the offer. Commissioner Barney seconded the motion. Discussion: This will not take the property off the list, and there may be additional offers. Planning Director Bill Zelenka discussed that this may be creating headaches and misconceptions. Discussion was held regarding Paulina Ranches properties and adjacent properties with future use in limbo. The vote to reject the offer was 3-0, motion carried.

### **Consider grading new position, Landfill Manager Trainee**

A new position as Landfill Manager Trainee has been developed to help with a succession plan at the Landfill. There is a need for a trainee position. The Compensation Committee reviewed the position and graded the position at Grade 8. The plan is to promote the current office manager to the position of Grade 8 Step 11 effective July 1, 2017. The first step is to approve the position that last for 12 to 18 months until Landfill Manager Leroy Gray retires and then the trainee position will be eliminated.

### **Motion**

Commissioner Barney moved to approve the new position of Landfill Manager Trainee. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.



**Consider grading of new position in Community Development/Assistant Building Official**

The Community Development Department is requesting approval of a new position, Assistant Building Official, that will be used during the time that Randy Davis is training for the Building Official position slated to open when the current Building Official leaves his position. This will be a temporary position and has been reviewed by the Compensation Committee and graded at Grade 9 Step 19. The increase in salary in this department is under \$4,000 annually. Mr. Davis has served in the department for many years and has over and above requirements of certification required of this position. The Department Director feels that Mr. Davis is qualified for the position and recommends moving him to a Grade 9 Step 19 as recommended. This position is a temporary position similar to the Landfill position. The position will be eliminated after Mr. Davis becomes the Building Official and will not be used again for many years. Mr. Zelenka, Community Development Director, agrees that Mr. Davis has been providing a significant portion of the Building Official operation program at this time. He will be learning supervisory skills. Ms. David does have State Certification as a Building Official as well as for Plan Review. Mr. Zelenka will work with Mr. Davis on a defined plan for the position until the current Building Official leaves the position.

**Motion**

Commissioner Brummer moved to approve the Position of Assistant Building Official, Grade 9 Step 19. Commissioner Barney seconded the motion. The vote is 3-0, motion carried.

**Regrading of Lead Clerk II/Biller/OCHIN Specialist Position-Health Dept.**

This position has been reviewed by the Compensation Committee. The grading will be graded as a Grade 6 Step 17. The increase in salary is \$7,000.

**Motion**

Commissioner Jerry Brummer moved to approve the position of Lead Clerk II/Biller/OCHIN Specialist Position at the Health Department with the grading of Grade 6 Step 17. Commissioner Barney seconded the motion. The vote was 3-0.

**Request adjustment to the exempt salary schedule for the Jail Commander and Undersheriff**

Information was provided to the Court regarding the request to adjust the Exempt Salary Schedule for the Jail Commander and the Undersheriff. The Jail Commander should be raised to be the same as the Corrections Director, and the Undersheriff has been overseeing the Jail and Patrol. Discussion was held regarding looking for qualified people or promoting from within. The annual cost of these two adjustments will be approximately \$4,000 for the two positions per year.

**Motion**

Commissioner Barney moved to approve the adjusted grade levels for the Jail Commander and the Undersheriff. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

**Request to move the Emergency Manager to Exempt status**

The Sheriff's Office is requesting the move of the Emergency Manager status to Exempt. The job position has been updated to include the exempt status. At this time, the Sheriff's Office is paying



overtime, and it is hard to judge the budget based on the overtime of this position. The request is to set this newly Exempt position to equal the current Sargent pay scale and will result in an increase of \$1,651 per year. However, this change will save money for the department by eliminating the overtime.

### **Motion**

Commissioner Brummer moved to change the Emergency Manager to an Exempt status and move the pay up to the Sargent scale. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

### **Consider Boundary Line Adjustment/ Crook County and Waibel Ranch, Reif Road**

Assistant Planning Director Ann Beier presented a Boundary Line Adjustment for Waibel Ranch in Powell Butte and property owned by the County as a right of way on Reif Road. This will straighten the road up and allows the property owner legal access from Reif Road to a newly approved residence. This will allow for up to 60 feet of right of way. The Boundary Line Amendment could be signed out of Court. Discussion was held on the benefits to the County and to the property owners. Mr. Zelenka provided history of the road, and he is sure that the Waibels will work with the County on any drainage issues.

### **Motion**

Commissioner Barney moved to approve the Boundary Line Adjustment and sign the application out of Court. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

### **Frost Free Hose Bib Quotes, Crook County Fairgrounds**

Fairgrounds Manager Casey Daly discussed with the Court and Counsel the three quotes received for the Hose Bibb project at the Fairgrounds. Jeff's Custom Plumbing was the low bid and meets all the specifications. At \$13,200, this was the lowest responsive bid. Mr. Daley provided information on the project and the repairs needed. At this time, this equipment fails during fair when it is really needed and being used heavily. This will allow for an isolated shut off.

### **Motion**

Commissioner Brummer moved to approve the quote and bid from Jeff's Custom Plumbing for \$13,200 for the Fairground Hose Bibb Project. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

### **Public Input**

Judge Crawford opened the session for any public input. No input was received.

These Video Lottery requests will be address following budget hearings.

- 12.Request for funding, Relay for Life
- 13.Request for funding, Crook County Kids Club
- 14.Request for funding, CASA
- 15.Request and update, Crook County Foundation

At this time Judge Crawford adjourned the County Court Session 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 and ORS 192.660(2)(e) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions

### **EXECUTIVE SESSION**

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

ORS 192.660(2)(e). for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions

Judge Crawford convened the County 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 and ORS 192.660(2)(e). for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions.

After discussion with County Counsel, County Court and any other individuals that may have been involved in the two called executive sessions, Judge Crawford adjourned the Court 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 ORS 192.660(2)(e). for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions and back into Open Session

### **Open Session**

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

There were no motions to be made regarding matters discussed in Executive Session.

There being no further items requiring action at this time before the Crook County Court, Judge Crawford adjourned the Crook County Court out of session. The next regularly scheduled meeting is April 19, 2017.

Respectfully submitted,

*Colleen Ferguson*

Colleen Ferguson  
Crook County Court Secretary