

Approved June 29, 2016

BE IT REMEMBERED THAT the Crook County Court met in Regular Session on May 18, 2016 at 9:00 a.m. in the County meeting room located at 320 NE Court 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 were: Darcy Bedortha, Prineville; Stanley Flynn, Prineville; Casey Daly, Crook County Fairgrounds Manager; Gail Merritt, Crook County Fair Board; Tim Ray, Crook County Fair Board; MaryLou Bernard, Prineville; Michael Warren II, Crook County Properties, Prineville; Jerry Brummer, Prineville; Tom Jay, Prineville; Melanie Marlow, Prineville; Caroline Ervin, Prineville EDCO; Rebekah Burkhardt, Sheriff's Office; Crook County Sheriff; Kathy Gray, Treasurer and Bill Mintiens, Jakie Spring Media.

The media received a public notice of the meeting.

Judge McCabe opened the County meeting and asked Melanie Marlow to lead the Pledge of Allegiance.

Consent Agenda

- 1. Approve minutes of March 16, 2016**
- 2. Approve Janitorial Services Contract Extension Amendments (4)**
- 3. Approve Financing of Public Health Services IGA**
- 4. Approve ODOT Frequency Access Agreement**
- 5. Approve Cooperative Law Enforcement Agreement**
- 6. Approve First Amendment to Ochoco Lake State Park Lease Agreement**
- 7. Approve Contract for Summer Fair concert 2016**
- 8. Approve Amendment # 2 to Professional Services Contract with David Allen**
- 9. Approve Personnel Action Notice**
- 10. Approve IGA Extension for Management of Crook County/Prineville Airport**

The Court reviewed the Consent Agenda and made no changes.

Motion

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

Prineville EDCO Update, Caroline Ervin

Prineville EDCO Director, Caroline Ervin, provided an overview of the first quarter EDCO projects that included the completion of the long-term enterprise zone, the RRED Zone (rural renewable energy zone) combined investment for the community, update and completion of the exempt forms and the EDCO Strategic Plan with the goals of encouraging growth, improving the business climate, developing and strengthening the EDCO program and improving and increasing to reach the goals.

Ms. Ervin announced there will be an EDCO luncheon at Meadow Lakes on June 22, 11:30 to 1:00, and the Pub Talk will be here in Prineville in July. The Pub Talk is usually hosted at McMenamins in Bend. This time it will be held at Ochoco Brewing on July 28, 2016. Ms. Ervin thanked the County for its support of the EDCO program.

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Ms. Ervin introduced the Court to her new daughter Mercy Grace Ervin who is now 3 1/2 month old and had accompanied her Mom to County Court this morning.

Request for funding, Christmas in the Pines, Stan Flynn, for updates and additional advertising in Deschutes and Jefferson County

Stan Flynn, Crook County Fair Board, presented information regarding the Christmas in the Pines event over the last three years. The event has collected two tons of food as payment by 15,000 visitors to the event. The request for funding today will upgrade the final lighting to LED lights to save money on electricity, and will also pay for more advertising in the tri-county area. The request for funding to help with those costs is \$3,500. Mr. Flynn said he believes this will be the last time to ask the Court for funding.

Discussion was held regarding this event outdoing the Eaglecrest lights, and possibly extending the Twinkle Light Stroll to more than one night.

The Court thanked the Fair Board members, Casey Daley, Fairgrounds Manager, the Fairgrounds staff and all the volunteers that have made this event such a success.

Discussion was held regarding the storage areas that are going to be used under the grand stand, one for the Fairgrounds and one to store the Christmas in the Pines scenes. The first one for Christmas in the Pines is complete. The Fairgrounds is asking for \$3,500 to complete the second storage unit. The builder is ready to begin.

Request for funding, Ochoco Innovation Station, Community Learning Center - \$5,000. Considering space at P&R, LCSNW or the Boathouse, partnership w/Campfire this summer, Darci Bedortha

Darci Bedortha presented information regarding the Ochoco Innovation station with focus on the Summer Program. The program will involve Campfire members, Rimrock, 4H, LCSNW, Schools and Parks and Recreation. There will be two full-time Vista workers and one part-time person. The hope is to hire a part-time person and have additional volunteers. The program is not advertised yet until they are sure it will continue.

