

BE IT REMEMBERED THAT the Crook County Court held a Regular Session meeting on November 4, 2015 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; Count Counsel Jeff Wilson; Assistant County Counsel Eric Blaine and County Court Secretary Colleen Ferguson.

Members of the public signing the attendance log: Priscilla Johnson, Crook County Soil and Water District; Dean Hanes, Prineville; Frank Bristow, Prineville; Rex Storm, Cornelius, Oregon; Vera Riser, Bend; Peggy Spieger, LaPine, Or; Ken Taylor, Prineville; Melanie Marlow, Prineville; Sarah Cuddy, Oregon Wild; Darlene Harpster, Prineville; Dave and Barbara Vieu, Prineville; Ron Boothe, Prineville; Tom Jay, Prineville; Russel Hisaw Prineville; Dave Steele, Prineville; Jolene Barron, Prineville; Walt Williams, Prineville; David wood, Prineville; Diane Muffley, Prineville; Bodie Dowling, Bend; Lee Romine, Prineville; Tim Deboodt, County Extension; James and Gordon Aggers, Prineville; Pete Sharp, Prineville; Shawn Benson, Prineville; Tim Ray, Prineville; Michael Ryan, Crook County Sheriff's Office; Paul Cuddy, Prineville; Donna Hamond, Prineville Darlene Harder,: Kris Williams, Crook County Health Department; Craig Kirkpatrick, Redmond; Kathleen Brady, Redmond; Aaron Post, Prineville; Jeremy, Prineville; P.J. Soder, Redmond; Sharon and C.J. Kropf, Prineville; Gail Stanford, Prineville; DS Edwards, Prineville; Darrell Williams, Harney Co; Mike Choate, Burns; Holly Wenzel, Prineville; Darren Hepperle, Powell Butte, and Pam Hardy, Bend.

The media was provided notice of the meeting.

Judge McCabe called the meeting to order and invited Darlene Harpster to lead in the Pledge of Allegiance.

Consent Agenda

Approve minutes of September 16, 2016
Approve Order 2015-60, Wolverton Fence Project—Conant Basin Road
Approve Amendment 1 to Mental Health funding IGA # 147786
Approve IGA with Central Oregon Intergovernmental Council (COIC) for regional transportation plan updates
Approve Juvenile Crime Prevention Basic Services, IGA # 13225
Approve Amendments 1 & 2, Financing of Public Health Services—2015-17 IGA # 148006
Approve Crook County Deadly Physical Force Plan, Sheriff's Office
Approve Lease Extension between Crook County and Central Oregon Community College, and Oregon State University
Employee Transfer Agreement/ County to COCC, two employees

The Court reviewed the Consent Agenda.

Motion

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

Ordinance 282, amending Chapter 18.40 of the Crook County Code (Recreation Residential Mobile Zone), and declaring an emergency. First reading by title only; public hearing

Motion

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

Judge McCabe read Ordinance 282, amending Chapter 18.40 of the Crook County Code (Recreation Residential Mobile Zone), and declaring an emergency, by title only.

Assistant Planning Director provided the staff report regarding the large code update that was done in October, but this amended portion of Chapter 18.40 failed to be included in the packet. This portion includes the State Building Code language regarding manufactured homes and will make it part of the ordinance.

Judge McCabe opened the Public Hearing. There being no comments received, the Public Hearing was closed. The next Public Hearing on Ordinance 282 will be held on December 2, 2015.

Motion

Commissioner Fahlgren moved to approve Ordinance 282 on the first reading. Commissioner Crawford seconded the motion. Judge McCabe re-read the ordinance title. The vote was 3-0, motion carried.

Ordinance 283, amending chapter 5.04 of the Crook County Code (Mass Gatherings), and declaring an emergency. First reading by title only; public hearing

Ms. Beier provided the staff report on the changes in the amending of chapter 5.04 of Crook County Code (Mass Gatherings) that will reflect state law. This references mass gatherings in excess of 3000 people held outdoors. Language for this amendment is being circulated through other County Department for review of bonding language, and insurance requirements. Assistant County Counsel Eric Blaine advised the Court that any reading changes will need to be read into the record and there are substantial changes. There may be substantive changes before December.

