

BE IT REMEMBERED THAT the Crook County Court met in a Regular Session on August 6, 2014 beginning 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 County Court Secretary Colleen Ferguson.

Members of the public signing the attendance log were: Elaine York Prineville; Jack Seley, Prineville; Gail Merritt, Crook County Fair Board; Brenda Comini, Human Services; Casey Daly, Crook County Fairgrounds Manager; Tim Ray, Crook County Fair Board; Traci Peterson, DA/VA office; Linda Neasham, Crook County Sheriff's Office; Karianne Aaron, DA/VA office; Rebekah Burkhardt, Sheriff's Office; Lori Jo Smith, Sheriff's Office; Tish Plasterer, Crook County Sheriff's Office; Theresa Plinske, Crook County Sheriff's Office; Rita Amodeo, Relay for Life/ACS; John Amodeo, Prineville; Jane Aggers, Prineville; Frances Carter, Relay for Life; Stephanie Blind, Crook County HR; Kathy Gray, Crook County Treasurer; Debbie L Smith, Crook County; David Duea, Gig Harbor, Washington (LCSNW CEO); Craig Kilpatrick, O'Neil Hwy; Scott Willard, LCSNW Crook County Mental Health; Gordon Gillespie, Bowman Museum; Dennis Nelsen, Museum; Ruthie McKenzie, Museum; Denise Reinhart, museum; Holli VanWert, Chamber of Commerce; Pat Lenahan, Chamber of Commerce; Camille Wood, Crook County Library Director; Jan Anderson, museum and Greg Hinshaw, Crook County Maintenance Director.

The media was provided notice of this meeting.

Judge McCabe called the meeting to order and lead those in attendance in the Pledge of Allegiance.

Official Swearing In Ceremony—Sheriff's Office Deputy Linda Neasham

Crook County Sheriff Jim Hensley asked Linda Neasham to come forward and receive her oath of office at an official Swearing-In ceremony. Sheriff Hensley explained the purpose of the public event and the challenge coin that was presented to Ms. Neasham. Ms. Neasham received her oath of office and her official challenge coin from Sheriff Hensley. She is employed as an Office Deputy in the Crook County Sheriff's Office.

Presentation of Relay for Life event results and presentation of sponsorship plaques/ Brenda Comini

Elaine York, John Amodeo and Fran Carter presented the results of the Crook County Relay for Life event held at the County Fairgrounds on July 26 and 27. Ms. York provided statistics on the event. There were 375 people signed up on teams with four of those people bringing in over \$1000.00 each. There were seventeen teams with the top team bringing in \$8,000.00. During the luminary event at 10:00 p.m., luminary bags were set up along the track with cans of food in them and a candle on top of the can to honor those that are fighting cancer, have survived cancer and those that have lost the fight with cancer. From this event, 362 pounds of canned food was gathered and donated to the St. Vincent de Paul food bank. A total of \$60,000 was raised during the event.

John Amodeo presented a plaque and certificate to the County Court as a Stage Sponsor, and he presented a plaque and certificate to Fairgrounds Manager Casey Daley and Staff for working so hard to make the event a success.

Fran Carter thanked the Court and the Fairgrounds staff for allowing the participants the use of the facility for the event. She said there was overwhelming support for the new venue (the Fairgrounds) and the hope

is to bring the event back to the Fairgrounds again. (In previous years, the event was held at the High School Football and Track stadium). Comments were made on how great it was to have the shade of the big tent and the stage at the Fairgrounds for the event as well as the other buildings and the grassy area.

Gail Merritt, Fair Board Chair, thanked Casey Daly for being so easy to work with and accommodating no matter what event was happening at the Fairgrounds. Brenda Comini agreed that Mr. Daly was very accommodating and made this year's event a no-stress event for the first time. Thank you's were given to Mr. Daley from all.

