

BE IT REMEMBERED THAT the Crook County Court met in Regular Session on July 6, 2016 at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 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 were: Jerry and Darlene Harpster, Prineville; Thomas A Case, Prineville; Terry and Susanne Moore, Prineville; Scott Johnson, Powell Butte; John M. Novak, Prineville; Shelly Hudspeth, Prineville; Bill Roberts, Prineville; Donna Hammond, Prineville; Kimberly Phillipp, Prineville; Lorris D Peterson, Prineville; Jodie Fleck, Post; Joe Hince, Prineville; Roger Peer, Prineville; Rebekah Burkhardt, Sheriff's Office; Leslie Zimmer, Sheriff's Office, Rick Zimmer, Prineville; Sher Eriksen and Dave Scott, Prineville; Brett Nelsen, Prineville; Melinda Kether, Prineville; Tish Plasterer, Crook County Sheriff's Office; Michael Ryan, Crook County Sheriff's Office; Javier Sanchez, Crook County Sheriff's Office; Casey Daly, Crook County Fairgrounds; Teresa Herrmann, Crook County Human Resources; Betty Roppe, Prineville; Dennis Adams, Prineville; Cindy York, Crook County Library; Renee Parrott, Library; Mike and Teresa Ervin, Prineville; Jerry Thomas, Prineville; John Gautney, Crook County Sheriff; George Heinz, Prineville; Teresa Rodriguez, Prineville; Steve Dougill, Crook County IT; Kev Alexanian, Crook County Weed Control; Pete Sharp, Prineville; Dave and Barbara Vieu, Prineville and Melanie Marlow, Prineville.

The media was provided public notice.

Judge McCabe called the meeting to order and led the Pledge of Allegiance.

Public Swearing in, Leslie Zimmer, Sheriff's Office Deputy

Judge McCabe asked Sheriff Gautney and Leslie Zimmer to come forward for the swearing in of Ms. Zimmer, newest Crook County Sheriff's Office Deputy. Ms. Zimmer was the top candidate for the position. Sheriff Gautney presented Ms. Zimmer's background in work, family and activities. He then administered the Oath of Office to Ms. Zimmer, following up with the issuing of the Crook County Sheriff's Office Challenge Coin. He explained the ideals the deputy must live up to in order to keep the coin that stands for honor, service, justice and above all integrity.

Public acknowledgement of years of employment of County employees and elected officials

Fourteen County employees received certificates and pins for longevity service with Crook County; Aaron Brenneman, five years; Jeremy Bottoms, 5 years; Kimberly Phillipp, five years; Kris Williams, five years; Renee Parrott, five years; Sarah Sullivan, five years; Rebekah Burkhardt, five years; James Edwards, ten years; Steve Dougill, 10 years; Robert Helton, 15 years; Wendy McCoy, 15 years; Michael McGrew, 25 years; Allen Bidiman, 30 years and Dianne Koops, 30 years. Colleen Ferguson announced the names of the recipients, the County Court members congratulated each employee individually and certificates and pins were presented by Assistant County Counsel Eric Blaine and Human Resources Manager Teresa Herrman.

Consent Agenda

1. Approve Minutes of June 1, 2016
2. Approve Order 2016-54, adopting Crook County Resource Plan
3. Approve Order 2016-56, appointment to Library Board of Trustees
4. Approve Order 2016-50, Wi-Fi Project at Fairgrounds
5. Approve Janitorial Contract Amendment
6. Approve 8th amendment to Intergovernmental Cooperative Agreement between Jefferson County and Crook County/ Jail Bed Rental
7. Approve Amendment to STF funding agreement with ODOT Agreement No. 31366
8. Approve Environmental Health hearing officer agreement
9. Approve Personnel Action Notice, Community Development
10. Approve Personnel Action Notice, District Attorney Office Manager
11. **REMOVE DUPLICATE OF No. 6** Approve Jail Bed Rental IGA/ Jefferson County
12. Approve lease agreement with NeighborImpact
13. Approve Amendments No. 9 and No. 10 to IGA 147786, Financing for community addictions and mental services

