BE IT REMEMBERED THAT the Crook County Court met in a regularly scheduled meeting on April 17, 2019 at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 97754. In attendance were: County Judge Seth Crawford; County Commissioner Jerry Brummer; County Commissioner Brian Barney; County Counsel Jeff Wilson; Assistant County Counsel Eric Blaine and County Court Secretary Colleen Ferguson.

Members of the public signing the attendance log: Stephen Gilday, Prineville; Adam Hostetter, Prineville; Scott Aycock, Central Oregon Intergovernmental Council (COIC), Bend; Derek, Hofbauer, COIC, Bend; Andrea Breault, Cascades East Transport (CET), Bend; Joshua Smith, City of Prineville; Izaac Ross, County IT and D. Palmer, County Treasurer.

The media was provided public notice of the meeting.

Judge Crawford opened the County Court meeting and asked Josh Smith to lead the Pledge of Allegiance. Steven Gilday, Chaplain, offered the opening prayer.

Consent Agenda

1. Approve Minutes of April 3, 2019 Regular Meeting of the Crook County Court
2. Approve Order 2019-11 Appoint Members to the County Compensation Board for Elected Officials
3. Approve Agreement to Extend Construction Contract with Richard Bartels Construction LLC re Aircraft Fueling System for the Helibase Project
4. Oregon Health Authority Intergovernmental Agreement #159906-0 re Medicaid Match

4.A Addition: Approve Amendment No. 2 to IGA with City and Fire & Rescue regarding distribution of Apple PILOT fees

4.B Motion

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

Scheduled Appearances

COIC Request for Budgeted Lottery Economic Development Funds for FY 2019-20; Requester: Scott Aycock

Scott Aycock, Central Oregon Intergovernmental Council (COIC), presented a request for $5,000 from Video Lottery to deliver rural services to Crook County. In past years, funding was received from the State, but no longer. Now, COIC needs to have funding to fund the positions needed to help the communities to be ready for economic development, to articulate goals, work with partners, administer grants as well as applying for grants, and work across the region. COIC was first established in 1972. At this time, COIC is working with the City of Prineville revitalization project. Mr. Aycock has spoken with Jerry Brummer and they will be
meeting with the Juniper Canyon citizens regarding needs for transportation.

The County has provided $5,000 and is now asking for an additional $10,000, $5,000 now to cover costs involved with successful grant applications, and another $5,000 when the grants are awarded to cover the costs associated with the STIF Project and transportation plans and fees.

**Motion**

Commissioner Brummer moved to approve the COIC funding, $5,000 now and $5,000 if successful in obtaining grant funding. Commissioner Barney seconded the motion. The vote is 3-0, motion carried.

**COIC Presentation of upcoming STIF Project; Requester: Angela Breault and Derek Hofbauer**

Derek Hofbauer, COIC, presented a quick overview of the Intergovernmental Agreement between COIC and Crook County regarding the STIF program, HB 2019, with investments, students in grade 9 through 12 and low-income transportation. Bylaws have now been approved by the STIF Committee. Josh Smith is chair of the advisement committee that will handle the ODOT STIF Funding. The 1st meeting was held of the committee to hear and understand the STIF funding, purposes and uses. The second meeting was held to dig in and rank the projects and STIF projects. Mr. Hofbauer explained the funding process for projects. The 100% percent funding goes up to $499,000. ODOT encourages the committees to approve a 130% list. The plan with this program will be adding more hours of service to the approved projects. Regional projects include Saturday service for the community connector and later, service for Crook County with education on the services to the public. CET is working now to submit the plan and will find out in the fall if the funds are available and if projects are approved. Discussion held on the alignment of the recommendations for the project ranking. Judge Crawford provided information regarding the needs of the Juniper Canyon residents.

Andrea Breault presented information regarding a $250,000 service enhancement grant for the Juniper Canyon route. Mr. Hofbauer presented additional information on the number of people attending the technical advisory committee meetings. A plan is being finished for the CET master plan for when and where transit services are needed. The application must be submitted by May 1st. Commissioner Brummer thanked Mr. Hofbauer and COIC for all the work done on the STIF plan. Commissioner Barney asked if there was any cost sharing. Mr. Hofbauer explained that each county wanted its own project so the shared costs out of the funding would be cooperative sharing resulting in an overall project. There is no match requirement, and this is intended to be a stable funding into the future by the state.

**Motion**

Commissioner Brummer moved to approve the STIF Plan and the associated projects as ranked on the list by priority. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

**DISCUSSION**

**Public Hearing: First Reading of Ordinance 310 Amending Chapter 17 of the Crook County Code Relating to Road Design Standards and Declaring an Emergency – Requester: Jeff Wilson**

County Counsel Jeff Wilson explained Ordinance 310 amending Chapter 17 of the Crook County Code. Ordinance 310 was discussed in an earlier Work Session and addresses site plans and subdivision done prior to December 17, 1973. There is continual confusion on those properties. This ordinance gives notice to the public and the process. For properties and lots planned prior to December 17, 1973. Those property owners
may obtain a permit without the necessity of showing legal access and current road standards. The exception is for partitioning, and then current standards will apply.

