

**BE IT REMEMBERED THAT** the Crook County Court met in a Regular Session meeting on September 3, 2014 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 Counsel's Legal Assistant Regina Paul.

Members of the public signing the attendance log were: Kev Alexanian, Crook County Weedmaster; Stephanie, Blind, Crook County HR Director; David Scott, Prineville; Sher Eriksen, Prineville; George McCart, Prineville; Walt and Rebecca Wagner, Powell Butte; Darcy Bedortha, Prineville; Gunther Wunder, Prineville (HOC) ;County Counsel Jeff M. Wilson, Prineville; Jerry and Darlene Harpster, Prineville; Muriel DeLaVergne, Crook County Health Department Director; Alyssa Speece, Crook County Health Department; Joseph Morales, Heart of Oregon Corps (HOC); Cory Waetjen, HOC; Jodie Fleck Rager Emergency Service, Post; Sarah Teskey, Rager Emergency Service, Post and Casey Daly, Crook County Fairgrounds Manager.

The media was notified of the meeting.

**Open Session/ Executive Session ORS 192.660(2)(I) Performance Review, Kev Alexanian.**

Judge McCabe called the Open Session of the meeting to order at 8:15 a.m. and convened the Court into Executive Session under ORS 192.660(2)(i) for the performance review for Kev Alexanian, Crook County Weedmaster. Upon completion of the performance review, Judge McCabe adjourned the Court out of Executive Session under ORS 192.660(2)(i) and into the Regular Open Session County Court meeting.

**Open Session**

Judge McCabe called the Regular Session to order at 9:00 and asked Joseph Morales to lead in the Pledge of Allegiance.

County Health Department Director Muriel DeLaVergne Brown introduced the new VISTA worker, Alyssa Speece, to the Court and audience.

**Consent Agenda**

2. Approve Minutes of August 20, 2014
3. Approve Eighth (8<sup>th</sup>) Amendment to Oregon Health Authority 2013-2015 IGA for Financing of Public Health Services
4. Approve Intergovernmental agreement between Crook County and the Historical Society.
5. Approve Intergovernmental agreement between Crook County and the Crook County Fair Board
6. Approve Intergovernmental agreement between Crook County and Crook County Chamber of Commerce
7. Approve Agreement between Crook County and Brasada Ranch and Visit Bend LLC
8. Approve letter agreement with HSR Master Planning & Architecture LLC., regarding Programming phase of PMH feasibility study.
9. Order 2014-45, updating the Crook County employee handbook regarding leave sharing
10. Order 2014-47, composing a committee to review new or substantially changed job descriptions.
11. Order 2014-48, amending the employee grievance process

12. Approve leachate pump system required by DEQ to reduce methane collection rates as part of the overall leachate recirculation system/ Landfill

The Court reviewed the Consent Agenda. Commissioner Fahlgren pointed out an error in the spelling of a word in the minutes to be corrected.

### **Motion**

Commissioner Fahlgren moved to accept the Consent Agenda as presented with the correction of the misspelling of a word. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

### **Award of bid contract: purchase and delivery of unleaded fuel to the Crook County Landfill**

County Counsel Jeff Wilson presented the information regarding the unleaded fuel procurement. Miller Oil and Carson Oil were responsive, with Miller Oil responding with the lowest bill of 3.2571 cents per gallon. Interest was expressed by out of the area contractors, but no bids were received.

### **Motion**

Commissioner Crawford moved to award the unleaded fuel bid to Miller Oil with the lowest responsive bid of 3.2571 cents per gallon. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

### **Presentation, Heart of Oregon Corps, overview of the year's activities and accomplishments, Darcy Bedortha**

Darcy Bedortha thanked the County for their support with the Heart of Oregon Corps project. Ms. Bedortha discussed a video that can be accessed on line that features the work of the young people in the Corps project. Because of the support and the work of the corps participants, the project has been awarded funding that will continue the Heart of Oregon Corps crews operating full time year round. The young people work for six month terms with six to eight people on a crew. Gunther Wonder, Joseph Morales and Cory Waetjen were participants this last six months and reported on the wilderness projects, the equipment that was used in the wilderness that was all hand operated, and the projects they have also helped on throughout the communities such as, mowing, cleaning, trimming –everything from working on a fish platform to installing pavers. They were housed at the Rager Ranger Station for part of three weeks while on the Black Canyon project.. The facility is no longer operating as a Ranger Station but is kept up in case of the need to use the area again. The young people on the crew earn \$500 every two weeks and \$2775 for college upon completion. During their time on the crew, they learn skills that will help them as they further their lives and careers. The reports from the young people and from Ms. Bedortha were very positive.