Judge McCabe and the Court began to review the Consent Agenda. Betty Roppe, appearing as a citizen of Crook County and not as the Mayor of Prineville, asked to speak. She asked that Order 2016-54 regarding the Crook County Natural Resources Plan be taken off the Consent Agenda and discussed during the meeting. She read her letter into the record reviewing the process of the Natural Resources Plan. She said the Central Oregon Patriots were requesting adoption without delay. Her hope is that this is not asking to bypass the Planning Commission, the normal public hearings, and be transparent. She talked about the vetting and review process by a County Land Use Attorney, that the letter be included in the scanned document in the Clerk's Office and that the citizens of Crook County have a right to hear the plan. She said she believes that 90 to 95 percent of the citizens have not read the plan and asked that the plan not be pushed through but should go through all the normal hearings process.

Judge McCabe and the Court continued the process of review and approval of the Consent Agenda, removing item number 2, Order 2016-54, adopting of the Crook County Natural Resource Plan and item number 4, Order 2016-50, Approval of the Wi-Fi Project at the Fairgrounds, and item number 10, the District Attorney Office Personnel Action. All three were removed for further discussion during the County Court meeting.

Motion

Commissioner Fahlgren moved to approve the Consent Agenda with the removal of items number two, four and ten for further discussion. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Item #2 from Consent Agenda, Order 2016-54, Crook County Natural Resources Plan

County Counsel Jeff Wilson presented Order 2016-54, considering adoption of the Natural Resources Plan drafted by the Crook County Natural Resources PAC (CCNRPAC). This was originally on the Consent Agenda and removed for more discussion. Mr. Wilson presented information regarding the process of presentation of the plan and reviewed the policy statement. He presented to the Court the different options associated with the plan adoption.

Option #1. Adopt the plan as written with no limitation or restriction. He expressed the risks of this option with no review.

Option #2. Fully vet the plan through the Planning Commission and have recommendation for adoption come back to County Court, either with or without amendments. He expressed expectations of the manner of review. The problem is that the Planning Commission reviews applications on a first in, first out basis. To get to this project would be at least in September and could take a year or more for full review including public hearings. There has been pushback from members of the Political Action Committee as to why the County had not already adopted the document.

Option #3. Compromise—Accept the Plan as written subject to an order, adopt it as a policy statement, not as a law. This would allow the Court to adopt without the wait. The policy statement would be adopted but not supersede County, State and Federal regulations.

Commissioner Crawford said he agrees. This is the same as other counties, and he believes it is a great plan.

County Planner Bill Zelenka said the County is bound by rules. This is an actual land use plan. He has talked with the Planning Commission and they felt that September was when they could take this matter on. Both the Commission and the Staff believe Mr. Wilson's recommendation is reasonable.

Judge McCabe opened the public hearing. He commended the people of the PAC for all the time and effort given to this great start.

Jodie Fleck thanked the Court for adopting the Plan as a policy. She explained that the PAC is not associated with the Patriots. This document was created by approximately 100 citizens of Crook County. She described her purpose in creating the Resource Plan, and the process involved. She stated her belief that if the County has a Resource Plan and invoked coordination, other agencies "have to come to the table." She provided examples of how coordination would take place and the acceptance of this document as a policy and not an Ordinance. Ms. Fleck expressed her appreciation of Mr. Wilson for his work and direction on this order.

Teresa Rodriquez, a member of the CCNRPAC and a member of the Central Oregon Patriots, said she is chair of two committees to the PAC. She said there were 400 members on the CCNRPAC Facebook site that submitted ideas and changes. She printed out and emailed the document to many people in the City and County. There were 14 to 16 committees working on this document, and phone numbers and emails are available. Most committee chairs are very active. She feels that more than 5 percent of the people have read the document.

