

**BE IT REMEMBERED THAT** the Crook County Court met in a Regular Session meeting on January 22, 2014 at 6:00 p.m. in the Claudia Broughton Room in the County Library located at 175 NE Meadow Lakes Drive, 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; Dock Kerbow, Prineville; Scott Willard, LCSNW; County Sheriff Jim Hensley and City of Prineville Mayor Betty Roppe.

The media was notified of the meeting.

### **Consent Agenda**

**Approve Minutes of December 4, 2013; December 18, 2013; December 31, 2013; January 8, 2014**

**Approve Order 2014-06, appointments to Board and Committees**

**Approve Section 457: Deferred Compensation Plan**

**Approve Purchase Order with Central Mountain Communications Inc., for Road Dept. radio equipment (to upgrade from analog to digital)**

**Approve Statutory Warranty Deed/ Crook County to Brett Morgan**

The Court reviewed the Consent Agenda, removing the minutes of January 8, 2014 for review.

### **Motion**

Commissioner Fahlgren moved to approve the Consent Agenda as presented removing the minutes of January 8, 2014. Commissioner Crawford seconded the motion. The vote was 3-0, motion carried.

### **Heart of Oregon presentation-- Darcie Bedortha, Betty Roppe**

Darcie Bedortha presented information regarding the "Heart of Oregon" program that is new to Crook County, but has been an AmeriCorps program for many years in other places. It has been in Central Oregon since 2007 and keeps young people engaged in working that are between high school and college or have not yet decided on further education, giving the young people job skills, confidence and experience and keeping them from falling through the cracks. This program will employ eight young people and one leader and will begin in March. The crew members will earn certification as sawyers for working with chain saws. This year is already partially funded. The workers will earn \$500 every two weeks, working for a total of 900 hours or 6 months. Work is done primarily on public land, doing fire fuel reduction, fence repair, trail maintenance and clean-up on creek bottom grounds. Discussion has been held with the City of Prineville and Parks and Recreation about working on projects through those organizations also. At the completion of the program, there is a \$2,775 education award that can be used toward tuition and books or an approved institution for training. The program works with "at risk" young people, and partners with COIC for GEDs and Work Source for jobs. The program works with the crew members for a year, providing support in working on interview skills, filling applications and one week of orientation. The young people can go through the program to age 24.

The budget this year is for \$100,000. There has been a grant awarded for \$50,000, BLM is providing \$10,000 and the Forest Service in providing \$22,000. Funding discussion is going on with Parks and Recreation, Central Oregon Trails Association (COTA) and the City of Prineville. The City of Prineville

has made a commitment of \$1,500 toward the remaining \$8,000 needed. The Kiwanis Club and Rotary are also being contacted regarding funding.

Judge McCabe asked if the program is in competition with COIC. Ms. Bedortha said the program is in partnership with COIC, not in competition, working through COIC in the GED program and the Work Source program. Local kids will be hired. They will come from the Pioneer School, the High School, Juvenile, COCC and Parole and Probation. Ms. Bedortha explained that this is an AmeriCorps project where those participating can re-up for a second year. This program also works with youth with disabilities or learning disabilities.

Commissioner Fahlgren asked about a waiting list. Ms. Bedortha said this is yet to be seen. At this time, she can refer to COYCC and other programs. She has heard from BLM and the Forest Service that they are really happy with the work done by previous Heart of Oregon Crews.

The Court thanked Ms. Bedortha for her information and wished her well with the new program.

At this time, Judge McCabe announced that the Court would be going out of Open Session and into Executive Session under ORS 192.660(2)(h) Legal Consultation. He adjourned this Open portion of the meeting. The audience was asked to step out during this portion of the meeting except for those that are allowed by statute to remain.

#### **Executive Session** **ORS 192.660(2)(h) Legal Consultation**

The Court and County Counsel's discussed the legal matter before them. At the completion of the discussion, Judge McCabe adjourned the Court out of Executive Session under ORS 192.660(2)(h) Legal Consultation and back into Open Session.

#### **Open Session**

Judge McCabe convened the Court back into Open Session and welcomed the public back into the meeting. Judge McCabe thanked the members of the public for staying and for being patient.

Regarding the Executive Session discussion, all Court members agreed by consensus that all requirements have been met. No motion was required.

#### **Feasibility Study of PMH building for use as a Jail and by Law Enforcement**

A brief discussion was held regarding the Feasibility Study of Pioneer Memorial Hospital facility. City of Prineville Mayor Betty Roppe and Judge McCabe discussed the decision of the City Council to not approve additional funding at this time for the study. The HSR Engineering will not be in attendance this evening to comment on the study. They are at this time working with both Jefferson and Crook Counties.

