

BE IT REMEMBERED THAT the Crook County Court met in a Regular Open Session meeting on August 17, 2016 beginning at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, OR 97754. 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: Kelby Christ, Health Department; Holly Wenzel, Crook County Health Department; Steve Dougill, Crook County IT/GIS; Bill Mintiens, Jakie Spring Media; Stephen Henderson, Prineville; Karen Friend, COIC/CET; Michael *****, Prineville; John Sundell, Powell Butte; Pam Rhoden, Crook County Community Development; Debbie Kowalski, Crook County Development; Jerry Duncan, DA Davidson, Roseburg, Oregon; Christopher Caporaletti, Dallas, TX; Shack Cashen, Dallas, TX; Dave Scott, Prineville; Sher Eriksen, Prineville; George Heinz, Prineville; Pete Sharp, Prineville; Jerry Brummer, Prineville; Sue Hermreck, Paulina; Phil Stenbeck, Prineville; Gary Bedortha, Paulina;; Laquita Stec, Prineville; Darlene Harpster, Prineville; Kathy Gray, County Treasurer; Angie Gilly, Veterans Service Officer; Katie Plumb, Health Department and Melissa Scaramuzzo, Lutheran Community Services NorthWest.

The media received public notice of the meeting.

Judge McCabe called the meeting to order and asked Lawrence Weberg to lead the Pledge of Allegiance.

Consent Agenda

- 1. Approve Order 2016-61, amending the Crook County Employee Policy Handbook regarding Pepper-Spray Use policy**
- 2. Approve Order 2016-62, In the matter of increased appropriations, Health Promotion Fund**
- 3. Approve Order 2016-63 In the matter of Appropriation Transfer: Gen Fund Sheriff and Gen Fund Library**
- 4. Approve Order 2016-64, Implementing order 2016-28,**
- 5. Approve Order 2016-65, Appointing Melissa Scaramuzzo to the position of County Mental Health Director**
- 6. Approve Amendment 3 to commercial lease agreement, MacGregor Properties**
- 7. Approve Oregon public works emergency response cooperative assistance agreement renewal**
- 8. Approve financing of Public Health Services IGA 148006—Amendment 8**
- 9. Approve contract for Radio Equipment Maintenance with Central Mountain Communications for Road Department Equipment**
- 10. Approve Oregon Military Department Office of Emergency Management Pre-Disaster Mitigation Grant Agreement.**

The Court and Counsel reviewed the Consent Agenda. County Counsel Jeff Wilson and Commissioner Fahlgren discussed item number 10 regarding the mandated 25 percent (\$8,600) not in the budget for the match. Discussion on funding was held.

Motion

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

Thank you to Lawrence Weberg for his 44 years of volunteer service to the Community as Planning Commissioner

Retiring Crook County Planning Commissioner Lawrence Weberg was honored for his 44 years of service to the Crook County Community serving as a Planning Commissioner. Mr. Weberg drove 160 miles round trip until 1982, sometimes more than twice a month, to attend to matters involved in the Planning arena and attend the regularly scheduled Planning Commission meetings.

Judge McCabe presented to Mr. Weberg the US Flag flown over the Capital in Washington DC in his name and the certificate of the event. Planning Director Bill Zelenka presented the letter from Governor Kate Brown thanking Mr. Weberg for his service. He was also presented with a picture of the entire Planning Commission that was taken on the steps of the Courthouse by Larry York, fellow Planning Commissioner. Mr. Weberg represented the ranching industry. Jerry Brummer, former Planning Commissioner that served nine years on the Planning Commission with Mr. Weberg, provided stories and fond memories of his time serving with Mr. Weberg.

At this time, Judge McCabe called for a break in the meeting for a social time for people to meet, visit, and congratulate Lawrence Weberg and his wife Carole.

Judge McCabe reconvened the meeting.

Request for 2014 Title III funding, Steve Dougill IT/GIS

GIS/IT Director Steve Dougill presented a request for funding through the 2014 Title III funds. This is an imagery mapping application. He presented information regarding the internet connection needed, the current 2016 imaging, and the use in preplanning and tactical application of the Search and Rescue and the Fire District, by both the City of Prineville and Crook County. It can also be used for many other uses other than the Fire District and the Search and Rescue. Mr. Dougill advised the Court that Oregon Emergency Management (OEM) will reimburse a portion of the purchase. That reimbursement may come back to the County on a monthly basis.