### **Rager Emergency Services (RES)/ Presentation regarding RES activities, funding and Oregon EMS LifeSaver Award for Allen Teskey/ Jodie Fleck**

Jodie Fleck and Sarah Teskey presented information regarding the nomination of Allen Teskey for Oregon EMS LifeSaver Award. On May 21<sup>st</sup>, 2014, Mr. Teskey was attending a branding at a neighboring ranch with nearly 25 other people. An “old timer” from the area was there and had roped and branded with the others all day. All went without incident until during the meal, the “old timer” limped over. Assuming it was a choking event, Mr. Teskey immediately performed the thrusts as he had learned

through his time and volunteer training to no avail. He began CPR, and after a total of eight (8) minutes of CPR, the “old timer” was in recovery position, talking and smiling. Mr. Teskey had assumed communications and stood down the additional resources that were heading to the scene. Ms. Fleck told the Court that Allen Teskey chooses to be a volunteer, and he chooses to be the best that he can be. The events of this incident were text book perfect and an 85 year old gentleman will get to rope at another branding because Mr. Teskey cares.

Ms. Fleck presented information on the funding for operation of the Rager Emergency Services (RES), the volunteer program and the equipment used for the services provided. The limited reimbursement received from Medicaid/Medicare and the costs of fuel are resulting in cash flow not matching expenses. There are also DEA license and insurance costs.

Ms. Fleck thanked the Court for the Zoll machine that was purchased for the RES program and said the machine acts as a third person.

The Court discussed the community area that is served by the RES services providing some donations to the services. Ms. Fleck said the community does not donate, and there has been no talk about a taxing district. The public expects the ambulance station, but it is too expensive at \$84,000 per years for a paramedic and a minimum of three people. Discussion was held regarding membership payments for services, but only \$250 has been received so far. Commissioner Fahlgren asked about what happens when the RES does not get paid. Ms. Fleck explained that the local EMTs from the Prineville area restock the ambulance and help the RES operation out. The Court discussed the amount of funding needed at this time, and the fact that the volunteers should not be paying out of pocket to keep the RES in operation. Discussion was held by the Court about providing funding in the amount of \$5,000 per year for two years. Judge McCabe and Ms. Fleck discussed the need to submit the request in the fall, and then at budget time, the Court would review the funding request.

### **Motion**

Commissioner Crawford moved to approve providing \$5,000 to the RES on a two year cycle. Commissioner Fahlgren asked for input every year regarding the operation and the funding. Ms. Fleck said she wants to try again for a grant. At this time, the ambulance is still in the old Road Department building. Commissioner Fahlgren seconded the motion for \$5,000 each year for a period of two years. There was no further discussion. The vote was 3-0, motion carried.

### **Public Hearing, Ordinance 271, Second reading; public hearing; adopting the revised Dog Control Regulations, Vote:**

County Counsel Jeff Wilson presented the staff report on Ordinance 271, an ordinance for the Crook County Code bringing the County into compliance with state law regarding dog control. The ordinance will include changes to enforcement, allows County Counsel to prosecute and change language regarding the delivery of the dog to pound or shelter.

### **Motion.**

Commissioner Fahlgren moved to read Ordinance 271 by title only. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Judge McCabe read Ordinance 271 by title only and opened the public hearing.

One comment was received from the audience regarding the ordinance and addressing the cat issue as well as dogs. Mr. Wilson said no cats are included in this ordinance. Bill Zelenka briefly presented information regarding the feral cat program of the Humane Society of the Ochocos for free spay and neutering of feral cats, and then returning them to the wild. He also provided information regarding the pet parade that will be held on September 20<sup>th</sup>. Following the parade, there will be chipping of pets at no cost.

There being no further comments, the public hearing was closed.