Due to the earliness of the meeting time, 6:30 p.m., and 6:45 being the scheduled time for the feasibility discussion and update on the PMH Jail Feasibility Study, Judge McCabe called a break until 6:45 p.m. to allow for additional members of the public to arrive that may want to attend.

**6:45 p.m.**

**Discussion, update on PMH Jail Feasibility Study**

Jeff Wilson provided a two page memo and staff report for an update on the status of the Feasibility Study. He recapped an earlier meeting on July 10, 2013, a joint meeting with the City of Prineville and Crook County when the agreement was made that both the City and the County would spend up to \$15,000 on the study with each to pay half the cost. Two steps of the study have been completed. The first step was to verify if the condition of the building made it useable for a jail. The second step was the jail bed needs analysis. The next step, jail facility assessment for electric, mechanical, structural, HVAC and determination of viability, is to cost \$11,385. The costs so far have been \$8,552 with the City and the County each paying half. The estimate for the third step will bring the costs up to approximately \$20,000, making this \$5,000 more than the agreed upon \$15,000. The City has voted not to go with any additional cost of the \$15,000 agreed upon. The additional \$5,000 will need to be paid by the County. The City believes the County is responsible for providing a jail and the County will need to be responsible for the costs of the study.

Discussion was held regarding the long term proposal from the Jefferson County Sheriff and Commissioners for the Jail Bed lease. The numbers in the proposal were provided to the DLR group, working with HSR, and the numbers appear to be a fair representation of costs for leasing the jail beds in the Jefferson County facility. Mr. Wilson discussed the local jobs, local work release and transportation issues involved that need to have further discussion.

Mr. Wilson advised the Court that tonight, he is looking for direction from the Court in the matter of paying the additional \$5,000 to proceed to step 3, or not to go forward.

Mayor Roppe said the City Council vote was 3-4 on sharing the costs. Captain Boyd had been very in favor of the PMH to become a Justice Center. The General Public wanted a jail but not from scratch. Ms. Roppe said the City Manager will look into it further, but part of the City Council members do believe the responsibility of furnishing the jail rested upon the County.

Commissioner Fahlgren explained that this is not just a jail but a Police Department, 911 Center, Sheriff's Office and a Jail.

Mayor Roppe said the major part of the City Council realizes the need for a Justice Center. Judge McCabe opened a Public Hearing Session to discussion the Jail Facility/Justice center.

Betty Roppe, speaking as an individual citizen, believes the PMH building area is a perfect place up on the heights. She believes with education, people would see this as an advantage for that area. There would be no helicopters landing and leaving transporting patients to St. Charles in Bend. Judge McCabe added that with adequate facilities, inmates would not be released at night due to lack of facility space.

Jacquie McCabe asked if it is prudent to spend more money on the Feasibility Study. She suggested having a Town Hall meeting and hoping to have more people to comment before additional funding is spent.

Commissioner Crawford said he believes that was a valid point, but the Court needs to be able to provide cost numbers for the project and costs for all three options, the PMH project versus a new facility or the

lease with Jefferson County. All three options need to be vetted well and then taken to the public for discussion.

Dock Kerbow said this is a learning session and likes the idea of the facility and more parking. He asked about the building now housing the jail down town and what would become of that building. Would there still be a use for that.

Judge McCabe added information regarding space and security for the District Attorney and the Courts in the PMH facility. The plan would be for the facility to be all inclusive and would move dispatch out of the flood plain area. The size of the jail would be from 67 to 81 beds through 2033.

Commissioner Fahlgren said it is up to \$4000,000 a year so far with the transporting, leasing of beds and other costs. The Court knows that additional jail space is needed.

Jerry Harpster said the County has so many projects right now with the proposed complex, the swimming pool and the round-1-bout. He said there is a need to prioritize. The money isn't there. He said he does not want more burden placed on people of the town. He discussed mass transit. He believes we need a jail.

Sheriff Hensley spoke and said he does not want taxes to rise either. He feels as Sheriff, it is his responsibility to bring up issues of safety before the County Court and advise them. He said this last week, there were 98 people waiting to serve jail time in the community. He said the Sheriff's Officers make arrests, take the people to jail, and they are released due to overcrowding. They get out and the arrests are repeated before they ever get to Court because of the lack of space. He said the jail is a tool to get people into compliance. If the jail beds are not available, the people on parole ignore their PO's. There is a huge need for jail beds and space.