Discussion was held on the ages of the youth involved ranging in age from 14-25. The innovation station will be a common space in which to hang out. Discussion was held regarding the age groups, and the concern regarding the ages. Ms. Bedortha said the ages of 17-24 year olds for some reason do not know how to do the simple things we may have grown up doing; things like getting up in the morning, talking respectfully, cooking, and decision making. Some need help to make good decisions.

Grants for the program want to know that the communities are supporting the programs.

Discussion was held regarding the possible locations. The Court advised Ms. Bedortha there may be changes on the Boathouse and that may not be available.

The funding request will be considered during budget discussions.

Consider Order 2016-33, establishing a County credit card use policy and amending the employee handbook

Mr. Blaine presented Order 2016-33 regarding the policy and use of county credit cards in the County name. The auditors provided suggestions for the policy. The policy describes to the employees how the credit card should be used and is used for good faith purchases. The order when approved will become part of the employee handbook. The policy includes an acknowledgement form, and the employee will be asked to signed the form and return to Human Resources.

Treasurer Kathy Gray stated again that this policy was recommendation from the County's independent auditors.

Discussion was held regarding purchases that may seem out of the box of the purposes outlined in the policy. Mr. Blaine said they would be considered appropriate as long as they are business related purposes.

Motion

Commissioner Fahlgren moved to accept and approve Order 2016-33. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Consider approval of Right of Way survey for Pillar Industrial Road Dedication

Mr. Wilson presented the staff report for this Right-of-Way document that dedicates the road to the public as a County-maintained road. This is prompted by upcoming renovations to Highway 16; this dedication will allow Les Schwab to access the highway during the construction. Mr. Wilson explained the process of notifying Apple of the proposed dedication and received no response, and the right-of-way survey and the plat signing. In June, the Court will consider an order dedicating Pillar Road to the public to be recorded.

Motion

Commissioner Fahlgren moved to approve the right of way survey for Pillar Road dedication. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Consider approval of Request for Waiver of Cash Deposit- Genesis Arts and Music Festival

Ann Beier presented an update on Genesis, a social gathering. Part of the application fee is to make a cash deposit for the mid-June project. There had been an anticipation of more people attending, so the fee was over paid. There will be people in the 100's, not the 1,000's. There has been an insurance policy received and approved by Mr. Wilson. Ms. Beier said the Planning Department recommends approval of the request for refund of the overpayment.

The filing fee should be \$500 instead of \$1,500 due to the smaller size of the event. Mr. Wilson recommends accepting \$1,000 deposit plus \$500 filing fee.

Motion

Commissioner Crawford moved to accept a \$1,000 deposit plus a \$500 filing fee, resulting in a \$1,000 refund from the original \$1,500 filing fee. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Consider offer to purchase 10-acre parcel of County-owned foreclosed property, Walnut Lane/Juniper Acres, \$9,500

Mike Warren II, County Realtor of Record, presented an offer to purchase the last Juniper Acre parcel he has listed at this time. This is at a high price per acre and is a good offer of \$9,500. There are no buildings and no cleanup required. It is a straight forward offer of \$9,500 for property listed at \$10,000.

Motion

Commissioner Fahlgren moved to accept the offer of \$9,500 to purchase a county owned foreclosed property located on Walnut Lane in Juniper Acres listed at \$10,000. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Consider recommendation of County Counsel regarding hiring consultant for pre-bond work related to new jail facility

Mr. Wilson reviewed the Public Safety Facility Advisory Committee (PSFAC) recommendation to the City and County regarding the building of a 70 bed jail facility on 2nd street in Prineville. Mr. Wilson and the Sheriff met with construction firms Kirby Nagelhaut and DLR to discuss the next step of the process and the preliminary pre-bond work. Information needed for the program was discussed; the preliminary design and the cost estimate that would result in the bond measure. The pre-bond consulting and architectural work can be directly awarded if the anticipated dollar value is less than \$100,000. Both companies can reach that limit and reach the August 10, 2016 deadline for the November ballot. Mr. Wilson reviewed the interviewing process for both firms and recommends hiring DLR to do the pre-bond and architectural work. Both firms were well represented and presented a very thorough proposal. Rules and regulations were discussed. DLR had a success rate of 80 percent on bond projects. If not approved in November, the project cannot move forward.

