

**BE IT REMEMBERED THAT** the Crook County Court met in a Regular Session on March 5, 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 County Court Secretary Colleen Ferguson.

Members of the public signing the attendance log were: Jerry and Darlene Harpster, Prineville; County HR Director Michelle Blomquist; Brandi Lange, Sheriff's Office; Dar Martin, Treasurer Office; Stacy Bernard, Treasurer Office; Jeff McShatko; Steve Dougill, Crook County IT; Brad Brown, Crook County IT (Acctech) and Casey Daly, Crook County Fairgrounds Manager.

The media received public notice of the meeting.

Judge McCabe called the meeting to order and asked Michelle Blomquist to lead the Pledge of Allegiance.

### **Consent Agenda**

1. Approve Minutes of February 19, 2014
2. Approve 2<sup>nd</sup> Amendment to 2013-2015 IGA, Crook County and Oregon Health Authority for financing of community addictions and mental health services
3. Approve Professional Appraisal Services Contract, HDR Engineering
4. Approval of Third amendment to financing of community addictions and mental health services agreement

The Court reviewed the Consent Agenda. Commissioner Fahlgren noted one correction in the minutes of February 19, 2014. One page two, the resort Pronghorn is written as Longhorn. There were no additional corrections or changes to the Consent Agenda.

### **Motion**

Commissioner Fahlgren moved to approve the Consent Agenda with the correction to the minutes as discussed. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

### **PUBLIC HEARING**

#### **Ordinance 203, An Ordinance amending Crook County Code, Title 17.28, relating to County enforcement of private conditions, covenants and restrictions (CCRs) in Planned Unit Developments**

Assistant County Counsel Eric Blaine presented the staff report on Ordinance 203 that would remove a section of the Crook County Code regarding Planned Unit Developments. County Code 17.28.080 sub 4 is the portion of the code requiring the CC&R's to include a condition that allows the County to enforce CC&R violations. If there were a violation, it could become a government responsibility for compliance. The Planning Commission recommends removing this section of the code. There is no emergency clause included in this ordinance. Ordinance 203 will be heard today with the second reading to take place at the next county Court meeting, March 19, 2014. If approved at that meeting, Ordinance 203 will take effect 90 days after the approval.

Planning Director Bill Zelenka explained that this provision in the code was a little known provision from 1978 and was never enforced. This provision is not in the subdivision portion and is contained only in the

Planned Unit Development. Three to four years ago, there was a request regarding removal of the portion regarding County compliance involvement. The Planning Department and Commission feels it should be removed, and this process has been in the works for three to four years.

### **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. There were no comments received from the public. Judge McCabe closed the public hearing.

### **Motion**

Commissioner Crawford moved to approve Ordinance 203 on the first reading. Commissioner Fahlgren seconded the motion. Judge McCabe reread Ordinance 203 by title. The vote was 3-0, motion carried.

The second reading of Ordinance 203 will be held on March 19, 2014.

### **Orders 2014-07 and 2014, Foreclosed properties. Orders declaring time, minimum bid amounts, and sale of properties/ Dar Martin and Stacy Bernard, Treasurer's Office**

Dar Martin presented two orders regarding tax foreclosed property and setting an auction date. Order 2014-07 sets the auction date of April 14, 2014 and authorized a public auction with the minimum bids set at the assessed amount. Order 2014-12 is the order to sell the property at public auction on the sale date.

Judge McCabe explained that if the property is not sold at this public auction, the property will be added to the list of foreclosed properties that are available for the public to submit bids on to the County Court. This list of properties is available on the County web site: [www.co.crook.or.us](http://www.co.crook.or.us).

### **Motion**

Commissioner Fahlgren moved to approve Order 2014-07, setting an auction date for certain real property owned by Crook County and setting a minimum bid price. Commissioner Crawford seconded the motion. Judge McCabe read the title of the order. There was no further discussion. The vote was 3-0, motion carried.