The Sheriff reviewed the start of the idea of the PMH facility being used as a jail. He said the Chief of Police approached him when he heard that the hospital building may be for sale. They discussed the needs and now the hospital is going to be moving. They looked at the basement and said if that will work, they believed the County was interested. Yes, it will work for a jail, the study was done, the diagram was done, it could be rotated and work for 20 years. That might add to the costs. There is a dire need for a jail for public safety. The Sheriff's Office is not advocating just for the Sheriff's Office but for the community. He has talked with the Police Department and an estimate to build a new Police department, complete and stand alone with 911 Dispatch center is 13 million. A new jail with 70 beds would be \$12.8 million. That is 25 million for just two of the several pieces needed. PMH could be purchased for around \$7 million, and remodel would be \$6.7 million for a 62 bed jail. He said an addition could make it up to 80 beds for another \$2 million for remodel and for all the emergency services to be out of the flood plain. This could take care of many issues and with the entire costs amount to \$10 to 12 million, one half the price of a new Police Department and a new jail.

Sheriff Hensley discussed the proposed estimates based on the criteria from Jefferson County used in the proposal for Crook County Jail Bed Lease with Jefferson County. He broke it down and presented figures. He discussed day use, holding facilities, transportation at night and day, rental of 60 beds and 24 hour coverage. He then compared this to operating 62 bed facility here versus the Jefferson County proposal. His figures reveal that the operation here would show a substantial savings over a 10-year period.

Sheriff Hensley addressed the issue regarding the location of the proposed jail using the old Pioneer Memorial Hospital. He said that currently inmates are released in an area of kiddie parks, schools and

neighborhoods. Sheriff Hensley explained that when there is adequate space, no release is done without security and someone waiting for the prisoner to take them home. During arraignment, the Court makes the release decision between 11:00 a.m. to 2:00 p.m. or the release for time served is at 6:00 a.m. There are a few exceptions in cases of extreme medical reasons.

Commissioner Crawford appreciated the estimates but said the Court should have specific information for the Public Hearing and presenting numbers to the public. Discussion was held regarding the arrangement with HSR and DLR where both Crook County and Jefferson County are their clients. He said by keeping our own jail, there is flexibility of housing of inmates. At this time, Jefferson County will not accept a specific prisoner from Crook County. That prisoner now has to be transported using two people scheduled out of the Sheriff's Office to Washington County. The cost is two people, the vehicle, transportation costs and a 12 to 14 hour day to transport the prisoner for a court appearance.

Judge McCabe said the County Court will call a public session soon on this matter. Mayor Roppe suggested having the Public Hearing with both the County and City Council in attendance.

Judge McCabe introduced Jason Chaney of the Central Oregonian and Scott Hammer of the Bend Bulletin to the Sheriff for additional information on the proposed project.

Mr. Wilson discussed with the Court the additional \$5,000 to solidify the next step of the study. This is the mechanical study and without this system, the building would be just a shell. He suspects many estimates are on assumptions that the mechanicals in the building now are in working order. The study would determine the viability of the systems. The costs so far are \$8,500. The next phase requires another \$11,300. This would require the Court and City to each pay half up to the \$15,000 approved, and the County would be required to provide the additional \$5,000.

The Sheriff discussed the costs for a 70 bed jail at \$7.8 million, possible talking to DLR about an idea of making it an 80 bed facility, and accurate numbers to present to the public at a Public Hearing.

### **Motion**

Commissioner Crawford moved to authorize staff to contact HSR and direct them to move forward with the Step 3 phase at the cost of \$11,085, with the City of Prineville paying one half the costs of the project up to \$15,000 and the County paying the additional \$5,000 to complete Step 3. Commissioner Fahlgren seconded the motion. The vote was 3-0, motion carried.

Judge McCabe announced that at this time, the County Court would be adjourning out of Open Session and into Executive Session under ORS 192.660(2)(e), Real Property.

### **Executive Session**

#### **ORS 192.660(2)(e), Real Property**

The Court discussed the real property matter. Following the discussion, Judge McCabe adjourned the Court out of Executive Session 192.660(2)(e) and back into Open Session. Any public waiting were invited back into the meeting.

Approved February 5, 2014

## **Open Session**

### **Motion**

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

### **Letter of Support (Addition)**

Commissioner Fahlgren presented a letter of support written to the Oregon State Legislature, State Rural Communities and Economic Development Committee. This letter is in support of LC 156 relating to the distribution of monies to counties from the State Parks and Recreation Department Fund. The County agrees with the position of Senate Rural Communities that LC 156 provides a means for aiding struggling counties to maintain and enhance local parks that Oregonians treasure. LC 156 changes the RV registration formula from the existing 35/55 percent to 40/60 percent upon passage of the bill and then to 45/55 percent effective July 1, 2015.

### **Motion**

Commissioner Fahlgren moved to approve and sign the letter of support for LC 156 to the Oregon State Legislature. Commissioner Crawford seconded the motion. There was no discussion. The vote was 3-0, motion carried.

There being no further business before the Court, Judge McCabe adjourned the meeting at 8:10 p.m.

Respectfully submitted,

*Colleen Ferguson*

Crook County Court Secretary