

BE IT REMEMBERED THAT the Crook County Court met in Regular Open Session on July 1, 2015 at 9:00 in the County meeting room located at 320 NE Court Street, Prineville, Oregon. Members of the Court in attendance were: County Judge Mike McCabe; Commissioner Ken Fahlgren; 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: Darlene Harpster, Prineville; Dave Vieu, Prineville; Dave Scott, Prineville; Sher Eriksen, Prineville; Dana Millin, Powell Butte; Richard, Bonine, Crook County Parks and Recreation District; Greg Lynch, Prineville; Tony Kurtz, USFS Forest Service; Tim Ray, Fair Board, Prineville; Casey Daly, Crook County Fairgrounds Manager; Gail Merritt, Fair Board, Prineville; Steve Dougill, Crook County IT/GIS Director; Russ Deboodt, Crook County Fire and Rescue; Matt Smith, Crook County Fire and Rescue; Bill Mintiens, Jakie Spring Media, Prineville; County Health Department Director Muriel DeLaVergne-Brown; Stanley Flynn, Fair Board, Prineville and Greg Crass, Fair Board, Prineville.

The media was provided notice of the meeting.

Judge McCabe called the meeting to order and asked Caroline Ervin to lead the Pledge of Allegiance.

Consent Agenda

1. **Approve Amendment No. 4 to Crook County/Wellness & Education Board of Central Oregon (WEBCO)**
2. **Approve IGA Amendment 1 to janitorial services agreement, Lesa Adams.**
3. **Approve 2015-2016 vasectomy health services agreement with St. Charles Health Systems.**
4. **Approve and sign authorization form to appoint Prineville Solar Energy LLC to act as Crook County's authorized agent for purposes of applying for conditional use approval for activity on County-owned property.**
5. **Approve and sign Special Transportation Services/ODOT Agreement # 30555**
- 5 1/2. **Approve Funding IGA with State Marine Board for Sheriff's Office Marine Services**

ADDITION Ratify approval of Orders 2015-41, In the matter of increased appropriations, Grant Fund M-57 and Order 2015-42, In the matter of increased appropriations, Grant Fund, MCH, Cover Oregon

The Court reviewed the Consent Agenda including the addition of Order 2015-41 and 2015-42. There were no changes made to 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.

Pit Bull Dog spay and neuter program, Greg Lynch

Greg Lynch appeared on behalf of the Humane Society of the Ochocos and the community. He proposed a project that would support the spay and neutering of Pit Bull dogs in the community. The request would not be for on-going funds. The requested amount is \$10,000 and can be paid out quarterly.

Mr. Lynch provided a background on the start of the Snip Clinic in 2004 and Crooked Tails Veterinarian office, and the 2008 Snip pilot program with pit bulls.

Discussion was held regarding the homeless population and the responsibility of care of their dogs when unable to afford any veterinarian. Since 2007, along with the heart center created by Mr. Lynch and his wife Leslie, all animals are taken in, injured or sick from the shelter that would be euthanized in another facility, but at The Humane Society of the Ochocos, it is a true no-kill shelter.

Mr. Lynch said he has spoken with the law enforcement and they are strongly in support. At this time, the Humane Society handles a disproportionate amount of pit bulls.

District Attorney Daina Vitols said she could declare a conflict of interest because she is a board member of the Humane Society and strongly supports the Humane Society. She said both the Sheriff and Chief of Police are supportive also. Almost every Search and Rescue issue for dogs always has Pit Bulls involved that have not been spayed and neutered. Ms. Vitols described an incident when she had her own dog at the dog park and her dog was attacked by a pit bull with the owner right there. Mr. Lynch explained that in this spay and neuter project, all dogs spayed or neutered will receive a rabies vaccine, a microchip and be registered. All three veterinarians in the community are on board with this program and have signed off on it.