Frank Porfily said he appreciates the Court looking at and considering this plan. Mr. Porfily presented information from provided by Bill Harvey, Baker County, who stated that the increased fire salvage logging in Baker County, a gain of 800 acres, 15 million board feet of timber; the work to prevent road closures and working with BLM on grazing issues, mining and other go between on spring enhancements, are all solely due to the Baker County Natural Resource plan. Mr. Porfily said he would like to encourage the Court to approve the plan and get some lobbying done. He discussed the size restriction on trees and said that was supposed to have been for four years but has gone on for much longer.

Pete Sharp said the biggest thing he thinks about coordination is that it does not take anything away from the citizens. He said that it lets the County have a seat at the table.

Shelly Hudspeth spoke. She has moved back after 35 years of teaching, her education including a master's degree. She was impressed with the PAC's open meeting and transparency. She said she has always met with other with Masters Degrees and she was very impressed with the people working together to complete this plan.

Darlene Harpster spoke. She said she is a member of the Central Oregon Patriots (COP) and proud of it. "We are not bad people," she said. She said she had attended the first meeting of the PAC but did not join because she has many other things going at this time. She offered to and did read the plan. She described it as "a common sense plan." She said she does not wish to cross any laws or ordinances. She believes the plan makes citizens feel their wishes and concerns are being heard and paid attention to.

Ms. Roppe said she is not opposed to the plan but believes everyone has something to say. There have been no public hearings. Why rush it? There are 21,000 citizens in the County that should have a chance to speak out. Ms. Roppe told Darlene Harpster that she should be proud to be a patriot.

Brett Nelson spoke on being a member of the PAC, a 4th generation to live in Crook County and said everyone here has "the agenda." He started a page called "Your Voice" about Oregon Wild. There were then four meetings held by Oregon Wild with 40 to 60 people attending. He spoke about the Oregon Wild agenda, the meetings held and the town hall meeting with 800 people attending. He said the Band of Brothers and the COP are the two groups "doing the most in the County." He asked the Court to put a process together, he talked about people not showing up, doing his best at educating the citizens of Crook County, his Facebook page that provides the largest link. He said the plan is a "living, breathing document" and the County needs to move forward "aggressively." Coordination, he believes, is the next process. The information of only five percent knowing about the plan, he said, is wrong. He asked the Court to move forward with the adoption.

Judge McCabe said he was going to wrap this up, but asked if anyone else wished to speak.

Brian Barney, a local farmer serving on the Board of the Ochoco Irrigation District (OID) discussed the concerns of OID manager Russ Rhoden. He said he is not against it, but some bounds have been overstepped. He expressed the concerns of Mr. Rhoden and the Board about a portion of the plan that puts the OID in a position of having to come forward to the Court to get permission to do its regular jobs. OID would have to justify allocations. That is open information, and even though the plan does not supersede law, OID will have to defend itself.

Discussion was held on enhancing stream flow.

Frank Porfily said he has talked with Russell Rhoden and asked to meet with him. "If we need to change the plan, let change it" after it's been adopted. He described the document as a tool to negotiate. Mr. Wilson's proposal takes care of this and Mr. Rhoden was ok with going back in to change it. This is a work of "the people, by the people and for the people."

Mr. Wilson discussed the intent of the order, to adopt the plan as a policy statement, but not to override laws. This gives the county the desired additional grounds towards continuing to negotiate with federal agencies but does not give power to veto their actions.

Mr. Barney said this as it is will eventually put the OID against the County and he wants to work that out.

Commissioner Fahlgren stated that this is a living document that can be looked at as a policy but not as a law.

Tom Case, Member of the CCNRPAC and also a member of COP spoke on the plan given to the Court and of the opportunity to have a discussion regarding the plan. It gives an opportunity to come to a better agreement for the County. He said this is a great plan and appreciated County Counsel's work on the order. This plan is a "living document," and if it needs to be change it can be changed.

Brian Barney said he would like to strike the language regarding approval of the County Court regarding the OID work from the document.

