

Approved April 2, 2014

BE IT REMEMBERED THAT the Crook County Court met in Regular Session on March 19, 2014 at 6:00 p.m. in the County meeting room located at 320 NE Court St., 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.

Member of the public signing the attendance log were: Chuck Williams, Prineville; Dock Kerbow, Prineville; Christian Radabaugh, Prineville; Dave McMichael, Prineville; Darlene Harpster, Prineville; Crook County Fairgrounds Manager Casey Daly; Talia Radabaugh, Prineville; County Veterans Service Officer Angie Gilley and County Building Official Lou Haehnlen.

The media was notified of the meeting.

Judge McCabe called the meeting to order and asked Talia Radabaugh to lead in the Pledge of Allegiance.

Consent Agenda

1. Approve minutes of March 5, 2014
2. Approve Order 2014-13, Appropriation transfer, CCF Grant Fund
3. Approve Order 2014-14, In the matter of allocating resources and services for the implementation of the Healthy Families Program in the Crook County area
4. Approve Order 2014-15, in the matter of amending the Crook County Personnel Manual regarding the Leave Sharing Plan
5. Approve Order 2014-16, Appointments to Compensation Committee and Bowman Museum Advisory Board
6. Approve assignment of bank account for security purposes, Highlands Subdivision
7. Approve 4th Amendment to OHS 2013-15 IGA for the Financing Community Additions and Mental Health Services Agreement #141407
8. Approve Service Provider Contract, Crook County and Coalition for Safe and Drug Free Schools
9. Approve Statutory Warranty Deed; Sale of County owned foreclosed property to Jeffrey E. McShatko
10. Approve of agreement to contribute tourism grant fund proceeds
11. Approve Sale Agreement and Receipt of Earnest Money and Bargain and Sale Deed to Mr. Isaacman
12. Approve Amendment 1 to Joint Operation and Management Agreement, Open Campus building
13. Approval of Personal Services Contract between Crook County and the Business Doctor LLC for Accounting Services (WEBSCO).

The Court reviewed the Consent Agenda. Commissioner Fahlgren discussed item number ten regarding the tourism grant fund proceeds to be used for advertising in combination with funding from Brasada. The amounts that were originally approved on February 19 were changed in an email received this week from Brent McLean, Brasada. County Counsel and the Court discussed changes to the agreement under 1B that will state the actual dollar amounts provided by Crook County and by Brasada.

Approved April 2, 2014

Motion

Commissioner Fahlgren moved to accept the Consent Agenda as presented with the changes made to the agreement item number 10 under 1B to amend to include the actual amount of dollars agreed upon. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

High School and Pee Wee Rodeos, presentation regarding assistance with payment for use of rodeo grounds and Carey Foster Hall—2nd weekend in May and 3rd weekend in June-- Four weekends for the Pee Wee Rodeos—Christian Radabaugh.

Christian Radabaugh presented a request for assistance in covering the costs for the use of the Fairgrounds during High School Rodeo, High School Rodeo Finals and four weekends of Pee Wee Rodeo. Fairgrounds Manager Casey Daly was available for any questions regarding scheduling and costs.

High School Rodeo will be May 9-11, 2014 and Finals are June 11-14, 2014. Pee Wee Rodeo weekends will be May 3 and 4; May 17 and 18; May 31 and June 1; July 26 and 27 and August 23 and 24th, 2014. The Carey Foster Hall would be used on August 24th.

Parents and entry fees have funded the Pee Wee Rodeo in previous years with any excess money going to awards for the kids.

Discussion was held on the amount of funding being requested, presenting this request at budget hearing, and presenting the request as a two-year request.

Mr. Radabaugh explained there is more of a lack of funds for the High School Rodeo than for the Pee Wee Rodeo. The Pee Wee Rodeo brings in between 200 to 300 kids along with family, and they are here Friday through Sunday night. The total for use of the Fairgrounds for the Pee Wee Rodeo is close to \$5,000.

Commissioner Fahlgren and Fairgrounds Manager Casey Daley discussed the scheduling of the events and the Court explained that the Fairgrounds is not expected to go without payment for use of the grounds. The costs are covered out of General Fund money and transferred to the Fairgrounds.