The Humane Society (Shelter) has a good working relationship with all three veterinarians. All dogs sick or injured as well as other animals are immediately taken to a veterinarian. Mr. Lynch presented figures on the amount of stray pit bulls brought into the facility and amount of time and work the staff does with the dogs so they can be adopted. The pit bulls tend to stay in the shelter longer than other dogs. The shelter office provides training for those adopting the pit bulls.

He said this project, with the support of the County, will be a tremendous help. If the dogs are returned to the owner, they will already be spayed or neutered. Pit bulls are now coming in from John Day and Mitchell as well as locally.

Judge McCabe made a declaration that his daughter works as an attorney for Miller Nash where Mr. Lynch is the boss. Neither he nor his daughter would benefit from this.

The Court discussed the requested amount of \$10,000 and how the County could support that amount. Judge McCabe said he was in favor of the project and the support. Commissioner Crawford agreed and asked that everyone remember last year when a pit bull attacked a local child. Commissioner Fahlgren said the budget has been through a struggle, but he is in favor of the project and public safety.

Motion

Commissioner Crawford moved to support the Spay and Neuter Project for Pit Bull dogs and provide \$10,000 to the project, paying on a quarterly basis. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Award bid for Demolition and Property Clean-Up at 7761 SE Thompson Court, Prineville, OR

County Counsel Jeff Wilson provided the overview of this demolition and property clean-up project. This foreclosed property needs to be prepared for sale at the foreclosed property sale. The manufactured home was left in bad condition and will need to be demolished, cleaned-up and hauled to the Landfill along with other miscellaneous trash and items on the property. An RFP was put out for the job. A bid

from SMAF was received with the bid set at \$6,990. Mr. Wilson is recommending the award to SMAF Construction as the lowest responsive bidder..

Discussion was held that this is the first step to get this property sold and back on the tax rolls.

Motion

Commissioner Fahlgren moved to accept the bid from SMAF at \$6,990. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Dana Millen, presentation and request for funding—Ranching/Logging/ Storyline program to begin in the PBCCS and then following year into Crook County Elementary.

Dana Millen began her presentation by thanking the Court for funding last year's Riverkeepers Storyline Project for K - 5 students in Crook County. They have had great feedback. The next Phase is the ranching, logging and farming. Ms. Millen explained the program beginning with the Powell Butte Charter School and then the Crook County Elementary Schools. This would focus on the teaching to the students of the need for farmers and ranchers and where our food comes from. She requested funding to help with the training of teachers for the newest Storyline Project; any amount would help. The Court thanked Ms. Millen for the information and expressed their thanks and excitement of the success of the Riverkeepers Storyline Project from last year with 1200 Elementary students involved. The Court will consider the request with other requests when this year's Video Lottery funds are considered, and Ms. Millin will be notified of the decision.

Ms. Millen said the next two year's Storyline will be on land and it's uses. Environmental education and getting the children into the outdoors is so valuable.

Discussion of changes in operation of Panic Buttons, Steve Dougill/ IT Director

Steve Dougill, County GIS/IT Director, presented information regarding panic buttons and a change in the system. The Courthouse, Annex, Treasurer and Assessor's offices, Health Department, Sheriff's Office, Beaver Street Building, the Library and Road Department will all be affected by these changes. The panic buttons will be more effective due to the signal going directly to dispatch instead of a third party security company. These are all general fund departments, so funding will be out of contingency and all will be done as one program making the cost less than doing it a small amount at a time. This is all part of the budget.. The total will be approximately \$8,200 for the change, and the County's existing network will be used. The placement and mapping diagrams of the panic buttons for dispatch was discussed. Mr. Dougill will meet with the County Treasurer to discuss the funding.

Air Quality--Order 2015-40, and Resolution: In the matter of adopting the proposed fine Particulate matter (pm2.5) draft action plan as air quality policy for Crook County

Phil Stenbeck, City of Prineville Planner presented the Air Quality Action Plan. He provided information on the Air Quality Committee that met 12 to 14 times over the last year. He listed matters covered and plans set up to assist in meeting the Air Quality standards. With this plan in place, it formally shows the DEQ that the City and County are working on the Air Quality and will also help in applying for grants to help implement the changes. Discussion was held on how quickly this project has been worked out.