### **Motion**

Commissioner Fahlgren moved to approve Order 2014-12, in the matter of sale of County Property. Commissioner Crawford seconded the motion. Judge McCabe read the title of the order. There was no further discussion. The vote was 3-0, motion carried.

### **Consider offer to purchase County owned foreclosed property (Jeff McShatko)/ Jeff Wilson**

County Counsel presented information regarding an offer to purchase County owned real property. The offer of \$10,000 for a parcel listed as Prineville Lake Acres II block 21 Lot 8 on the County foreclosed property list made up of properties that previously went to auction but were not purchased was received from Jeff McShatko. The property was originally at Sheriff's auction subject to a minimum bid price of

\$20,000. No bids were received. The property now has a tax assessed real market value of \$13,470. Discussion was held regarding the real market value.

Jeff McShatko, 10883 SE Davis Loop, Prineville, discussed the price with the County Court. He said this property is not on the black top and will need to be reevaluated for septic. He believes that \$13,000 is too high. He suggested \$11,500, and the Court countered with \$12,000.

### **Motion**

Commissioner Fahlgren moved to counter offer the property at \$12,000 to Mr. McShatko, and if accepted, approve the sale. Commissioner Crawford moved to second the motion. The vote was 3-0, motion carried.

Mr. McShatko accepted the counter offer. The Court directed County Counsel to prepare the final paperwork for sale of the property to Mr. McShatko.

### **Additional Personnel Matter/ Victim's Advocate position**

County Human Resources Director Michelle Blomquist presented information regarding a Victim's Advocate position that had been a grant-funded position. This position works with collection and compliance, bringing restitution to victims.

Judge McCabe said the former employee holding this position had been very good at the job.

Ms. Blomquist explained that the grant has now expired, and the District Attorney would like to fund the position from General Funds. The position has been a grant funded position and will now be a new general fund position. This year, the position will need to be funded from General Fund from March through June. There is money available in the Victim's Advocate budget for the 2013-14 year to fund the one-half time position in the amount of \$6,000. If needed, the District Attorney has funds that can also be used. Going forward, the District Attorney will request the position be included in the District Attorney budget and funded through general fund.

The request today is the approval to fund the position out of the 2013-2014 general fund with the future funding to go through the budget process, and to authorize Judge McCabe to sign the paperwork for the position outside of Court. It was agreed that this is a very important position to assist with providing restitution and closure to victims.

### **Motion**

Commissioner Fahlgren moved to authorize the general funding for this position through the Victim's Advocate budget for the months March through June 2013-2014 budget with the District Attorney to present the position for yearly funding at budget hearing, and to authorize signature of all paperwork associated with this position by Judge McCabe outside of Court. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Judge McCabe announced that this would conclude the open portion of today's County Court session. He adjourned the Court out of Open Session and into Executive Session under ORS 192.660(2)(m) Security of Data Transmission.

## **Executive Session**

### **ORS 192.660(2)(m) Security of Data Transmission**

Following discussion on the information presented regarding review and approved programs for security of data transmission, Judge McCabe adjourned the Court out of Executive Session ORS 192.660(2)(m) and into Executive Session ORS 192.660(2)(i) Performance Evaluations. At this time, County Counsel, Assistant County Counsel and County Court Secretary left the meeting.

### **ORS 192.660(2)(i) Performance Evaluations**

Casey Daly, Fairgrounds Manager

Leroy Gray, Landfill Manager

## **Open Session**

Judge McCabe convened the Court back into Open Session following adjournment out of Executive Session under ORS 192.660(2)(m) Security of Data Transmission, and ORS 192.660(2)(i) Performance Evaluations, and invited the public back into the meeting.

| The Court signed all documents associated with the Court meeting. There being no further business before the Court, Judge McCabe adjourned the meeting.

Respectfully Submitted,

*Colleen Ferguson*

Crook County Court Secretary