

BE IT REMEMBERED THAT the Crook County Court met in Regular Session on August 20, 2014 at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, OR 97754.

In attendance were: County Judge Mike McCabe; County Commissioner Ken Fahlgren; County Commissioner 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: Raymond Lee, Prineville; Tam MacArthur, Prineville; Larry A Sprague, Prineville; Starla Sprague, Prineville; David Freitag, Prineville ; Dave Scott, Prineville; Sher Eriksen, Prineville; Ken Proctor, Prineville; MaryLou Bernard, Prineville; Jack West, Prineville; Betsy West, Prineville; Jan Aggers, Prineville; County Treasurer Kathy Gray; County Human Resources Director Stephanie Blind; John Gautney, Crook County Sheriff's Office and George Rogers, Sons of the American Revolution, Eugene.

The media received public notice of the meeting.

Judge McCabe called the meeting to order and asked County Treasurer Kathy Gray to lead in the Pledge of Allegiance.

Consent Agenda

1. **Approve Special meeting minutes of July 10, 2014, Regular meeting minutes of August 6, 2014**
2. **Approve Central Oregon Health Council, letter agreements to acknowledge COHC's receipt of Data Analyst services between Jan 16, 2014 and April 2014, and reimburse County \$6,730**
3. **Approve jail transportation agreement with CC Fire and Rescue."**
4. **Approve Order 2014-45, amending the Crook County employee leave sharing plan**
5. **Approve letter of support to Oregon Parks and Recreation District no cost transfer of Ochoco State Park**
6. **Approve 2014 ORMAP grant award # 3121**
- 6A. **Approve Commercial Lease Agreement between Crook County and Heart of Oregon Corps**
- 6B. **Approve Amendment 2 to Wellness and Education Board of Central Oregon (WEBCO) IGA**
- 6C. **Approve Amendment 2 to EDCO Lease Agreement**
- 6D. **Approve Amendment 1 to ODOT Grant Agreement 29511**

The Court reviewed the Consent Agenda. County Human Resources Director Stephanie Blind asked to discuss item number four on the Agenda, Order 2014-45, amending the Crook County employee leave sharing. The Court discussed removing item number four for further discussion.

Motion

Commissioner Fahlgren moved to approve the Consent Agenda as presented with the removal of item number four, approval of Order 2014-45, amending the Crook County employee leave sharing, for further discussion. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Public Hearing, Order 2014-49, Supplemental Budget for Open Campus Fund/ County Treasurer Kathy Gray

County Treasurer Kathy Gray presented Order 2014-49, Supplemental Budget for Open Campus Fund. The fund had a \$70,000 larger ending/beginning balance than budgeted. The funds are carryover dollars not known at the time of the original budget. These funds will go to the maintenance and upgrade renewal for Smart Net software and hardware in the Open Campus building.

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

Motion

Commissioner Fahlgren moved to approve Order 2014-49, Open Campus Supplemental Budget of \$70,000 to be used for the maintenance and upgrade renewal for Smart Net software and hardware in the Open Campus building. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

George Rogers, Sons of the American Revolution, Thomas Jefferson Chapter, to present plaque to Commissioner Crawford for his work with establishing the American Flag flying at the top of the grade into Prineville and those organization and individuals helping in keeping the flag flying

George Rogers of Eugene and representative of Sons of the American Revolution, Thomas Jefferson Chapter, appeared before the Court to recognize the American Flag flying beautifully at the top of the grade above Prineville and viewed by all as they drive down the grade into Prineville on Highway 126 and when leaving town and driving to the top of the grade. Mr. Rogers recognized Commissioner Crawford with a certificate of appreciation for his work in establishing the flag pole in conjunction with the cell phone tower when he served on the City Council, and for going on to locate funding to purchase and maintain the 30 foot by 50 foot flags that fly from the flag pole above the City of Prineville in Crook County during his time as Crook County Commissioner. Mr. Rogers and Commissioner Crawford also recognized the work of the Crook County Search and Rescue volunteers and the Band of Brothers volunteers in keeping the flag flying and maintained in good order. These organizations and other organizations in the community have volunteered many, many hours in raising and lowering the flag when repair is needed and also in raising and lowering the flag to half-staff to honor others. Commissioner Crawford recognized Betsy West for her expert work in repairing the flag when it has been damaged while flying and making sure it will be ready to be raised again when the flag flying currently is in need of further repair.