Mr. Stenbeck discussed the meetings with DEQ, and the letter from DEQ to EPA that was sent to advise them of the good work and program being done on this plan. The Fire District is also ready to move

forward on the plan. Mr. Stenbeck thanked the committee for all the frank input put into the discussions and the time and effort spent to draft the plan.

Motion

Commissioner Fahlgren moved to accept and approve Order 2015-40, adopting the proposed fine particulate matter (pm2.5) draft action plan as Air Quality Policy for Crook County. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Crook County RV Park/ Year End Report

Richard Bonine, Director of Crook County Parks and Recreation District (CCPRD), appeared before the Court to discuss the reserve fund account and the letter sent previously to the Court regarding that matter.. CCPRD is proposing to adjust the reserve amount maximum by raising the amount to \$150,000 from \$100,000. The plan is to build up the amount to use for match money for future grants to refurbish and update the Crook County RV Park.

Mr. Bonine provided information regarding the dramatic capital improvements of the RV Park and the cooperation of Fairgrounds Manager Casey Daly and Commissioner Fahlgren in bringing these improvements to reality.

Motion

Commissioner Fahlgren moved to approve the increase of the CCPRD contributions to the reserve from above the 10 percent or \$10,000 per year limitation. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Discussion of draft Professional Services Contract with Jakie Springs Media LLC for on-call public relations and information outreach services for Crook County

Commissioner Fahlgren presented the proposal as written for six months to contract with Jakie Springs Media LLC, Bill Mintiens, for media coverage. He discussed a possible partnership with the Chamber of Commerce, City of Prineville and Crook County to make a strong team in the future. Commissioner Fahlgren proposed contracting with Jakie Springs for six months and then in October go into a contract as a team.

Bill Mintiens said he believes it is a good idea and all three organizations spill over into one another. He provided some examples of working with the organization even now that relate back and forth to one another.

Commissioner Crawford discussed the costs of the service. Mr. Mintiens said the City of Prineville paid \$1,500 for 10 hours per week. His suggestion is for the County to pay \$1,500, the same as the City. Commissioner Crawford said the County had approved \$20,000 on safety earlier in this meeting, and he does not believe the County has the funding for this. Discussion was held regarding the funding.

Judge McCabe said that the last meeting in which this was discussed, Commissioner Crawford had said he thought there had been an illegal meeting to discuss this. Commissioner Fahlgren explained that he and Judge McCabe had met individually with Mr. Mintiens and Mr. Mintiens had sent a proposal into the Court for review. The proposal is here today for review by all the Court members, taking a first step to see if this is the direction to take. Judge McCabe apologized to Mr. Mintiens for this misunderstanding.

Mr. Mintiens discussed his work with the City of Prineville. He advised the Court that they did not have the time to work on getting all the information out to the public or the expertise to do the job. He said that most people do not trust government, and he believes that getting the information out on the podcasts and articles increases the trust. There is a need for people above the Rimrock to know about the good things happening in Crook County.

Mr. Wilson presented a document prepared by Assistant County Counsel Eric Blaine for discussion only that includes the scope of work, scope of services and duration. In this document, Mr. Mintiens has to receive a work order from the county, not go out on his own and he would only be working in accordance with task orders. Judge McCabe and Mr. Mintiens discussed going with this proposal for three months and then looking forward with all three entities to possibly a longer contract.

Motion

Commissioner Fahlgren moved to approve a three-month contract at the discussed rate and to move forward, getting the information out to the community through Jakie Springs LLC, and not to exceed \$1,500 per month. Judge McCabe seconded the motion. The vote was 2-0, motion carried. Commissioner Crawford voted in opposition.