Consent Agenda

1. **Approve minutes of July 16, 2014**
2. **Approve Order 2014-44, updating the employee handbook to correspond to the compensation study**
3. **Approve Lease Agreement with Neighbor Impact, Lease Extension and Amendment**
4. **Approve quote for heating /cooling system for Crook County Counsel's Office remodel**
5. **Approve Contract with USDA APHIS Wildlife Services**
6. **Approve Software Maintenance Agreement between J-Corr Technologies Inc. and Crook County Sheriff's Office FY 2014-2015**
7. **Approve Extension Service District audit services engagement letter**
8. **Approve Professional Services (Engagement) Letter between Crook County and Accounting firm of Harrigan Price Fronk and Co LLP regarding FY 2013-2014 County audit**
9. **Approve GIS services contract with City of Prineville**
10. **Approve Amendment 6 (Revised) to Development Disability funding agreement #134271**
11. **Approve 2014-2015 VISTA Volunteer Agreement**
- 11.A **Approve 8th amendment to Oregon Health Authority 2013-2015 IGA for the Financing of Community Addictions and Mental Health Services Agreement**

The Court reviewed the Consent Agenda. County Counsel Jeff Wilson requested that item number four, approve quote for heating/cooling system for Crook County Counsel's Office remodel, be removed from the Consent Agenda for further discussion during the meeting. There were no additional changes.

Motion

Commissioner Crawford moved to approve the Consent Agenda as presented removing item number four for further discussion. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Quotes for heating/cooling system for Crook County Counsel's Office remodel

Mr. Wilson presented the three quotes for the heating/cooling system for the Crook County Counsel's Office building remodel from Redmond Heating and Air LLC, Prineville Heating & Cooling, Inc. and Stephen's Heating & Cooling, Inc. The low quote was \$7,888.73 from Redmond Heating and Air LLC. This includes an outside unit and four inside units. The electrical work will be contracted separately.

Crook County Building Official Lou Haehnlen recommends awarding the contract to Redmond Heating and Air LLC as the lowest responsive quote. Crook County Code Chapter 3.12 authorizes the purchase of

Approved August 20, 2014

goods or services of less than \$50,000 by intermediate procurement after obtaining at least three informally solicited competitive price quotes.

Motion

Commissioner Fahlgren moved to accept the bid submitted by Redmond Heating & Air LLC at \$7,888.73 for the heat and cooling system for the Law Office building, County Counsel's Office, located at 203 NE Court Street. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Removal of scheduled item

Judge McCabe requested removing item 15, discussion of draft Order 2014-23, line items for surplus of revenue for building fees, from the meeting agenda for further review.

Introduction of David Duea, Lutheran Community Services Northwest (LCSNW) CEO and President/ Scott Willard

Scott Willard, Director of Crook County Mental Health, LCSNW, officially introduced David Duea, new CEO and President of LCSNW to the County Court. Mr. Duea began his official duties with LCSNW July 1, 2014.

Mr. Willard asked to take this opportunity to check in with the Court and provide an update on the activities and growth of LCSNW in the community. Mr. Willard said that when he began as director six years ago, there were 20 staff members at LCSNW. There are now 48 full-time employees, and he is in the process of considering additional leased space to house all the employees and programs for the clients receiving services from this organization. He discussed spaces at the new hospital, the Sproat and Smith building and remodeling an existing area in the current leased building. Mr. Willard discussed the expansion of the Oregon Health Plan (OHP) and the need to house as many as 50 to 60 staff in the next two to three years. He presented options that had been considered with the dramatic growth of the indigent clients moving on to the OHP membership. Due to this growth, another position with LCSNW has been added for assessment and intake of new clients. A significant number of hours have also been added for psychiatric care.

Commissioner Fahlgren and Mr. Willard discussed the unknown time line for knowing whether the old hospital building and the Sproat and Smith building will be used to house a larger jail and justice center locally. There are many steps yet to go in the process for consideration. Mr. Willard discussed the possibility of using the Smith and Sproat building that already is prepared for medical space and would allow for integrated care in the building. Clients could receive integrated services from a primary care doctor, mental health professionals, alcohol and drugs professionals and dental professionals all on site in one facility if that building could be used.

David Duea provided information on his personal and professional background of 26 years in social services and earning an MBA degree that has now led him to his present position as President and CEO of Lutheran Community Services Northwest (LCSNW). During his first 90 days in the position, his plan is to visit all the LCSNW facilities and listen and learn from the visits. He wants to work to improve services and know the community. Mr. Duea said he won't be a stranger to Central Oregon as he loves the area.

The Court invited Mr. Duea to come out to the Fairgrounds this evening and join in the Merritt Bar-B-Q that will begin at 5:00 p.m.