Commissioner Crawford said to strike out that language and have OID do their ordinary operating plan.

Ms. Roppe said she would like the Court to sit down before accepting the plan and address the areas that need readdressed. There are other areas other than the OID section.

Motion

Commissioner Fahlgren moved to approve Order 2016-54 adopting the Crook County Natural Resources Plan with the amendment that the Court reserves the right on their own initiative to change and sign the document at the next meeting. Judge McCabe seconded the motion. The plan will be brought back in two week. The Court is reserving the right to conduct additional discussion. Jodie Fleck spoke regarding her belief that the plan gives the County "standing at the table." She stated that this plan is County policy to be at the table, an echo system, "they have to produce to you why they are not going to hold up the County's Plan." for. She discussed arbitrarily changing the plan and making it become a watered down version. Commissioner Crawford said the Court would address Brian Barney's OID issues and some other small things. Judge McCabe talked about all the people in mass that brought the document together and are serious about the plan. He said the Court says "yes, it is important." He hopes it is a compromise we can all live with. Otherwise he suggests the chairs be on a committee to hear all the issues—yes to changes or educated people. Time is of the essence. We can take a year, but other interests are moving. Theresa Rodriquez agrees with the changes. She said Baker and Wallowa County are already invoking the plan. She believes that if all county plans were the same and consistent, it would show a "united front" to be on the same page. End of discussion. Judge McCabe restated the motion regarding Order 2016-54 to amend and sign at the next Court Session. The vote was 3-0, motion carried.

Item #4 from Consent Agenda, Order 2016-50, Wi-Fi Project at Fairgrounds

Mr. Wilson, Fairgrounds Manager Casey Daly and GIS/IT Director Steve Dougill presented information regarding internet access network and Wi-Fi service at the Fairgrounds as a sole source, and provided information as justification as a sole-source product. Mr. Wilson sent out an email regarding this as being sole-source and wanted to discussion the matter with the Court. This is a \$20,000 purchase that does not require a formal bid process. Three informal quotes are required. The reasoning of using a local company is not a reason for sole source procurement. Mr. Wilson's recommendation is to consider not signing today's document, but rather to send out for three informal quotes. There is concern regarding timing and the time-line may not be able to be reached by the set date in August.

Steve Dougill said the local resources are available right here. Not just because they are in Prineville. There is a need to rely on someone physically located here, staff, resources and back up locally. Mr. Wilson said that is not a basis for a sole source. There is more than one potential provider. Mr. Dougill pointed out that there is only one company to provide the service of 24/7 support. Casey Daly provided

information regarding the OSU source at the Open Campus where the internet and Wi-Fi had been coming through Eugene, and sometimes it took up to one and on-half weeks to get a response return phone call.

Commissioner Fahlgren said this is up against a deadline. The short time frame was discussed. Mr. Dougill said the specs are already there. He cannot think of whom else to send this off to for a quote because the service has to be wireless due to the County not having any fiber going out to the Fairgrounds.

Mr. Wilson agreed that this may truly be a sole source matter because of the need of a wireless resource due to no fiber running and Prinetime has that available.

Motion

Commissioner Fahlgren moved to accept Order 2016-50 for the Wi-Fi service at the Fairgrounds. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Motion

Commissioner Fahlgren moved to approve the contract and authorize signature with Prinetime outside of Court, subject to legal review. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Item #10, Approve Personnel Action Notice (PAN), District Attorney Office Manager

Mr. Wilson presented this Personnel Action Notice for the District Attorney Office Manager matter. The matter was removed from the Consent Agenda to allow for more discussion. The PAN would approve a four step increase for the position of Office Manager due to additional duties the position will be taking on such as grant duties that Brenda Comini had been doing previously. This is a more specialized position than the Office Manager job description. This would be a four step raise and then another one step due to a performance review due this month resulting in a five step increase.