Assistant County Counsel Eric Blaine recommended that this request qualified for the 2014 Title III funding because, although some of the mapping will include non-Federal forest land, it would be less expensive to map the entire county rather than paying to cherry-pick out only have Federal forest land. Put another way, the costs of identifying and limiting the mapping exercise only to Federal forest land would be require more staff and contractor time, and thus be more expensive, than paying to map the entire County.

There will be a \$500 license every year. This program will lead to more projects and more money coming back into the County.

Discussion was held regarding the timeline of implementation of the new computer programing. Due to the 45-day noticing policy for Title III funding, this will be at approximately two months. The total cost is \$36,370. The funding mechanism is in place to obtain the funding from OEM.

Motion

Commissioner Crawford moved to approve the purchase of the imagery program at the cost of \$36,370, using funding from 2014 Title III funds. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Consider quote for Crook County Road Department to obtaining an asphalt hot box for patching and repairing our County Roads

Bob O'Neal, County Roadmaster, presented a request to purchase an Asphalt Hot Box for hot mix to use for road repair. He obtained three quotes. The Phoenix Company is local, the other two bidders were from back east.

Mr. O'Neal explained the cost involved in the road repair using cold mix that does not hold up well and has to be repaired or replaced more often, and hot mix repairs that last longer, and the savings in the costs of the mix and the labor that will pay for the Hot Box in about three years. He explained how the unit is operated. The bid for the Hot Box from Phoenix is \$16,500. The other two bids came in at \$23,150 and \$24,400. Mr. O'Neal recommends purchasing the unit from Phoenix.

Motion

Commissioner Fahlgren moved to purchase the Hot Box from Phoenix at the cost of \$16,500. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Consider rock crush at the Puett Pit in the upper country (removed for future meeting)

Proposal regarding Veteran's shuttle/ Karen Friend

Karen Friend, Central Oregon Intergovernmental Council (COIC), discussed with the Court the Veteran's shuttle pilot project that concluded June 30, 2016. The cost was prohibitive and did not seem to be the right solution. She discussed finding a solution and the proposed schedule for dedicated trips to Redmond for dialysis and shopping, a three day per week 4 hour trip that would include Veterans, wives and surviving spouses. This could result in a \$10 to \$12 ride versus the \$60 current ride. This would be a shared trip. Discussion was held regarding County dedicated funds in the amount of \$30,000 to pilot the project through the end of the year. This may be a five hour trip instead of a four hour trip. Ms. Friend said there are funds through COIC to help cover the addition.

Further discussion was held regarding costs with the dial a ride program at \$1.50 or \$5.00 for the entire day for connectors to Bend. Issues of volunteer trips, critical needs for dialysis, riders that are wheelchair bound, a dial a ride system or a fixed ride system, the sustainability of a system, \$30,000 funding from the County plus grants, volunteers and the opening up of availability with this proposed new project were discussed by Ms. Friend, Veteran's Service Officer Angie Gilley, and the Court. Ms. Gilley pointed out that there is a huge need for transportation services for dialysis and other medical needs by the Veterans now, but that need will be increasing even more. Judge McCabe discussed the need for Crook County to take care of our Veterans. Purchasing a vehicle for volunteers to use for transport was discussed along with the liability issues. Ms. Friend explained that the current volunteer program is not meeting the need at this time. There is a need for vehicles that will transport wheelchairs and a need for volunteers. Ms. Gilley stressed the need for a set schedule. Currently there is room for 14 to 16 people on the shuttle. Commissioner Fahlgren provided information regarding smaller areas that were given vehicles and fuel to transport the Veterans.

Motion

Commissioner Fahlgren moved to go forward with the program and provide \$30,000 to COIC. Commissioner Crawford seconded the motion. The voter was 3-0, motion carried.

In a second presentation, Ms. Friend discussed ORS 190, a legislative fix that would be ideal for Central Oregon. She said it is important that locals support this bill and went on to explain the primary benefits. She said that there is no desire to have a lot of small districts forming and with the legislative change, it will make a change to keep the system together. It is important to work together.

Judge McCabe talked about each city having a plan, and it is not a one-size fits all. Last year the legislators thought it was just a tax. He said we are working with it, and COIC wants to keep in place the current management program. Judge McCabe commented on a mass transit survey where the public wanted 70 percent of the services but only to pay for 30 percent. He reviewed how the Cascades East Transportation system came into being and said you see the buses running all over now. Crook County was the seed to the system with the shuttle buses. Discussion was held regarding educating the community and providing assurance on transportation. This is a very important service.