Motion

Commissioner Fahlgren moved to read Ordinance 283 by title only. Commissioner Crawford seconded the motion. Judge McCabe read Ordinance 28 by title only. The vote was 3-0, motion carried.

Judge McCabe opened the Public Hearing. There being no comments received, Judge McCabe closed the Public Hearing.

Motion

Commissioner Fahlgren moved to approve Ordinance 283 on the first reading. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

The next Public Hearing on Ordinance 283 will be held on December 2, 2015.

Presentation, Sarah Cuddy, announcement of future meetings to be held in the local area regarding Oregon Wild

Sarah Cuddy, Oregon Wild, appeared before the Court to announce the meeting schedule for public hearings on the Oregon Wild Proposal for use of public lands in the Ochoco Mountains. There are four public hearings scheduled.

Ms. Cuddy provided a brief overview of the proposed Oregon Wild project. She provided information on the challenges, opportunities, and being co-active proposal to find a middle ground for usage of the Ochocos and maintain the recreation of the Ochocos. She said there is misinformation out there and the meetings are scheduled to provide accurate information. She discussed holding the meetings and expecting public comments and a diverse interest group.

Judge McCabe said he wants to make sure there are reserved spots for Crook County Constituents in campgrounds in the Ochocos. In Deschutes County, it is always full and people from that area cannot get a camping space and are now coming to Crook County and filling up the local spaces.

Commissioner Crawford addressed the draw for people to come and use the Ochoco forest and asked why a wilderness area has to be part of it. Commissioner Fahlgren talked about the impacts. We want to cut timber and be able to fight fires. He spoke about the Forest Collaborative Committee that he serves on, working with representatives of organizations from all different backgrounds and beliefs regarding caring for the forests. Commissioner Crawford said he believes there does not need wilderness to be part of any plan.

Lee Romine spoke on the use of the forests by himself and his family. He grew up playing in the snow and camping and riding snowmobiles. This is our County and we need to take control of our resources. He said he rides a lot of Lookout Mountain Country and it is overgrown with timber and brush that need better management. There needs to be better management of our resources.

Rex Storm, Forester representing the Logging Industry, presented information regarding harvesting the forests, manufacturing and the livelihoods of people in the east of the State. He said the proposal would be limiting, harmful and bring about land restrictions. He provided written comments to the Court.

(Copies of the written comments by Mr. Storm were provided to the public in the County Court and Administrative office through the end of December along with the paperwork submitted by Ms. Cuddy with the dates for the meetings.)

Information was provided regarding a land lock-up, land owners alarmed by the unhealthy Federal land, the Forest Service lacking management of the forests with the result being fires and insects, and 257 total national forests.

Mr. Storm discussed Hells Canyon National Recreation area. The promise was for a wonderful recreation area. Now days, there is no management defacto.

Ms. Cuddy provided addition information on all forest having their own language in the proposals, and Ochoco will have its own language with the intention to keep the character and integrity of the Ochocos into the future. The Wilderness is a contentious portion of the proposal. She discussed focusing on the bigger good for the forest.

Commissioner Crawford said he believes everyone up here (Court) does not want wilderness and said he wanted a vote to that effect. There was applause from the audience.

Judge McCabe and Commissioner Fahlgren said they did not believe there should be a vote today; there should be more information from the public. Discussion was held on whether this was a public hearing.

Darrin Hepperle agreed that today should not be a day for voting. Today should let the voices out, and he believes there should be more time for Public Hearings and Education.

Tim Deboodt said the time used today went beyond the four minutes that Ms. Cuddy had been asked for and the County can schedule its own Public Hearings.

Judge McCabe said he wanted it on the record that the County Court will have Public Meetings after the four Public Meetings scheduled by Oregon Wild have concluded. At that time, all the information will be out to the public.

Judge McCabe adjourned the meeting for a short break.

Following a break, Judge McCabe convened the Court back into Open Session.

