

Approved January 18, 2017

BE IT REMEMBERED THAT the Crook County Court met in a regularly scheduled Open Session on November 2, 2016 at 9:00 a.m. in the former Pioneer Memorial Hospital located at 1201 N Elm Street, Prineville, Oregon. In attendance were: County Judge Mike McCabe; County Commissioner Ken Fahlgren; County Commissioner Seth Crawford; County Counsel Jeff Wilson; Assistant County Counsel Eric Blaine and County Court Secretary Colleen Ferguson.

Members of the public signing the attendance log: Melanie Marlow, Prineville; Carroll Tracy, Prineville; Jerry Brummer, Prineville; Stanley Flynn, Prineville; Stephanie Fahlgren, Prineville; Rebekah Burkhardt, Sheriff's Office; County Sheriff John Gautney; Melissa Scaramuzzo, LCSNW; David Doue, Gig Harbor Wash, LCSNW; Steve Wilkes, Bend, Central Oregon Veterans Council; Kinney Callaway, Bend; Ken Dunn, Bend; Muriel DeLaVergne-Brown, Crook County Health Department; James Wilson, City of Prineville; Clyde Peacock, Band of Brothers; Casey Daly, Crook County Fairgrounds Manager; Angie Gilley, Veterans Service Officer; Scott Willard, LCSNW and Joseph MacAfee.

The media was provided public notice of the meeting.

Judge McCabe called the meeting to order and asked Rebekah Burkhardt to lead the Pledge of Allegiance.

- 1. Approve minutes September 7 and September 21, 2016**
- 2. Approve Order 2016-85, In the matter of increased/decreased appropriations, Grant Funds**
- 3. Approve Order 2016-86, In the matter of increased/decreased appropriations, Enterprise Funds**
- 4. Approve Order 2016-87, In the matter of increased/decreased appropriations, Public Health Grant Funds**
- 5. Approve Order 2016-88, appointments of ZuAnne Neal and Pam Looney to the Crook County Library Board of Trustees**
- 6. Remove, move to Discussion Approve Order 2016-89, In the matter of supplemental budget, Safety Committee**
- 6A. IGA 148062 Financing of Community Developmental Disability Services**

The Court reviewed the Consent Agenda and discussed removing item number six.

Motion

Commissioner Fahlgren moved to approve the Consent Agenda with changes as discussed. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Rescheduled employee recognition to November 9, 2016, Due to the change in venue for the meeting, changing from the meeting room to the former Pioneer Memorial Hospital

Request for two step salary increase for WIC/Front Desk Supervisor

Muriel DeLaVergne-Brown, Crook County Health Department Director presented a request for a two-step increase in salary for the position of WIC/Front Desk Supervisor, Emma Reynolds. Ms. Reynolds has completed her Bachelor's degree that was a requirement for her position.

Motion

Commissioner Fahlgren moved to approve a two-step increase in salary for Emma Reynolds. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Remove for future discussion :New phone system for the Courthouse and surrounding offices. IT Director Isaac Ross and GIS Director Levi Roberts

Consider results of RFP, Sheriff's Office patrol vehicles financing

Eric Blaine, Assistant County Counsel Eric Blaine provided a staff report regarding the securing of two new Sheriff's Office patrol vehicles. There are two components. One: purchase the cars and two: outfit the cars with the needed equipment. The Sheriff's Office does not have the funding, and there has been an investigation regarding financing. This required an RFP (Request for Proposal). There were two responses. One was late and both were unresponsive.

Mr. Blaine presented a request for the Sheriff's Office. The Sheriff's Office can purchase one vehicle, and the other is a loan from the County reserve. The requirements for the payback were described.

If the County chooses to move forward with the loan plan, the documents will be brought back to Court on November 9th for consideration. Sheriff Gautney and Rebekah Burkhardt, Sheriff's Office, discussed the payback over a two year period. Treasurer Kathy Gray provided the amortization schedule for two years of payments. Next year there will be \$55,000 of payments that will be finished. Discussion was held on the cycle of replacement of vehicles for the Sheriff's Office and the plan moving forward.

There was no motion made on the request today.

Discussion regarding Sheriff Office phone system, Rebekah Burkhardt

Information was presented regarding the Intergovernmental Agreement (IGA) and the amendment to the IGA for IT service for the Sheriff's Office coming from the City of Prineville instead of Crook County. There is the desire to obtain the VOIP telephone system from the City to create consistency with the other technology. The initial cost for hardware is \$7,943. Money will be billed through the 911 system. This is a one-time simple amendment. The Sheriff's Office has \$8,000 in the budget to cover the cost. This should result in \$5,000 in phone bill savings. The motivation is to keep good phone service.