District Attorney Daina Vitolins would like to make this a three step raise and then one more step when the Office Manager has her annual review this month resulting in a four step total, not a five step. Ms. Vitolins said she has been working on this raise and going through the process through the compensation committee and feels there is some confusion with the role of the compensation committee and the number of delays.

Commissioner Fahlgren said he would prefer a three step and then one additional step after the evaluation because there is no funding in the budget.

Motion

Commissioner Fahlgren moved to approve a three step raise now and one when the performance evaluation is completed for District Attorney Office Manager Shelly Phillips. Commissioner Crawford seconded the motion. The vote is 3-0, motion carried.

Ms. Vitolins said she is not a member of the Central Oregon Patriots but would like to commend the members on their work and voice her appreciation. When she has had needs, they had stepped up and written letters to their legislators, supporting her office.

Public Hearing, Approve Order 2016-55, In the matter of ordering fees for 2016-2017 public hearing and opportunity for comment.

Assistant County Counsel Eric Blaine presented Order 2016-55, an update of Crook County fees. The changes were very modest, mainly formatting. The fee changes were for the Health Department. For instance, there was a new fee of \$30.00.

Commissioner Crawford reviewed the one change for Environmental Health Service from \$40.00 to \$50.00. Mr. Blaine explained the challenges to the Health Department. The state demands the services be provided and the State increases costs to the County. Then in turn the County has to pass on those cost changes to the consumer.

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

Motion

Commissioner Crawford moved to approve Order 2016-55, the changes to the Crook County Fee Schedule. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Consider Order 2016-49, authorizing the purchase of computer interface services for the District Attorney Office

Sheriff Gautney and Ms. Vitolins appeared before the Court regarding the computer interface service needed by the District Attorney's office to interface with the Sheriff and the City of Prineville Police Department. The cost is \$10,200 for the interface and will automatically upload to the D.A.'s Office the information that has been previously emailed from the Sheriff's Office but can no longer be sent by the email due to the consolidation of the Sheriff's Office with the City of Prineville Police Department. At this time, the Police Department hand delivers paper reports. Ms. Vitolins has \$3,000 out of the Victim Impact Panel funds, \$2,000 from forfeiture funds and \$5,200 out of general funds as payment for the requested program and equipment.

Motion

Commissioner moved to approve the purchase and installation of the computer interface for the District Attorney's Office at the cost of \$10,200 to be paid with \$3,000 from the Victim Impact Panel funds, \$2,000 from the forfeiture funding and \$5,200 out of general funds. Commissioner Fahlgren said the \$5,200 funding will be out of Reserve funds. The plan needs to move forward quickly. With the Karpel system, that is a built-in sole source for the program and equipment. The vote was 3-0, motion carried.

Motion

Commissioner Fahlgren moved to approve signing of the contract outside of Court with Karpel and EIS upon approval of and subject to County Counsel approval. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

A brief discussion was held regarding the lengthy and difficult trial held recently in the Courthouse that required five to six deputies to work with the defendant at all times.

Ms. Vitolins thanked the Court for being so supportive of the District Attorney's Office.

There being no further business scheduled for 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)(i) Performance Reviews.

Executive Session

ORS 192.660 (2)(i) Performance Reviews
Crook County Weedmaster Kev Alexanian
Crook County GIS/IT Director Steve Dougill

Judge McCabe convened the County Court into Executive Session under ORS 192.660 (2)(i) Performance Reviews. Following the Performance Reviews of County Weedmaster Kev Alexanian and County GIS/IT Director Steve Dougill, Judge McCabe adjourned the Court out of Executive Session and Open Session.

Open Session

Judge McCabe convened the County Court into Open Session following the Executive Session held under ORS 192.660 (2)(i) Performance Review, and invited any members of the public in waiting back into the County meeting room.

Motion

Judge McCabe moved to approve a one-step increase for both County Weedmaster Kev Alexanian and County GIS/IT Director Steve Dougill. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

There being no further business before the County Court today, Judge McCabe adjourned the meeting.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson
Crook County Court Secretary