Consider approval for Road Department purchase of deicer liquid magnesium chloride for winter 2015-2016 / Three quotes, Bob O'Neal, Road Master

Crook County Road Master Bob O'Neal presented the information on the proposed purchase of deicer magnesium chloride for the winter of 2015-2016. He obtained three quotes, and found there would be a \$70.00 saving with Envirotech as the low bidder. This will be purchasing from a local vendor, and the Road Department will pick it up directly and cut out the middle man. Commissioner Fahlgren said he was glad the Road Department would be buying locally.

Motion

Commissioner Crawford moved to accept the low bid and authorize the Road Department to purchase the deicer from Envirotech. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Central Oregon Trails Association (COTA), trail proposal

Darlene Henderson, volunteer representative for COTA thanked the Court for the opportunity to present the COTA trail proposal. Judge McCabe asked Ms. Henderson if she had been to the City and the County planner to discuss the proposal. This proposal includes both City and County properties. He explained the process of meeting with both the City and County Planning departments and go through the planning system. Commissioner Crawford asked about what the plan system was.

Mr. Zelenka, County Planning explained there is a County Trail system and the City has a trail plan in their Transportation System Plan (TSP). The County is updating the County TSP, and there is County owned property that is part of the proposed trail system in that plan.

Discussion was held regarding the future plan of the trail system and extending it. The plan will go through a hearing process with both the County and City Planning Commissions. The TSP plan was discussed, the time line, the contracts and there being no intention to bog down the project in bureaucracy. Ms. Henderson has gone through part of the experience during the creation of the first trail system. She discussed using volunteer services and the longevity of the trails. Discussion was held regarding this being a big proposal. Judge McCabe suggested creating a Master Plan and doing it the way it was wanted. Ms. Henderson said there is currently 2.3 miles of trail and the plan is to expand that system on to the View Point part as well. Ms. Henderson will contact County Planner Bill Zelenka and go from there.

Consider offer to purchase County Foreclosed Real Property, 5-acre parcel in Ochoco Land and Livestock

Mr. Wilson presented an offer to purchase a County foreclosed property located in the Ochoco Land and Livestock area. The property is a five acre bare lot, and heavily sloped. The property is listed for \$8,500, and the offer received is for \$7,500. County Agent Mike Warren II recommends accepting the offer.

Motion

Commissioner Fahlgren moved to accept the offer of \$7,500 for the five acre County owned foreclosed property located in Ochoco Land and Livestock. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Consider Hiring Authorization Request, New Position/ Part-Time Attorney, D.A.'s Office

Mr. Wilson advised the Court that he has spoken with County HR Director Deena Wegner about the request received from the District Attorney to authorize hiring a part-time position that would end when funds are exhausted. The Court discussed where the funds would be coming from and what would happen when the funds ran out. Mr. Wilson said the position would need to be advertised as temporary to be fair to the successful applicant.. Judge McCabe and the Court agreed to table the request

for now and bring it back at the meeting scheduled for December 2, 2015.

There being no further business before the Court requiring action at this time, Judge McCabe adjourned the Court out of Open Session and into Executive Session under ORS 192.660(2)(e) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions pursuant to ORS 192.660(2)(e).

EXECUTIVE SESSION

ORS 192.660(2) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions pursuant to ORS 192.660(2)(e).

Judge McCabe convened the Court into Executive Session under ORS 192.660(2) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions pursuant to ORS 192.660(2)(e). Following discussion with the Court and Counsel on the matter, Judge McCabe adjourned the Court out of Executive Session under ORS 192.660(2) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions pursuant to ORS 192.660(2)(e) and back into Open Session. on the matter

OPEN SESSION

Judge McCabe convened the Court back into Open Session after adjourning out of Executive Session under ORS 192.660(2) for the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions pursuant to ORS 192.660(2)(e), and invited members of the public back into the meeting room.

Motion

Commissioner Crawford moved to authorize staff to prepare correspondence to the Pioneer Memorial Hospital Board as discussed in Executive Session and to authorize signature by County Counsel Jeff Wilson. . Commissioner McCabe seconded the motion. The vote was 2-0, motion carried.

Commissioner Fahlgren was not available.

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

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson
Crook County Court Secretary