Mr. Radabaugh discussed the awards for the Pee Wee Rodeo participants that provide an incentive to come back. The participants come from all over the state.

The Court will address the request at the County budget hearings scheduled for the last week of April.

Presentation of Veteran's Officer regarding donation to World War II memorial in Salem, Oregon/ Angie Gilley

Crook County Veteran's Office Angie Gilley presented information to the Court regarding the World War II Memorial that will be dedicated on the 70th anniversary of D-Day, June 6, 2014, in Salem, Oregon. The memorial will be located at the corner of Cottage and Court Streets on the Capital grounds and will be visible from the street. The memorial will be five sided in honor of the five branches of the military and will be 33 feet tall in honor of Oregon becoming the 33rd State. It is a 33 foot tall five-sided obelisk of granite and will have all Oregon World War II casualties listed.

Ms. Gilley provided information regarding the cost budget of \$1.2 million. The Oregon Department of Veterans Administration (ODVA) currently has raised \$1.0 million and has started a crowd funding

Approved April 2, 2014

project this month. She provided information of other counties that have donated anywhere from \$500 to \$10,000 to the project. This evening, Ms. Gilley requested that the Court consider a donation to the project.

Commissioner Fahlgren said he attended the groundbreaking ceremony. Oregon is one of the last states not to have a World War II Memorial. He said it is a nice location and it is good that Oregon is building the memorial. It's been a long time coming.

Ms. Gilley said the ODVA will be providing on-going maintenance for the memorial. She is unsure about the funding for that portion of the memorial.

Judge McCabe and Ms. Gilley discussed the sadness of the times with the cutting of benefits to veterans, both retired and serving. Ms. Gilley said she works everyday with veterans and is seeing the benefits cut or disappearing.

Commissioner Crawford asked about the timeline for donations. Ms. Gilley will research that matter and forward information on to the Court members. The Court will look into funding for the project and work with Ms. Gilley to provide a donation for the memorial.

Ordinance 203, second reading, public hearing vote. Ordinance 203, an Ordinance amending Crook County Code Title 17.28 relating to County enforcement of private conditions, covenants and restrictions (CCR's) in Planned Unit Developments

Assistant County Counsel Eric Blaine provided the staff report on Ordinance 203 and the paragraph inserted in the ordinance that would allow the County to enforce CCR's if the County chose to do so. The recommendation from the Planning Department and from the County Counsel's office is to remove the paragraph and have disputes involving CCR's remain private to the development and not involve County Government

Tonight's reading is the second reading of Ordinance 203, and if approved tonight, Ordinance 203 will go into effect in 90 days.

Motion

Commissioner Crawford moved to read Ordinance 203 by title only. Commissioner Fahlgren seconded the motion. Judge McCabe read Ordinance 203 by title only. The vote was 3-0, motion carried.

Judge McCabe opened the Public Hearing. Dock Kerbow, Precinct 17 precinct person, said the Ordinance sounded good to him and took the government out and left the matter up to the locals.

Discussion was held on the portion of the agenda listed as Consent Agenda and why those documents (generally minutes, orders, contracts and agreements) are not discussed. Judge McCabe explained that most items on the Consent Agenda are discussed at the weekly work session which is open to the public and attended by the public. Also, the entire Court packet is available on the front desk of the Administration/County Court Office for review by the public as well as available on the web site for review by the public. The only items not available for public review are Executive Session matters.

There being no further discussion, Judge McCabe closed the public hearing.

Motion

Commissioner Fahlgren moved to approve Ordinance 203. Commissioner Crawford seconded the motion. Judge McCabe re-read the title of Ordinance 203. There was no further discussion. The vote was 3-0, motion carried. Ordinance 203 will go into effect 90 days from today.

Discussion regarding possible purchase of the Powers Building (located at corner of Second St and Belknap), former law office of Jim Powers, Attorney

The Court discussed an email received by Crook County Counsel that included an informal offer from Jim Powers to Crook County for purchase of his property. The property located at 200 NE Belknap has been Mr. Powers' Law Office for many years. He is retiring and wishes to sell the building. He proposed a figure of \$250,000 to \$275,000. Mr. Wilson said he believes Mr. Powers would like \$275,000 for the building.