Band of Brothers and the Search and Rescue volunteers along with Betsy West, George Rogers and Commissioner Fahlgren gathered together for photos to be taken.

Mr. Rogers advised the Court that he has ties here in Crook County as a member of the George Wittmer family and has visited often. He always enjoys seeing the flag flying above the city.

Approve Order 2014-45, amending the Crook County employee leave sharing plan

County Human Resources Director Stephanie Blind asked the Court to discussed further Order 2014-45 regarding the employee leave sharing plan. Ms. Blind suggested supplementing the pool of hours with 250 hours to begin with so hours are available if needed as the pool is being filled with the donations of the employees. The maximum for the pool will be 480 and the requests will be made for donation of

hours from the employees. Discussion was held that no value will be associated with the hours until they are used. Kathy Gray said this will have no effect on the budget until the hours are used. Ms. Blind said the 250 hours will serve as a safety net for “just in case” and will be removed as soon as there are enough hours for the maximum to be used. Jeff Wilson clarified that when the pool of hours reached 480, the 250 hours would be removed and at 240 hours, the requests for donation would begin again. County employees can contribute up to 20 hours each. The cap for use is 480 hours.

Dave Scott discussed with the Court the voluntary contribution of up to 20 hours per employee with a cap of 480 hours to be used by any one employee.

The language in the order will be rewritten to address this change, and the order will be brought back at the September 3, 2014 County Court meeting with changes as discussed for consideration of approval.

Public Hearing, Ordinance 271, first reading; public hearing; adopting the revised Dog Control Regulations, Vote

County Counsel Jeff Wilson presented the staff report on the proposed Ordinance 271 adopting the revised code to comply with State law and clarify the County ordinance, making it more streamlined. The ordinance will declare that Crook County is a dog control district pursuant to ORS 609.030.

Under Sheriff Gautney and Sargent Savage have both worked on this with Mr. Wilson. The most important change is that this will comply with state law and provide authority to the deputies to make arrests and otherwise enforce and administer the provisions of the Dog Control Ordinance. Mr. Wilson presented an explanation of terms as they are included in the ordinance, addressing dangerous dog, potentially dangerous dog, prohibited conduct, menacing, keeper, violations and public nuisance. The Crook County Dog Control Board would be discontinued, and violations would go directly to Crook County Circuit Court. The County Counsel will appear in Court on behalf of the County and there will be fines of \$500 up to \$1000 for a second offence in a one year period. Mr. Wilson recommends approval and adoption on this first reading.

Under Sheriff Gautney discussed the item on page 6 regarding impoundment. He said that due to having no dog control officer in the County, the Sheriff Deputies currently ask the person with the dog to meet the Deputy at the shelter for impoundment. He said it takes a lot of time out of a Deputy’s schedule to go out and pick up the dog and then take up to the Shelter. The language of the delivery of the dog to the shelter was discussed. This language begins on page 5 section 2, § 6.04.040 and continues to page 6. Mr. Wilson will prepare revisions to be read at the second reading and public hearing on September 3, 2014. Commissioner Fahlgren said he believes this will give the Deputy more authority to take care of the dog situations, and he appreciated all the work that Mr. Wilson, Under Sheriff Gautney and Sargent Savage have done on this ordinance and matter.

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, In the matter of the adoption of an Ordinance amending Chapter 6.04 of the Crook County Code relating to Dog Control, by title only and opened the Public Hearing. There being no comments or concerns received, Judge McCabe closed the Public Hearing.