Motion

Commissioner Fahlgren moved to approve the amendment to the IGA as presented. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Presentation, Update on Veteran's Transportation plan

Clyde Peacock, President of the Prineville Band of Brothers (BofB), provided information on the plan for the Band of Brothers to operate a van for transportation of veterans for medical needs and appointments. This plan included the man power, the drivers, the dispatch three days per week and the pickup and drop off location of the Elks Club. Mr. Wilson will prepare a contract between the County and the BofB for \$30,000 to be used to purchase a \$23,000 van from Robberson Ford (Robberson Ford will maintain the van), the cost of fuel, insurance and oil changes. The van does not have a wheelchair lift but possibly in the future, the wheelchair access will be available. The Court wished the organization well with the project. If for some reason the project does not go as planned and is not successful, the equipment will be returned to the County. Mr. Wilson will bring the contract back to the Court at the next meeting.

DISCUSSION

Order 2016-76, repealing Order 94-24 and revising Crook County's Notary Public Service Policies

Discussion was held regarding the notary services provided by the County Offices for both the County and the general public. County Clerk Cheryl Seely has brought the problem of the County policy not being current with the current state law. Mr. Wilson discussed the most significant revision that is in the 94 policy, other offices other than the Clerk's office were not authorized to provide notary services. Now other departments notarize, with some charging and some not charging. Any department may notarize documents and not require a charge to the County but are to charge the public \$5.00. Discussion was held that many of the departments do not charge and want to continue this as a service to the public at no cost. Following continuing discussing, the Count Clerk's position is that the Clerk's Office must charge for the service.

Further discussion, and a change in the language of the order is needed regarding this issue. The Court tabled this matter until the November 9, 2016 County Court meeting.

Presentation of Lutheran Community Services Northwest (LCSNW) regarding potential purchase and use of the former Pioneer Memorial Hospital. Presentations, question and answer session and tour

Scott Willard, David Doue and Melissa Scaramuzzo, LCSNW presented a history of Lutheran Community Services serving as the County Contracted Mental Health and Alcohol and Substance Abuse Service provider and the physical moves that were made to provide services to the larger population. The 20 employee staff employed 9 years ago is now up to 55 to 60 employees.

Ms. Scaramuzzo provided information on the many services provided by LCSNW along with the partnerships that have been forged to work with others outside the programs such as jail diversion, Drug Court and Intellectual Disabilities.

LCSNW is now working on the proposed purchase of the former Pioneer Memorial Hospital (PMH) and doing due diligence at this time. The organization has plans to relocated the entire team and staff of LCSNW from the two current locations into the PMH building along with partnering leases with other organization that would make this a one-stop treatment or service location for many that require more than one service or that work together with more than one service including social services, employment based housing short term and possible long term. The organization has gone out to meet with other businesses and organizations in the community to share their plans and have found enthusiasm for the project. This would not be a homeless shelter.

This would begin as an integrated care center as the core and grow out from there.

Zoning issues will be addressed.

Questions were taken from the public regarding the staff of LCSNW, the environmental review of the building, the financing, and this location possible becoming the relocation area for the IT Hub for LCSNW, providing 60 family wage jobs.

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A tour was offered for the public to look through the building and hear the plans.

The Executive Session noticed under ORS 192.660(2)(b) for the purpose of considering the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing was requested by the employee involved, Angela Gilley, Veterans Service Officer, to be held in Open Session.

County HR Manager, Teresa Herrmann, provided the staff report on this matter.

County Counsel Mr. Wilson advised the Court that it is up to the Court to receive any additional testimony other than that of Ms. Gilley.

A five minute recess was taken at this time

Judge McCabe called the meeting back into Open Session following the brief recess.

Mr. Wilson announced that the original Executive Session called under ORS 192.660(2)(b) will now be held in Open Session per Angela Gilley's request.

Ms. Herrman, HR, presented information as to what has lead up to this session and appearance. She received a text from Assistant Veterans Officer Kim Phillips regarding the discontinuing of the outreach program to the Veterans. Ms. Phillips was asked to come into HR for further discussion. Commissioner Fahlgren was advised and asked the Ms. Herrman meet with Clyde Peacock, President of the Band of Brothers and hear his concerns with the outreach service announcement. Information was provided on the issue through the Band of Brothers regarding stolen valor by a member.

Information on the steps and process that were taken after the original notification regarding verification of Ms. Gilley's withdrawing her membership from the Band of Brothers and stating that the County would no longer provide outreach services to the Band of Brothers which is a duty of Ms. Gilley's position was provided. The duties of the Veterans Service Officer include acting as a liaison for the community organization and denial of outreach service is a breach of the position. Ms. Herrmann provided the meeting dates and the matters that were discussed on the dates with Ms. Gilley leading up to this appearance today as well as the last chance agreement that was provided to Ms. Gilley for review and Ms. Gilley's request for copies of certain policies.