The County's Realtor of Record, Mike Warren Jr, provided a market analysis for the County. The figure he provided following the analysis was \$240,000 --\$250,000 for the property. There is needed maintenance that has been deferred on the property. Mr. Warren said the same building if built at today's costs would run around \$420,000.

Lou Haehnlen, Building Official discussed with County Counsel and County Court the needed repairs on the building, costs, the heating and lighting that was not working, the structure, and price that could be proposed to purchase the building if deemed appropriate for repair and remodel to house County Counsel. Discussion was also held regarding the building that currently houses County Counsel, and the costs and upgrades that could be done for less on that building instead of purchasing the Power's building. Mr. Haehnlen estimated \$20,000 for repairs and changes to the current building, and costs up to no less than \$40,000 for the Powers Building. The needed repairs of the current building were discussed further with the leveling, heating and improved bathroom facilities being top priority. Sealing off the back section for use as the County Archives and Maintenance shop was discussed. The Maintenance Department needs more room for their equipment used to perform the ongoing maintenance, repairs and building for the County buildings. More options were discussed along with the funding for the project.

The Court directed Mr. Haehnlen to look into the project costs and provide a package price to the Court for further review.

Darlene Harpster asked where the County Counsel's office is located. She said she thought the Counsel's was housed in the Courthouse. The Counsel's office is located across Court Street from the Courthouse at 203 NE Court.

Miscellaneous

Dock Kerbow asked to speak with the Court regarding clarification on a matter he had talked about at a previous meeting regarding concealed carry of firearms. At that time the matter required research due to the question being asked concerning concealed firearms being allowed to be brought into the Courthouse at 300 NE 3rd Street and County Annex, 320 NE Court Street, where the County Court meetings are held. Circuit Court has offices, Courtrooms and Judges Chambers in the Courthouse and Circuit Court also has use of the County Annex for overflow trials, mediation and other related matters to Circuit Court cases. Judge McCabe said the decision is to defer to the wishes of the Circuit Court to not allow concealed-carry in the buildings. Commissioner Fahlgren pointed out that the Juvenile Department and the Parole and Probation are also housed in the County Annex and are also related in matters of the Circuit Court.

Approved April 2, 2014

Judge McCabe advised Mr. Kerbow that the County will issue a document stating the policy for Mr. Kerbow. He will be able to use that document to advise those taking his classes regarding the policy.

There being no further business on the agenda at this time in Open Session, County Judge Mike McCabe adjourned the Court out of Open Session and into Executive Session under ORS 192.660(2)(e) Real Property and ORS 192.660(2)(h) Legal Consultation related to litigation. Judge McCabe read the script for the adjournment.

Executive Session

ORS 192.660(2)(e) Real Property ORS 192.660(2)(h) Legal Consultation related to litigation

Judge McCabe convened the Court into Executive Session under ORS 192.660(2)(e) Real Property and ORS 192.660(2)(h) Legal Consultation related to litigation according to the script.

The Court discussed the matter related to Real Property under ORS 192.660(2)(e). Judge McCabe adjourned the Court out of this Executive Session under ORS 192.660(2)(e) Real Property and convened the Court into Executive Session under ORS 192.660(2)(h) Legal Consultation related to litigation for discussion on the matter.

Following discussion, Judge McCabe adjourned the Court out of Executive Session under both ORS 192.660(2)(e) Real Property and ORS 192.660(2)(h) Legal Consultation related to litigation.

Open Session

Judge McCabe convened the Court into Open Session after adjourning out of Executive Session under ORS 192.660(2)(e) Real Property and ORS 192.660(2)(h) Legal Consultation related to litigation and invited any public in waiting back into the meeting room.

Motion

Commissioner Crawford moved to approve the first amendment reinstatement to the Purchase and Sale Agreement as discussed in Executive Session under ORS 192.660(2)(e) Real Property. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Motion

Commissioner Fahlgren moved to direct staff to approach the property owners as discussed in Executive Session under ORS.192.660(2)(h) Legal Consultation related to litigation. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

There being no further business before the Court, Judge McCabe adjourned the meeting at 8:02 p.m.

Respectfully submitted,

Colleen Ferguson
Crook County Court Secretary