Discussion of draft Order 2014-23, line items for surplus of revenue for building fees/ *removed from scheduled discussed today*

Motion

Commissioner Fahlgren moved to remove the matter of the discussion of draft Order 2014-23 for today. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried. No future date for hearing this item was given.

Jane Aggers asked about the discussion held during the Tuesday Work Session regarding the Building Codes decision that is part of the discussion of Draft Order 2014-23. Planning Director Bill Zelenka said the County is still waiting for the Building Codes Division to issue their findings and decision.

Because the Court meeting was running ahead of time for scheduled items, and the next scheduled item was a public hearing scheduled for 10:00 a.m., Judge McCabe announced a 10-minute break to allow all those wanting to attend the public hearing the opportunity to be in attendance at 10:00 a.m.

Judge McCabe reconvened the Court into Open Session. County Counsel Jeff Wilson presented an additional discussion item regarding a downed tree in the Ochoco sub-division. Photos had been submitted to Mr. Wilson from Dennis Hayes of a tree from the property belonging to Brett Scott that had a limb blown down into the road way on Orchard Lane. Mr. Hayes is upset that the County has not done more to remove the tree. Mr. Hayes said he spoke with a Sheriff's deputy that said the County would remove the portion of the tree, the limb that was in the road. A Road Department employee came out to look at the limb and needed to go back to get larger equipment. He said that portion would be removed. The neighbors got together (Mr. Scott was then out of town) and downed the rest of the tree, cut a lot of the wood up and moved it out of the road so that the wood debris is now on both sides of the road.

Jodie Stills of the Road department said the County Road Department would have moved the limb out of the road, but the public road is now clear. Mr. Wilson said that Mr. Hayes wants the County to remove the limb as he was told, but now that the tree is all down and cut up, he has no way to identify what the limb that had been in the road might be. Mr. Wilson said the County now has no responsibility since the tree waste is not in the road. Discussion was held on what should be done to take care of the situation but now have the County responsible for removing all trees that come down. Mr. Hayes told Mr. Wilson that he waited until 2:00 in the afternoon and then he and others began cutting it up. Mr. Wilson said he believes the home owner, Mr. Scott, was there when the tree was felled but had to leave town that day.

The Court directed Mr. Wilson to contact Mr. Scott and find out what he wants to do since it is his tree. Judge McCabe said to point out that it is a courtesy of the County if the County does remove the wood debris.

Public Hearing, and opportunity to comment, Order 2014-40, Amendment 1, updating the County Fee Schedule, Community Development fees

Planning Director Bill Zelenka presented information regarding Order 2014-40, Amendment 1. Order 2014-40 was presented at the July 2, 2014 County Court meeting. Discussion was held at that time that there was a problem that prohibited the Community Development fees from being adopted. At the July 2nd meeting, Commissioner Crawford moved to approve Order 2014-40 minus the Community Development fee changes. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion

carried. Assistant County Counsel Eric Blaine said the amended order to accept the Community Development changes would come back for review at the first meeting in August.

The problem for the delayed implementation was due to the Blue Prince software – that the lead-time for implementing changes in the software was 30 days, so the proposed Community Development fee changes could not have been charged when Order 2014-40 was presented in July. Also, during review it was found that the Measure 49 Partitioning form was one fee that had never been incorporated into the fee schedule and it has now been included. Mr. Zelenka said the last fee change was done four years ago. Not all fees have increased, only the fees that take more time and go to the Planning Commission.

Commissioner Fahlgren and Bill Zelenka discussed that most of the increases are small. Some of the larger increases are consolidated fees that some other counties use and publish as individual costs. Jefferson and Crook Counties are pretty equal in fees.

Judge McCabe opened the Public Hearing for public comments.

Craig Kilpatrick, 13790 NW O'Neil Hwy, Redmond, Oregon testified in opposition of the increased fees. He first stated his appreciation to Colleen Ferguson for her work in distributing notices of recent wildfire updates, and how helpful he found that.

