

BE IT REMEMBERED THAT the Crook County Court met in Regular Session on December 2, 2015 at 9:00 a.m. in the County Court 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: Tom Jay, Prineville; Kristi Steber, Prineville; Casey Kaiser, Prineville; Michael Ryan, Crook County Sheriff's Office; Bill Mintiens, Jakie Spring Media and County HR Director Deena Wegner.

The media was notified of the meeting. .

Judge McCabe opened the meeting and asked Casey Kaiser, Chamber Director, to lead in the Pledge of Allegiance.

Following the Pledge, Judge McCabe asked Jail Commander Al Bond to introduce Brooke Peterson, newly hired Corrections deputy for the jail. Ms. Peterson provided some of her background. She has come to Crook County after working with the Warm Springs Police Department for one and one-half years. She said she is excited to make the change and to work in Crook County.

The Court welcomed Ms. Peterson to the County.

Consent Agenda

Approve Minutes of October 7, 2015

Approve Order 2015-66, accepting grant award from Northwest Farm Credit Services

Approve Order 2015-67, amending the Crook County Employee Policy Handbook
regarding Criminal History Background Checks

Approve Order 2015-68, in the matter of increased appropriations, Community Development

Approve PacificSource Provider Services Agreement

Approve Ford Family Grant agreement, facilitator funding for public safety advisory
committee

Approve Vehicle Use Agreement regarding Extension Service District and OSU

The Court reviewed the Consent Agenda. Commissioner Fahlgren pointed out an error on page four of the minutes regarding an amount that was incorrect \$23,500 and \$23,000.

Motion

Commissioner Fahlgren moved to approve the Consent Agenda with the change to the minutes of October 7 as discussed. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Public Hearing, Ordinance 282, Second reading, amending Chapter 18.40 of the Crook County Code public hearing, emergency clause, vote

Assistant County Counsel Eric Blaine presented a brief staff report to the Court regarding the modest changes made to chapter 18.40 of the Crook County Code.

Motion

Commissioner Fahlgren moved to read Ordinance 282 by title only on the second reading. Commissioner Crawford seconded the motion. Judge McCabe read Ordinance 282 by title only. The vote was 3-0, motion carried.

Judge McCabe opened the public hearing. There being no comments received from the public, Judge McCabe closed the public hearing.

Motion

Commissioner Fahlgren moved to approve Ordinance 282 as presented on the second reading. Commissioner Crawford seconded the motion. There was no further discussion. The vote was 3-0, motion carried.

Public Hearing, Ordinance 283, 2nd reading, amending chapter 5.04 of the Crook County Code (Mass Gatherings) public hearing, emergency clause, vote

Mr. Blaine presented the staff report on Ordinance 283, updating the Outdoor Mass Gathering ordinance. Mr. Blaine advised the Court that since the ordinance was changed significantly he would read the changes aloud into the record. The changes were read into the record.

Motion

Commissioner Crawford moved to read Ordinance 283 by title only. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Judge McCabe read Ordinance 283 by title only.

Judge McCabe opened the public hearing. Mike Ryan, Sheriff's Office, discussed the section regarding the Sheriff's Office. There were no further comments.

Judge McCabe closed the public hearing.

Motion

Commissioner Crawford moved to approve Ordinance 283 with the changes as read into the record. Commissioner Fahlgren seconded the motion and added that the emergency clause would make Ordinance 283 effective immediately upon adoption by the Court. There was no additional discussion. The vote was 3-0, motion carried.

Public Hearing, Ordinance 285, 1st reading, amending Chapter 8.12 of the Crook County Code (Crook County Fire District) and declaring an emergency, first reading by title only, public hearing, vote : 2nd reading on December 16, 2015

Mr. Blaine presented the staff report for Ordinance 285, an Ordinance in the matter of amending Chapter 8.12 of the Crook County Code regarding Open Burning Permits and updating the name of the former Prineville Fire Department to the Crook County Fire and Rescue, and declaring an emergency. Mr. Blaine presented information on standards of open burning permits.

Judge McCabe discussed the concerns of open burning and the EPA examining burning in Prineville. Mr. Blaine said that issue is not impacted by this ordinance.

Motion

Commissioner Crawford moved to read Ordinance 285 by title only. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Judge McCabe read Ordinance 285 by title on, and opened the public hearing. There were no comments received from the public, and the public hearing was closed.

Motion

Commissioner Fahlgren moved to approve Ordinance 285 by title only. Commissioner Crawford seconded the motion. Judge McCabe reread the title of Ordinance 285. The vote was 3-0, motion carried.

Public hearing, Order 2015-29 Amendment # 3: Change to fee schedule. Public hearing and opportunity for comment

Mr. Blaine presented the Health Department changes on page 12 of the County fee schedule that are funds passed through directly to the State. Crook County Health Department Director Muriel Delavergne-Brown recommends approval of the changes.

Judge McCabe opened a public hearing. There were no comments, and the public hearing was closed.

Motion

Commissioner Fahlgren moved to approve Order 2015-29 Amendment #3 as presented. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Consider purchase of Road Department Mobile Reader Board

County Roadmaster Bob O'Neal presented information regarding a truck mounted swivel reader board with options to change the message. He has received three quotes with two not meeting the specifications of the 180 degree turn. Light Systems Inc. met all the specification and quoted \$9,018.00. Mr. O'Neal had budgeted for \$11,000, and he recommends purchasing from Light Systems Inc. This reader board will be mounted permanently on a truck.