Motion

Commissioner Crawford moved to approve and adopt Ordinance 271 on the first reading with the changes discussed in the portion of 6.04.040 § 2 language of the ordinance. Commissioner Fahlgren seconded the motion. Judge McCabe restated the motion and the purpose of Ordinance 271. The vote was 3-0, motion carried.

Ordinance 271 will be brought back with the changes in language as discussed on September 3, 2014 for the second reading and public hearing.

Public Hearing, Ordinance 272, first reading: public hearing; an ordinance prohibiting the sale to minors of electronic delivery devices and e-cigarettes, Vote.

Mr. Wilson asked that this Ordinance be removed from today's agenda. There have been a number of suggested changes. He will draft the proposed Ordinance 272 with the changes in language and bring this back before the Court at the September 3, 2014 County Court meeting.

Due to the Ordinance 272 being removed, and the next public hearing scheduled at 9:50 a.m., Judge McCabe adjourned the meeting at this time for a break . Meeting will reconvene at 9:50 a.m.

Public Hearing and opportunity for comments; Second Public Hearing, Order 2014-40, Amendment 1, updating County Fee Schedule, Community Development fees; Vote

Bill Zelenka presented the staff report and explanation for the amendment to the fee schedule. At the time the fee schedule, Order 2014-40 was proposed, the Community Development fee changes could not be adopted due to a problem with the loading on the Blue Prince software in Community Development. The proposed fee changes were not adopted when the remaining County fees were adopted but were scheduled to be adopted in August. The fee changes were heard at the last County Court meeting on August 3, 2014 and members of the public provided comments regarding the changes during the Public Hearing segment of the Court meeting.

Judge McCabe opened the Public Hearing concerning the fee changes. There being no comments or concerns received regarding the changes, Judge McCabe closed the Public Hearing.

Motion

Commissioner Fahlgren moved to approve Order 2014-40, Amendment 1, County fee schedule with Community Development fee changes. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Following a brief discussion with Dave Scott and Sher Erickson, Judge McCabe adjourned the Court out of Open Session to reconvene in Executive Session under ORS 192.660(2)(e)

Executive Session

Judge McCabe convened the Crook County Court into Executive Session under ORS 192.660(2)(e) Real Property. Following the discussion regarding the Real Property matter, Judge McCabe adjourned out of Executive Session under ORS 192.660(2)(e) Real Property and back into Open Session.

Open Session

Judge McCabe reconvened the Court back into Open Session after adjourning out of Executive Session under ORS 192.660(2)(e) Real Property. Any public waiting were invited back into the meeting.

Motion

Commissioner Crawford moved to direct staff to continue negotiations as discussed in Executive Session. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Judge McCabe adjourned the Court out of Open Session to reconvene in Executive Session under ORS 192.660(2)(h) Legal Consultation.

Executive Session

ORS 192.660(2)(h) Legal Consultation

The Court and County Counsels discussed matters under legal consultation. Following the discussion, Judge McCabe adjourned the Court out of Executive Session under ORS 192.660(2)(h) Legal Consultation to reconvene into Open Session.

Open Session

Judge McCabe reconvened the Court into Open Session after adjourning out of Executive Session under ORS 192.660(2)(h) and invited any public waiting back into the meeting room.

Motion

Commissioner Fahlgren directed staff to send the letter 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 under ORS 192.660(2)(i) Personnel reviews.

Greg Hinshaw, County Maintenance Director

Camille Wood, County Library Director

Following completion of the two personnel reviews, Judge McCabe adjourned the Court out of Executive Session under ORS 192.660(2)(i) and reconvened back into Open Session. Members of the public waiting were invited back into the Court meeting.

Open Session

Judge McCabe reconvened the Court into Open Session following the Executive Session under ORS 192.660 (2)(i). After discussion, the County Court members agreed to grant a one-step pay increase to both employees.

There being no further action items before the Court, Judge McCabe adjourned the Court meeting.

Respectfully submitted,

Colleen Ferguson, Crook County Court Secretary

Approved September 3, 2014