

Approved February 19, 2014

BE IT REMEMBERED THAT the Crook County Court met in Regular Session meeting on February 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: Rebekah Burkhardt, Sheriff's Office; County Roadmaster Penny Keller and Undersheriff John Gautney, Sheriff's Office.

The media was notified of the meeting.

Judge McCabe called the meeting to order and led the Pledge of Allegiance.

Consent Agenda

1. **Approve minutes of January 8 and January 22, 2014**
2. **Approve Order 2014-8, In the matter of Appropriation Transfer, Sheriff's Department**
3. **Approve Order 2014-10, In the matter of Decreased Appropriations, Grant Funds, Health Department.**
4. **Approve Amendment to the School Based Health Center mental health services contract, plus Program Element #44**
5. **Approve Easement Agreement granted by Bedortha Ranches, Inc. to Crook County**
6. **Approve Lease Extension Agreement, Crook County, Crook County Fair Board and Crook County Historical Society**
7. **Approve Professional Services Contract for Realtor of Record**

The Court reviewed the Consent Agenda. No changes were made.

Motion

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

Public Hearing on Amendment 1 to Ordinance 181, sets forth the requirement for explanatory statements—To add a review process for objections to the ballot title or explanatory statement of proposed measures. First reading, public hearing, vote and declaring an emergency

County Counsel Jeff Wilson provided a staff report on Amendment 1 to Ordinance 181. This need for the amendment was discovered recently following the adoption and recording of Ordinance 268. The County Clerk found 181 to appear to be defective regarding all the procedures to be included. Later, it was found that Ordinance 125 does include all the procedures required, but appeared outdated and to be a duplicate. The recommendation is to approve Ordinance 181 Amendment 1 and declare an emergency in order for the Ordinance to be in effect prior to the March deadline. The second reading will be on February 19, 2014.

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Motion

Commissioner Fahlgren moved to read Ordinance 181 by title only. Commissioner Crawford seconded the motion. Judge McCabe restated the motion and read Ordinance 181, Amendment 1 by title only. The vote was 3-0, motion carried.

Judge McCabe opened the public hearing. There being no comments received, Judge McCabe closed the public hearing.

Motion

Commissioner Fahlgren moved to approve Ordinance 181 Amendment 1 as presented at the first reading. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Order 2014-09, in the matter of exempting the purchase of pavement inspections, digital imaging and roadway inventory services as a Sole Source Procurement by the Crook County Road Department pursuant to ORS 279B.075

Penny Keller, County Roadmaster, presented a review on the purpose of the purchase of the pavement inspection program. This year there are three additional inventories that would be an asset to the Road Department. They are: coding of sign inventory for \$18,000; identifying all cattle guards for \$1,700 and identification of all guard rails for \$2,500. Ms. Keller said it would be good to have them all in the inventory system. This video log program allows the areas where there may be problems to be brought up on the computer and identified on the video log right away in the office instead of driving out to look for where the problem might be. It is an efficient tool in the use of both time and equipment. Ms. Keller said it will notify of any inconsistencies of signs and believes it is a great tool. This program can be used to identify and review up to 10 years back. Ditches, fences, culverts, and road accesses are shown and can be found back to 2000.

The digital imaging is done every other year. Discussion was held on how often it needs to be done or could some portions be done every four years. Ms. Keller discussed using the program for condition ratings on local access roads every four years and collector roads every other year. Commissioner Fahlgren suggested this year staying with the additions of the guard rail, cattle guard and sign inventory and removing the secondary roads, local access roads and subdivision roads.

Motion

Commissioner Crawford moved to approve Order 2014-09, in the matter of exempting the purchase of the Pavement Management and Digital Imaging services as a Sole Source Procurement. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Motion

Commissioner Fahlgren moved to approve the proposal from Capital Asset and Pavement Services Inc. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

Consider offer to purchase County Owned foreclosed property

Assistant County Counsel Eric Blaine provided information to the Court regarding an offer received for purchase of County owned foreclosed property. This property went to auction and was not purchased. It is now listed on the foreclosed property list on the web, and the public can make offers on the properties.

Felix Isaacman offered \$7,000 for a 10-acre parcel listed on the County foreclosed property list with a \$10,000 minimum price. Earnest money was included for the purchase. Discussion was held regarding a counteroffer, and research and due diligence by the buyer for buildability, access and permitting possibilities for the property. The Court agreed to counteroffer.

Motion

Commissioner Fahlgren moved to provide a counter offer on the property described as 1816160002100 in the amount of \$8,500 to Mr. Isaacson. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

County Counsel's office will mail the counteroffer to Mr. Isaacman after verifying tax account numbers and assessed price.

Judge McCabe announced that the Court would be adjourning out of Open Session and into Executive Session under ORS 192.660(2)(d) Labor Negotiations.

Executive Session ORS 192.660(2)(d) Labor Negotiations

The Court met with members of the Sheriff's Office to discuss labor negotiation issues. Following the discussion, Judge McCabe adjourned the Court out of Executive Session ORS 192.660(2)(d) and into Executive Session ORS 192.660(2)(e) Real Property.

Executive Session ORS 192.660(2)(e) Real Property

The Court met with Planning Director Bill Zelenka and Roadmaster Penny Keller regarding property issues. Following completion of this discussion, the Court held a discussion on another Real Property matter.

Following completion of this Executive Session, Judge McCabe adjourned the Court out of Executive Session ORS 192.660(2)(e) Real Property and back into Open Session.

Open Session

Judge McCabe convened the Court back into Open Session after adjourning out of Executive Sessions under ORS 192.660(2)(d) Labor Negotiations and 192.660(2)(e) Real Property and invited the public back in to the meeting.

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Motion

Commissioner Crawford moved to approve in concept the proposal by HDR Engineering and direct staff to confer with HDR about terms of a services contract to be executed at a later County Court meeting. Commissioner Fahlgren seconded the motion. There was no discussion. 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)(f), Review of Exempt Documents

Executive Session ORS 192.660(2)(f) Review of Exempt Documents

Following discussion regarding Exempt Documents, Judge McCabe adjourned the Court out of Executive Session under ORS 192.660(2)(f) Review of Exempt Documents

Open Session

Judge McCabe reconvened the Court into Open Session following the adjournment out of Executive Session under ORS 192.660(2)(f) Review of Exempt Documents and invited the public back into the meeting.

Motion

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

Miscellaneous

Judge McCabe provided information to Mr. Wilson regarding a declaration to come before the Court on February 19th, 2014.

There being no further business before the Court in today's session, Judge McCabe adjourned the County Court meeting.

Respectfully submitted,

Colleen Ferguson
Crook County Court Secretary