Public Hearing, Ordinance 296, amending multiple chapters of Title 17 and 18 of the Crook County Code, Second reading, Vote

County Planning Director Bill Zelenka provided a brief staff report on Ordinance 296 regarding the inconsistencies with bonds. The matter was brought to the Planning Commission to make it consistent. Mr. Wilson provided updates on the engineer certificates required and the clarification in the ordinance.

Motion

Commissioner Fahlgren moved to read Ordinance 296 by title only. Commissioner Crawford seconded the motion. Judge McCabe read Ordinance 296 by title only. The vote was 3-0, motion carried.

Judge McCabe opened the public hearing. There were no comments received. Judge McCabe closed the public hearing.

Motion

Commissioner Fahlgren moved to accept Ordinance 296 as presented on the second reading. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Proposal to purchase property located at 12988 SE Jack Rabbit Trail

| Mike Warren II of Crook County Properties, County realtor of record, presented a cover letter to the Court with the recommendation that the offer for this property should be accepted. He said the area is very unusable and has no water but is 20-7 acres, and the person offering the proposal wants to use the property for recreational uses such as hiking. The offer for the property is \$6,200. The Court discussed a counter-offer at \$6,500.

Motion

Commissioner Fahlgren moved to accept the offer of \$6,200 for property located at 12988 SE Jack Rabbit Trail. Commissioner Crawford seconded the motion. There was no additional discussion. The vote was 3-0, motion carried.

Jerry Duncan of DA Davidson, and Shack Cashen of Cashen Investment Advisors

Jerry Duncan of DA Davison and Shack Cashen and Chris Caporaletti, Cashen Investment Advisors appeared to provide the Court updated information on County investments.

Mr. Duncan explained how it came to be that he is custodial of the County assets and correspondence with Shack Cashen. There has never been a negative year since this program began. This portfolio is safety liquidity and not a stock portfolio. He said there is a long history of working with County Treasurer Kathy Gray. They meet with Ms. Gray two times per year and with the Court one time per year. Mr. Duncan said that Kathy is a big part of the success of this program.

Shack Cashen reviewed the portfolio and all the reports with the Court. Mr. Caporaletti reviewed the current portfolio structure that involves high levels of liquidity. Information provided included the current portfolio structure, risk analysis, the strategy progression for 2016-2017 and the bond portfolio strategy.

Mr. Duncan provided information regarding his oversight of the County investments. He reports monthly to Ms. Gray and is in communication with Mr. Caporaletti on a regular basis. Liquidity has been accomplished.

Mr. Cashen said there has never been a negative return, and everything is accounted for. Commissioner Fahlgren discussed with Ms. Gray the State investments. Mr. Duncan continued to discuss and provide information on the bonds and the yield.

Judge McCabe asked “with the amount of liquidity and percentage of return, have we discussed increasing the investment” . Ms. Gray said we have not but could do that. Mr. Duncan discussed the complicated matter of purchasing bonds. The Court and Mr. Duncan discussed spending a lot of time on the economy and safety for the money of the tax payer and the County. Mr. Duncan provided information on the original investment 15 years ago and the current investment of \$8 million dollars today. They have never lost money with the investments.

Judge McCabe thanked Mr. Duncan, Mr. Cashen and Mr. Caporaletti for traveling from Southern Oregon and from Texas to provide the County with the update.

There being no further items requiring action before the Court at this time, Judge McCabe adjourned the Court out of Open Session and into Executive Session under ORS 192.660(2)(h) Consulting with Counsel concerning the legal rights and duties of a public.

EXECUTIVE SESSION

Judge McCabe convened the Court into Executive Session under ORS 192.660(2)(h) Consulting with Counsel concerning the legal rights and duties of a public. The Court and Counsel discussed the matter before them under ORS 192.660(2)(h). Following the discussion, Judge McCabe adjourned the Court out

of ORS 192.660(2)(h) Consulting with Counsel concerning the legal rights and duties of a public and back into Open Session.

OPEN SESSION

Judge McCabe convened the Court back into Open Session following Executive Session under ORS 192.660(2)(h) Consulting with Counsel concerning the legal rights and duties of a public and invited any members of the public in waiting back into the meeting room.

Motion

Commissioner Crawford moved to authorize Counsel to enter into a Contingent Fee Agreement with D'Amore Law Group regarding MERS litigation. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

There being no additional matters before the County Court requiring action at this time, Judge McCabe adjourned the Court out of session.

Respectfully submitted,

Colleen H. Ferguson

Colleen H. Ferguson
Crook County Court Secretary