Mr. Wilson provided additional information on the pre-bond experience of each company, and the additional information gathered through the interviews and discussion. DLR provides pre-bond services as part of its proposal; Kirby Nagelhaut did not.

Mr. Wilson said that today he recommends DLR as the pre-bond company.

Sheriff Gautney said he was not disagreeing with Mr. Wilson. He stated his concerns regarding DLR as a huge company that builds everywhere, and the question of if they knew what type of facility was needed locally. He discussed measuring and designing done by Kirby Nagelhaut, and the building and attaching of the facility to the Sheriff's Office.

Discussion with the public was held regarding the building of the facility, staying in budget, and using the best company for pre-bond work and for the actual building of the facility.

John Shelk served on the PSFAC and said as a member, he believed the committee spent time on what is do-able and affordable. The recommendation is a 10 million dollar bond for the community. The jail will cost more than the 10 million dollars, and that will have to come from other funding sources.

Further discussion was held on costs, the statements of Larry Blanton, former Deschutes County Sheriff and current consultant working with Kirby Nagelhaut, practical ideas and practical bonding that has passed, companies that have built locally, realistic ideas and one company doing the pre bond, the other building the facility.

Judge McCabe said that during the County-commissioned study of the Pioneer Memorial Hospital building (PMH), DLR was to analyze placing all the law enforcement and 911 into the old PMH building. The new building is for the jail only. Judge McCabe said the pre-bond is really a specialized field and there will only be one chance at passing the bond. We will have the wisdom and the right bond counsel.

Further discussion was held regarding costs and size. Mr. Wilson suggested separate contracts for the building and bond counsel. Mr. Wilson said that today, we are just talking about pre bond with bond counsel and timing as the issues.

Commissioner Crawford said he believes Kirby Nagelhaut has a better idea of local desires. A question from the audience was that with additional steps, it would be awful to put it off and miss the date of August 10 when the bond must be filed with the Clerk's office to get on the November Ballot.

Mike O'Halloran discussed the specialized work of a bond counsel. He said he is not speaking on the committee; this is a crucial decision and may need a little more time and discussion.

Commissioner Fahlgren explained that the County began with local architects Hara Shick that brought in DLR because of their work with jails. DLR did what the County asked them to do. We asked them to analyze the PMH building according to certain parameters, and Hara Shick and DLR completed their report in accordance with those parameters.

Further discussion was held regarding individuals of the former committee willing to assist, needing specific requests, local government support, no disagreement, working together whatever the decision, making sure the deadline is reached and the hope that this would have been decided today but apparently not.

Judge McCabe asked Sheriff Gautney to meet quickly with Mr. Wilson to continue this discussion..

Addition Natural Resources PAC Plan

Mr. Wilson discussed the Natural Resources Plan that was presented to the County earlier this month. He discussed with the Court the historical land use and policies and the proposal to the Planning Commission for processing and providing a recommendation regarding the plan back to the County. The plan must be reviewed for consistency with the Comprehensive Plan. Discussion of the Memo of Agreement between AOC< BLM and others was held. The MOA includes the USFS, BLM and County governing body and is meant to promote communication and minimize misunderstanding and conflicts. Portions of the plan were discussed.

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Mr. Blaine said the plan seems a bit adversarial and discussed some of the terms. Judge McCabe stated that no other counties have adopted this and it is not mirrored in their policies. He said we must keep moving ahead.

Commissioner Fahlgren said there are community members involved and he appreciated working through this with the Planning Commission. It will take time. The Court said it is important that it works for the County.

Consolidated Pine.

Commissioner Crawford said that representatives from Consolidated Pine are coming out next Tuesday to meet with EDCO regarding ongoing operation of the recently closed wood products mill.

Judge McCabe asked Commissioner Crawford to keep the Court in the loop of the discussions.

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

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson,
Crook County Court Secretary