Direction were provided to the Court. There were three options and the potential risks provided. The authority of Ms. Gilley was discussed as well as the representation of the County.

Angie Gilley spoke on her own behalf and announced that she had requested that some people in attendance stand up and speak on her behalf. She said she has never been told that she had to talk with the County Court about her outreach activities. She presented information on other outreach activities that she had scheduled and provided. She further provided information on her background as the Veterans Service Officer and her association as one of the initial members of the Band of Brothers.

Ms. Gilley read her statement into the record and offered her resignation. Commissioner Fahlgren spoke on the outreach event on August 6th where the County and Veterans worked as a team effort, and he spoke on being the officer of the Veterans committee and on the outreach programs.

Speakers on behalf of Angie Gilley

Kenny Calloway, Pastor and member of the OVMA (Oregon Veterans Motorcycle Association) provided his view of Ms. Gilley and her passions for Veterans, her zeal regarding stolen valor, and the County losing a great advocate.

Joe MacAfee spoke on stolen valor and someone passing himself off as a Navy Seals, Navy Officer and military person.

Steve Wilkes, Secretary of the Veterans Council for the Tri-County area, spoke as a friend and an associate of Ms. Gilley. He spoke of her outstanding job in helping the people of OVMA and Patriot riders, and the support she had given to veterans when they were finding it difficult to go through the system to obtain veterans benefits. He said it does not sound like someone on the downward path. He discussed the stolen valor issue brought up at Band of Brothers regarding a member that was serving as an officer, brought up that Ms. Gilley had worked for nine years for the veterans doing a good job and said he believed it was time that someone reconsider.

Alice Austin spoke as a former employee that had worked for Angie and the work that brought the County Veterans Office up to the successful office that it is today.

Kenneth Dunn, President of the OVMA that has 155 members and 6 chapters throughout the state. He has known Ms. Gilley for 6 years, finds her to be a supportive professional and believes she has done a superb job. He spoke of her assistance with his own personal veterans benefits and did not know why this matter has reached this extent with the last chance agreement.

John Obeck spoke. He is not a member of the Band of Brothers but was shaken by this event. He said that Ms. Gilley helped him get benefits and recommended that the Court go into the department and see that she has done so much for so many.

Ken Taylor, Army and National Guard, said he didn't know Ms. Gilley, just met her today. He discussed the issue of stolen valor (the issue that was at the base of the Band of Brothers incident), said he respects Angie for standing up for her beliefs. Mr. Taylor asked the Court to refuse her resignation and support Ms. Gilley. He asked that the Court act with integrity and not accept the resignation.

Judge McCabe said the Court certainly does not disagree with the stolen valor issue. He would like more time to think about this issue regarding her duties and bring the matter back on the 9th of November at the Court session.

Commissioner Crawford said he is proud to have Ms. Gilley at work and wants to make sure she is OK.

Commissioner Fahlgren said he never wanted Ms. Gilley to quit. Looking back, you can see what has been gained. He said to Ms. Gilley that she has done a wonderful job, and he apologized if she has been hurt. He asked that Ms. Gilley apologize to the Band of Brothers. He said our County duty is to provide the outreach services to the men and women that have served.

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Mr. Wilson advised the Court that if this matter is to be tabled until November 9th, Ms. Gilley should remain on Administrative leave. The Court agreed to the Administrative leave and to bring the matter back on November 9th, 2016 at the County Court Session and to have Ms. Gilley remain on paid administrative leave.

Judge McCabe adjourned the Court out of Open Session and into Executive Session under ORS 192.660(2)(h) Legal, for the purpose of 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 ORS 192.660(2)(h) for the purpose of 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 Counsel to discuss the matter before them under Executive Session ORS 192.660(2)(h) for the purpose of consulting with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. Following the discussion, Judge McCabe adjourned the Court out of Executive Session ORS 192.660(2)(h) for the purpose of 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 back into Open Session.

Open Session

Judge McCabe called the Court back into Open Session after adjourning out of Executive Session ORS 192.660(2)(h) for the purpose of 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.

There being no decisions to be made on the matters discussed in Executive Session and no additional matters requiring action by the Court at this time in Open Session, Judge McCabe adjourned the meeting for today. The next scheduled Court Session will be held on November 9, 2016.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson
Crook County Court Secretary.

Audio disc of today's meeting is available through the Administration Office. 541-447-6555