### **Motion**

Commissioner Fahlgren moved to approve Ordinance 271 on the second reading. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Ordinance 271 does not include an emergency clause. It will go into effect 90 days following approval.

### **Consider offer for purchase of County owned foreclosed property/Wuthrich**

Judge McCabe discussed the offer for County owned foreclosed property in the amount of \$30,000 with the real market value RMV of \$45,000. Assistant County Counsel presented the information regarding the offer, the Assessor's RMV of \$45,000 and suggested adding the recording fee of \$69 to the counter offer.

The Court discussed the moratorium on building on property in the area, the structure currently located on the property being old, frozen, no water and a 45-minute drive on rough road to reach the property. Judge McCabe suggested a counter offer of \$35,000. Commissioner Fahlgren added the recording fee amount. Mr. Blaine presented the information regarding the earnest money of \$500.

### **Motion**

Commissioner Crawford moved to counter the offer at \$35,000 with \$500 earnest money down and \$69 recording fee. Commissioner Fahlgren seconded the motion. No further discussion. The vote was 3-0, motion carried.

Mr. Blaine will notify the Wuthrich's, and the documents will be prepared for signature at the Paulina meeting on the 17<sup>th</sup> of September.

### **Accept grant award from State Parks and Recreation for the repair and updating of the flagpole area in front of the office at the Fairgrounds/ Fairgrounds and Band of Brothers in partnership**

Fairgrounds Manager Casey Daly and Bob Ervin from the Band of Brothers presented information to the Court regarding the flag pole base at the Fairground that is cracked and needing replaced. State Parks and Recreation has a grant program that the Fairgrounds applied for along with the Band of Brothers for funding to repair the flag pole area. The application was approved for a \$34,000 grant. The plan is for completion of the project for dedication on Veterans day. On the wall of the base there will be medallions with names and branches of the military. There is still a need for \$9,760 and Mr. Ervin is selling pavers that were donated to the Band of Brothers, with the pavers having engraving on them. Mr. Daly said

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today he is asking that the Court consider accepting the grant. Mr. Wilson advised the Court they could approve the grant subject to review of the legal documents.

### **Motion**

Commissioner Crawford moved to accept the grant subject to legal review. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Judge McCabe and Mr. Daley discussed the equipment at the Fairgrounds that will be used to do the project.

Judge McCabe and Mr. Daly discussed the need for a defibrillator for use at the Fairgrounds. Mr. Daley has researched the cost information and had found there are defibrillators for \$15,000 with a discount. This unit could be used in the arenas and the option of sharing a unit or purchasing a rebuilt one was discussed.

The Court thanked Mr. Daly for all his work on the needs for the different projects and looked forward to more activities and events at the Fairgrounds.

Judge McCabe adjourned the Open Session 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.

### **Executive Session**

#### **ORS 192.660(2)(e)**

#### **Real Property, For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions.**

Following discussion during the Executive Session on the real property matter, Judge McCabe adjourned the Court out of Executive Session under ORS 192.660(2)(e) and back into Open Session.

### **Open Session**

Judge McCabe convened the Court back into Open Session and invited the public to return.

### **Motion**

Commissioner Crawford moved to direct staff to continue negotiations with the company as discussed in Executive Session and to direct Judge McCabe to sign the agreement outside of Court once it has been reviewed and approved by the legal department.

There being no additional business before the Court at this time in Open Session, Judge McCabe adjourned the Court into Executive Session under ORS 192.660(2)(i) Performance Review, Debra Patterson.

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**Executive Session**  
**ORS 192.660(2)(i) Performance Review**  
**Debra Patterson**

The Court conducted the performance review for Debra Patterson. At the conclusion of the review, Judge McCabe adjourned the Court out of Executive Session under ORS 192.660(2)(i) Performance Review and back into Open Session.

**Open Session**

Judge McCabe convened the Court back into Open Session and invited any public waiting into the meeting.

The Court agreed to grant one step increases to both Kev Alexanian and Debra Patterson based upon both the performance reviews held today.

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

Respectfully submitted,

*Colleen Ferguson*  
Crook County Court Secretary

Minutes prepared from recorded meeting and notes provided by Regina Paul, County Legal Assistant