Motion

Commissioner Fahlgren moved to approve the quote from Light System Inc. to purchase a truck mounted swivel reader board. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Consider Interstate Cooperative Procurement, review of written comments, Western Star 4700 PRL- 14.10T dump truck , Road Department

Roadmaster Bob O'Neal presented information on the proposed purchase of a new dump truck for the Road Department. The Road Department went out for quotes. The quote received from Pacific Truck Center, Western Star, is \$161,080.00 and is \$1,020 more than originally thought due to being a 2016 model rather than a 2015. Mr. O'Neal had \$170,000 budgeted for a truck. Discussion was held regarding the specifications of the dump truck and engine.

Mr. O'Neal recommended purchase of the truck from Pacific Truck Center, Western Star.

Mr. O'Neal and Commissioner Fahlgren discussed the possibility of purchasing a blade from the Forest Service Surplus. The blade was checked out by Road Department personnel and found to be in good shape. Commissioner Fahlgren will stay in contact with the Forest Service about the possible purchase.

Mr. Blaine provided information regarding the procurement procedure and Interstate Cooperative Statutes. The notice for quotes was made for the \$160,060 and the additional cost of \$1,020 was just received. He stated the two findings to be adopted regarding the change in cost.

The findings are: there is not a change regarding material from the original notice and the change is due to the truck being a 2016 model instead of a 2015 as was originally bid.

Motion

Commissioner Crawford moved to adopt the findings. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Motion

Commissioner Fahlgren moved to approve the Western Star 4700 Dump Truck at a total of \$161,080. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Mr. O'Neal will contact the insurance company regarding the purchase and costs.

Consider offer to purchase property/ Five-acre parcel in Ochoco Land and Livestock (1517290003400)

County Counsel Jeff Wilson presented an offer to purchase County owned foreclosed property located in the Ochoco Land and Livestock area. The property is listed at \$9,000. The offer is \$6,500. Discussion was held. The recommended counter offer is \$8,300.

Motion

Commissioner Crawford moved to counter the offer to purchase the foreclosed property at \$8,300 as recommended. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

County Counsel will provide the counter offer to the individual making the offer.

Review for approval, Crook County Court Meeting Schedule and Crook County Holiday Schedule

The Court and Counsel reviewed the schedules for County Court Meetings and County Holidays. After discussion, the Court approved by consensus both schedules with the Court schedule for 2016 including two proposed meetings in Paulina.

Consider Professional Services Contract—Extension Agreement between Crook County and Jakie Springs Media LLC (Bill Mintiens)

Mr. Wilson presented information to the Court regarding the Professional Services Contract Extension Agreement between Crook County and Jakie Springs Media LLC. The original contract agreement was for 90 days at \$4,500. Mr. Mintiens would like to increase the fee to \$2,000 per month for 12 months. The Court reviewed the agreement with the new scope of work. The agreement would be effective in October after the previous contract expired. Commissioner Fahlgren has been happy with the media work done by Mr. Mintiens, and believes that Mr. Mintiens is getting the message out on every media level. His concern is where the cost of the service is budgeted.

Commissioner Crawford said he believes in being transparent and getting word out to everyone. He believes the County does not have the money right now for this service. The Court has been discussing other funding needs, and he does not believe there is funding available to cover the extension of the contract.

Judge McCabe said he has had conversations with Judge Grasty of Harney County regarding the media coverage, and Harney County coverage is more expensive. He said Association of Oregon Counties has

discussed Crook County's costs for the media coverage and finds that the County's costs are a steal. The Assessor's Office, Health Department and other departments have been happy to be premiered in the media coverage.

Motion

Commissioner Fahlgren moved to accept the contract at \$2,000 per month. Judge McCabe seconded the motion. The vote was two members in favor and Commissioner Crawford voting nay (2-1). Motion carried.

Bill Mintiens will meet with Jeff Wilson regarding the dates of the contract.

There being no further business before the Court scheduled in Open Session, Judge McCabe adjourned the Court out of Open Session and into Executive Session under : **ORS 192.660(2)(h)** Legal Consultation, 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 **ORS 192.660(2)(a)** for the purpose of considering the employment of a public officer, employee, staff member or individual agent

EXECUTIVE SESSION

Judge McCabe convened the Court into Executive Session under **ORS 192.660(2)(h)** Legal Consultation, 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 **ORS 192.660(2)(a)** for the purpose of considering the employment of a public officer, employee, staff member or individual agent.

The Court and Counsel discussed the matters involved in the Executive Sessions. Following the discussion, Judge McCabe adjourned the Court out of Executive Session under **ORS 192.660(2)(h)** Legal Consultation, 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 **ORS 192.660(2)(a)** for the purpose of considering the employment of a public officer, employee, staff member or individual agent and back into Open Session.

Open Session

Judge McCabe convened the Court back into Open Session after meeting in Executive Session under **ORS 192.660(2)(h)** Legal Consultation, 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 **ORS 192.660(2)(a)** for the purpose of considering the employment of a public officer, employee, staff member or individual agent, and invited the public back into the meeting room.

Re: first matter discussed under ORS 192.660(2)(h)

Motion

Commissioner Crawford moved to direct staff to prepare a draft letter to the Assessor to be approved by County Court as discussed in Executive Session. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Re: second matter discussed under ORS 192.660(2)(h)

Motion

Commissioner Fahlgren moved to direct staff to send a letter to Mr. Fitch as discussed in Executive Session. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Re: third matter discussed under ORS 192.660(2)(h)

Motion

Commissioner Fahlgren moved to direct staff to confer with the Landfill Manager and report back at the next meeting as discussed in Executive Session. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Re: matter discussed under ORS 192.660(2)(a)

No motion was required for this item. H.R. Director Deena Wegner will be setting up a meeting to work with this matter.

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

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson
Crook County Court Secretary
Executive Administrative Assistant