Regarding the question of the fee changes, he said he has spoken regarding his concerns on the rising fees with Mr. Zelenka and believes the fees are not on parity with many others. He said he does not believe that Crook County fees should be compared with Deschutes County. Deschutes County fees have no relevance to Crook County due to the huge difference in population and costs of real estate plus having two times the staff in the offices as Crook County. Mr. Kilpatrick presented information on the fees involved in non-farm partitions and complicated applications that involve research, reviews, recordings, surveys and back taxes. These can amount to \$11,000 per lot. He also discussed the date that most fees have always been set in Crook County, the first of July, and the problems that are caused when fees are figured to have been set and then they are raised later in the year. He said there needs to be a time certain for setting fees.

Mr. Kilpatrick discussed with the Court the fees in Wasco and Wheeler counties, flat fees for specific items and sliding scale fees in some counties. He discussed how time consuming it is for the agents to do all the work.

Mr. Zelenka discussed the Wasco County fees versus the Crook County fees and said the fees in Crook County are justified.

Larry York, 5909 SW Jerry Drive, serves on the Crook County Planning Commission but today is appearing as a Crook County citizen. He said he worked in this field for 35 years with a good portion of that time working with the National Home Builders. He believes the idea of raising fees at this time with the economy the way it is, is a bad idea and the County will lose development because of the fees. Developers always look at the fees to be charged before coming into an area. He suggested that the County should find ways to “work smarter,” by meeting with staff members and asking them how they could work smarter.

Judge McCabe clarified that the County was not raising fees across the board. Mr. York said he believes that the current fees will cover the costs if the staff works smarter.

Approved August 20, 2014

Judge McCabe said he would like to talk with Mr. Zelenka in a work session. Judge McCabe said he has no apologies for the County fees, and he also believes there is no justification in fees when just comparing them with another county. Judge McCabe asked Mr. York if he had talked with any developers that have not come into Crook County due to fees and Mr. York said he had. He believes the work could be done smarter throughout the County.

Judge McCabe recommended setting the matter of Order 2014-40, Amendment 1 over to the next County meeting and acting on it at that time.

Judge McCabe closed the Public Hearing.

Motion

Commissioner Crawford moved to continue the Order 2014-40, Amendment 1 fee schedule discussion to the next County Court session and to schedule a work session meeting with Mr. Zelenka. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Discussion regarding Transient Room Tax (TRT) Grant Funds/Brent McLean, Brasada Ranch and Commissioner Crawford

Commissioner Crawford presented this matter due to Brent McLean being in Colorado and unable to attend. Commissioner Crawford explained the purpose of this discussion and the Transient Room Tax (TRT) funding that is at the base of this discussion and the funding for Brasada Ranch advertising through Visit Bend. Commissioner Crawford provided figures of increases in the TRT of 2013 over 2010 TRT. The increase was 470 percent. He provided information on destination resorts in the area and the competition that is heating up between the destination resorts. He provided information on Prong Horn, Tetherow Crossing and Sunriver resorts as well as others that are adding additional overnight accommodations as well as permanent residential building. Commissioner Crawford said there are 26 homes currently under construction in Brasada and 80 percent of the residential purchases in Brasada are made by those that have come to Brasada as guests. Commissioner Crawford presented the differences between Central Oregon Visitors Association (COVA) that promotes only Bend and Sunriver, and Visit Bend that promotes outside of the Bend area including Brasada.

Mr. McLean and Commissioner Crawford have met with the Chamber of Commerce, the Crook County Historical Society and the Crook County Fairgrounds to discuss with each the possibility of giving a portion of their excess TRT funds back to the County to contract with Brasada Ranch in advertising at Visit Bend. There has also been discussion of revamping the TRT discretionary grant program, the 4 percent tourism grant fund in the County budget.

Pat Lenahan, representing the Chamber of Commerce discussed the process the Chamber went through to reach the decision. It was not unanimous but was approved by the Board of directors to support with \$7,500 back to the County for the project. Those funds are restricted to excess TRT funds coming back in. It is restricted to the accumulated excess, and the Chamber assumes that County Treasurer Kathy Gray will handle that. Discussion was held regarding the revamping of the grant program for both the City and the County. Mr. Jim Van Voorhees is legal counsel for the Chamber if documents are to be drafted.

Gordon Gillespie, Crook County Historical Society, said the decision was not unanimous but was approved for one year, and they are waiting to see results. Commissioner Crawford said that monthly reports on the County investments will be provided. Mr. Gillespie said this funding is not to come out of

the Historical Society budgeted funds, and this is for one time only decision. If the revamping takes place, Mr. Gillespie hopes all the grant is worked out fair and equitably.