Public Hearing/ Discussion: Ordinance 2005-162, An Ordinance to adopt a transient room fee and provide procedures to implement such a fee

Mr. Wilson presented information on Ordinance 2005-162, Transient Room Tax, which includes the direction to reconsider the division of funds every 10 years. There is no requirement to change, but the County is required to open a Public Hearing on the matter every 10 years. At this time, the division is 30 percent to General Fund and 70 percent split between the Chamber, Historical Society, Fairgrounds and balance into the County Reserve.

Casey Daly, Fairgrounds Manager, said he has seen the document and has met with the Chamber and Historical Society. Their recommendation is to leave it as it is.

Judge McCabe opened the Public Hearing. Dave Vieu asked how this Public Hearing is noticed. The Court explained where the public hearing is notice and the discussion of the Ordinance.

There being no further comments regarding the Ordinance, Judge McCabe closed the Public Hearing.

Mr. Wilson advised the Court that no motion is required; the only requirement is to reconsider the division of Transient Room Tax funds.

Judge McCabe adjourned the Court out of Open Session, and into Executive Session under ORS 192.660(2)(i), Personnel Review, Muriel DeLaVergne-Brown, County Health Department Director.

EXECUTIVE SESSION

ORS 192.660(2)(i) Employee review/ Muriel DeLaVergne-Brown, County Public Health Director

Judge McCabe convened the County Court into Executive Session under **ORS 192.660(2)(i)**, Employee review for County Public Health Director Muriel DeLaVergne-Brown. The Court met with Ms. DeLaVergne-Brown. Following the review, Judge McCabe adjourned the Court out of Executive Session under **ORS 192.660(2)(i)** and into Executive Session **ORS 192.660(2)(h)** To consult with counsel concerning legal rights and duties of a public body with regard to current litigation or litigation likely to

be filed. Following discussion on the matter called under **ORS 192.660(2)(h)**, County Judge Mike McCabe convened the Court in to 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 . Following the discussion under **ORS 192.660(2)(e)** For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property, Judge McCabe adjourned the Court out of Executive Session and back into Open Session.

Open Session

Judge McCabe convened the Court back into Open Session after adjourning out of Executive Sessions under **ORS 192.660(2)(i)** Employee review, **ORS 192.660(2)(h)** To consult with counsel concerning legal rights and duties of a public body with regard to current litigation or litigation likely to be filed, and **ORS 192.660(2)(e)** For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property, and invited any members of the public back into the meeting room.

Motion

Commissioner Crawford, for Executive Session **ORS 192.660(2)(i) Employee Review**, moved to approve the merit increase for Muriel DeLaVergne-Brown, County Health Department Director, and approve signature outside of Court after the miswritten paperwork is corrected. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Motion

Commissioner Crawford, for Executive Session discussion under **ORS 192.660 (2)(h)**, moved to direct staff to write the letter as discussed in Executive Session. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Motion

Commissioner Fahlgren, for Executive Session discussion under **ORS 192.660(2)(e)** , moved to direct staff to proceed with gathering information as discussed in Executive Session. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Judge McCabe adjourned the Court out of Open Session and into Executive Session **ORS 192.660(2)(h)** To consult with counsel concerning legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Executive Session

Judge McCabe convened the Court into Executive Session **ORS 192.660(2)(h)**, To consult with counsel concerning legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. The Court discussed the matter called under this Executive Session **ORS 192.660(2)(h)**. Following discussion, Judge McCabe adjourned the Court out of Executive Session under **ORS 192.660(2)(h)** and back into Open Session.

Open Session

Judge McCabe convened the Court into Open Session following adjournment out of Executive Session **ORS 192.660(2)(h)** and invited members of the public waiting back into the meeting room.

Approved September 2, 2015

Judge McCabe announced there was no decision or direction to be made or report on from the previous Executive Session discussion.

There being no further matters requiring action before the Crook County Court at this time, Judge McCabe adjourned the Court meeting at 12:23 p.m.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson,
Crook County Court Secretary