

Approved April 1, 2009

BE IT REMEMBERED THAT the regular meeting of the Crook County Court was held on February 18, 2009 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 Lynn Lundquist; County Commissioner Ken Fahlgren; County Counsel Dave Gordon; Assistant County Counsel Brian Branch and County Court Secretary Colleen Ferguson.

Members of the public signing the attendance log were: Cathy and Craig Kilpatrick, Redmond; Mollie and Gary Eder, Powell Butte; Dan Mattioda, Prineville; Rick Wells, Prineville; Lawrence Weberg, Prineville; Chuck and Connie Hegele, Terrebonne; Bruce White, Bend; Jack Cochran and Danny Lutge, Lone Pine; Gladys Romero, U.S. Census Bureau, Seattle; Niva Bennett, U.S. Census Bureau; Arleen Curths, Powell Butte; Marsha Bromlee, Terrebonne; Michael J. Bromlee, Terrebonne; Dave Duncan, OMD, Powell Butte; Tom Strand, Terrebonne and Grover Palin, Prineville.

The media was notified of meeting.

Consent Agenda

Approval of minutes, January 21, 2009

Approval Order 2009-07, decreased appropriations and decreased revenue resources/ multiple departments

Approval Order 2009-08, appropriation transfer, Non-Department, Building, Planning

Approval of Amendment 2 to 90G000080 Intergovernmental Agreement, Building Codes

Division/Crook County

Approval of Motorola Equipment Procurement FY 2007 LETPP Grant

Approval of Grievance Agreement

Judge McCabe called the meeting to order. The Court reviewed the consent agenda with the late addition of the Service Provider Contract between Crook County and Kids Center.

Motion

Commissioner Lundquist moved to approve the consent agenda as modified. Commissioner Fahlgren seconded the motion. The vote was 3-0, and the motion passed.

Consider recommendation of the Planning Commission related to Sunset Hills Road vacation

Dave Gordon presented information that this matter could be heard in May. One of the owners is not available at this time and there is no hurry to hear the matter.

Order 2009-06, Appointment to the Planning Commission

The Court reviewed the applications for the open position on the Planning Commission and the County Code requirement which sets forth the requirement that representation from all areas of the county should be included on the Commission. Members of the public providing testimony in the matter were: Lawrence Weberg, Arleen Curths, Rick Wells and Gary Eder.

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Discussion was held regarding the laws that have to be followed by Planning Commissioners in reaching decisions, and the time involved in the study and research of the matters before the Planning Commission members.

Judge McCabe read the applicants' names: Lou Haehnlen, Dan Mattioda, Dale Tompkins and Gary Bedortha. The Court discussed the need to establish vetting as a portion of the process in selection of applicants.

Motion

Commissioner Lundquist moved to approve the appointment of Gary Bedortha to Position 4 on the Planning Commission. Commissioner Fahlgren seconded the motion. Discussion was held regarding Mr. Bedortha and the position he would be filling. The vote was 2-1, with Commissioner Lundquist voting in opposition due to the lack of a vetting process.

Consider recommendation of the Planning Commission to deny adoption of Division 23/Chuck Hegele

Planning Department Legal Counsel Heidi Bauer presented the staff report on the legislative proposal to adopt new Goal 5 rules applied for by Chuck Hegele. Mr. Hegele proposed to adopt new Division 23 Rules to replace Division 16 rules pertaining to aggregate resources. The Planning Commission recommended denial of such an amendment.

Bruce White, PO Box 1298, Bend Oregon 97709, representing the applicant Chuck Hegele presented testimony on the proposed text change to the comprehensive plan.

Planning Director Bill Zelenka presented information on the sense of equity with Goal 5 and the need to review all aspects of Goal 5 resources and recommended not addressing one individual resource.

Judge McCabe said he recommended upholding the Planning Commission decision to deny Mr. Hegele's proposal to change the aggregate resource rules under Goal 5 from Division 16 to Division 23.

Commissioner Lundquist said he believes that the biggest issues are the aesthetics, the vision and the 1500 foot limit requirement.

Motion

Commissioner Lundquist moved to uphold the Planning Commission's recommendation to deny application AM-08-0089. Commissioner Fahlgren seconded the motion. The vote was 3-0, and the motion passed.

Presentation on U.S. Census Bureau

Gladys Romero of the U. S. Census Bureau in Seattle Washington presented information to the Court on the 2010 census. She asked for cooperation from the Court and asked the Court to issue a Proclamation to committing to partner with the U.S. Census Bureau to help ensure a full and accurate count in 2010. She further asked the Court to form a Complete Court Committee to utilize high-profile, trusted voices to advocate on behalf of the 2010 census.

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Presentation of quote for guard rail, Dry Creek Crossing, Davis Loop

At the request of the County Roadmaster, this item was removed.

Convene into Executive Session

ORS 192.660(2)(a) Personnel

ORS 192.660(2)(d) Labor Negotiations