Jack Seley, Citizen, asked Commissioner Crawford about the Chamber receiving the same amount of funding as Brasada to develop a web site. Commissioner Crawford said he believes the Chamber will do better at promoting the River Canyon Country that includes the Tribes, Maupin, Jefferson and Crook County. Mr. Seley said he has a feeling that some citizens are not going to take kindly to a privately owned, for profit entity, using the tax money. He said he is philosophically against transporting tax money to the Bend Chamber. Judge McCabe explained that this does not have anything to do with the Bend Chamber.

Mr. Wilson and the Court discussed the need for agreements between the County, Brasada, Fairgrounds, Chamber, Museum and Visit Bend regarding the amount and use of the funds as discussed today.

Motion

Commissioner Crawford moved to direct staff to start the process to create the needed documents as discussed in today's session. Commissioner Fahlgren seconded the motion. There was no further discussion. The vote was 2-1 with Judge McCabe opposing. Motion carried.

Library Janitorial Services

Assistant County Counsel Eric Blaine and Library Director Camille Wood presented the information on the changes to the janitorial services at the County Library.

The County approved a new part-time position at the Library that will cover both janitorial and some small maintenance jobs. Today's discussion centered around the agreement with the current janitorial company that will no longer be contracted to provide the services at the library, the 30 day notice to be provided to the current company and the options of keeping the current service providing some janitorial services, providing a 30-day notice of termination and not having them work during the next 30 days (basically paying but receiving no services), transitioning with no overlap, maintenance around the outside of the building, the inability to use the current contractor in other areas of the County due to the contract language, and continuing the current company on the regular schedule and duties while having the new person work on maintenance on the building during the 30 days. The Court and Mr. Blaine discussed with Camille Wood the plan to follow the terms of the contract with the current janitorial contractor as written for the next 30 days until the contract terminates. The current contractor also provides services to two other County buildings under a separate contract, and that contract will not be affected by the termination of the library services contract.

Motion

Commissioner Fahlgren moved to direct Counsel to prepare the 30-day notice of termination. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Presentation: Museum/Historical Society Local Option Tax, six-cents per thousand levy approved for the November ballot/Gordon Gillespie

Gordon Gillespie, Executive Director of the Historical Society and Director of the Bowman Museum and Denise Rinehart, President of the Historical Society appeared before the Court to present the Local Option

Approved August 20, 2014

Tax schedule for the ballot in November. This is the fifth time that the Local Option Tax will go out. It is a continuation, not a new tax and is six cents per thousand levy.

Mr. Gillespie provided information regarding the work of the Historical Society and the Bowman Museum. There are 6,000 to 8,000 visitors every year visiting the museum, most of them visiting during the summer months. This is an important part of education of the area. With the recent remodel and addition of space that doubled the area of the museum, there were 74 events held in the new room with 4,841 people in attendance. There is a new genealogy and resource library and the volunteer corps has grown immensely. A collection care manager has been hired full time. The museum has received two nationally recognized grants in 1997 and 2010 and is now nationally known.

Mr. Gillespie spoke on the events that are held at the museum. One of the most popular is “May at the Museum” and there was a Martha Saunders celebration last October thanking her for her bequest to the museum. The museum has become a community hub for the “locals” and a destination for the “out of towners”.

Mr. Gillespie provided handouts to the Court with the estimates by Bryian Huber, County Assessor included. Mr. Gillespie said that \$98,000 has been budgeted, and Mr. Huber’s estimate is close at \$102,000. Mr. Gillespie presented the results of the elections over the last four cycles. First cycle was 61 percent support; second was 69 percent; third was 73 percent and the fourth was in 2010 with 81 percent. He said this is amazing support from the community.

Mr. Gillespie asked to work with County Counsel for the order and resolution to be put on the ballot and to draft the explanatory statement. The Board members have agreed they will create a PAC. This Local Option Tax is for the November election and the Board has chosen to put this before the voters every four years. Discussion was held regarding the deadlines for the Order/Resolution and explanatory statement. The Order/Resolution will be prepared for the next meeting of the Court.

There being no further action items before the Court and no Executive Session to be held, Judge McCabe adjourned the meeting at this time.

Respectfully submitted,

Colleen Ferguson

Crook County Court Secretary