**Motion**

Commissioner Brummer moved to read Ordinance 310 by title only. Commissioner Barney seconded the motion. There was no discussion. Vote was 3-0, motion carried.

Ordinance 310 including an emergency clause was read by title only.

Judge Crawford opened the public hearing. There were no comments received, the public hearing was closed.

Ordinance 310 including an emergency clause will be brought back for a second reading, public hearing and vote on May 1st, and if approved will go into effect immediately.

**Public Hearing – Opportunity for Comment; Order 2018-55, Amendment #6, to the County Fee Schedule**

Assistant County Counsel Eric Blaine presented Order 2018-55, Amendment #6, the County Fee Schedule with a rewrite of the IT Department fees and removing out of date referencing. Also, in the Treasurer and Tax Collector section of the fees, there is an addition of a $25.00 charge for having a special check run. The office is now on a new system of every week bill paying and the burden is on staff to make sure the bills are all presented weekly for payment.

Commissioner Crawford opened the public hearing. There were no comments received. The public hearing was closed.

**Motion**

Commissioner Barney moved to approve Order 2018-55, Amendment 6. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

**Ascend/ProVal Intergovernmental Agreement for Software Support with Lane County– Requester: Jeff Wilson**

Mr. Wilson presented information on the renewal of the ProVal Intergovernmental Agreement for Software Support. This is software support is currently provided by Lane County for assessment services. There are only a few counties left to share the costs of the operation of the software services through Lane County, and as such, each county is paying more for the same service. Crook County's fee of $25,450 is rising to $47,950 this year. Also, the contracted per hour charge is raising from $95.00 to $125.00. County Assessor Jon Soliz is looking into other services but right now need to through ProVal another year. This is a stop gap until new services are available. County Treasurer Debbie Palmer provided information on Clackamas County’s decision to use the same software but now have the Deschutes County IT Department overseeing the software. Deschutes County has also done the same thing. Ms. Palmer explained the Tax Office is also involved in this same program, and would be a huge conversion process. The Treasurer’s Office is already going through a conversion and is not ready to do another at this time.

**Motion**
Commissioner Barney moved to approve the IGA with Lane County for support of Assessment and Tax program. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

**County/City Underground Right of Way Easement; Requester: Josh Smith, City of Prineville (COP)**

Josh Smith, City of Prineville presented information regarding the request for approval of an underground easement that will go over top of the COP easement leading out to the treatment plant building south of the Fairgrounds on the Kennedy property. This easement is the request of PacifiCorp. Discussion was also held regarding a blanket easement off of Highway 380. The Court reviewed the mapped area with Mr. Smith. Discussion was held regarding the actual site of the treatment plant and the series of 20 wells located along the crooked river alternating deep, 100 foot and shallow, 50 foot. This water will flow directly in to the COP water system. The COP drilled a well in 2005-2006. This was not successful and the total operation was discussed. Further discussion was held on the Aquifer in the Airport Area; monitoring wells and the wells that are located up in the Facebook-Airport area.

This easement is written as a typical PacifiCorp Easement with no consideration. Mr. Wilson and Mr. Blaine have both read the language of the agreement and have found that the legal description is for the property, not the easement area. Discussion was held on the size of the easement, the language, the steps to recording the City easement first and then allowing the County to do a little more research and bring this matter back to Court on the Consent Agenda. Discussion on this matter will be held at the County Work Session to be held on April 23, 2019.

A brief discussion was held regarding the landscaping of the new jail project and the parking area for the Jail and Sheriff’s Department employees.

**REMOVED: Request to Reconvene the Joint Committee (with Hood River/Wasco Counties) Forestland Classification Committee; Requester: Kristin Dodd, ODF and ODF Updates on Forestry and Fire Activities**

This item was removed. Kristin Dodd contacted County Counsel to explain this as an error that should have been only for Wasco County.

There being no further items listed on the agenda requiring the action of the County Court at this time, Judge Crawford adjourned the Court into executive Session under ORS 285C.320 Status of reservation enterprise zone and reservation partnership zone; ORS 192.660(2)(e) ORS 192.660(2)(e) For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions and ORS 192.660(2)(i) To review and evaluate the employment-related performance of the chief executive officer of an public body, a public officer, employee or staff member who does not request an open hearing, annual review, Jeff Wilson.

**EXECUTIVE SESSION**

**ORS 285C.320 Status of reservation enterprise zone and reservation partnership zone; Requester: Randy Davis**

The Court discussed with County Building Official Randy Davis the request for a temporary Certificate of
Occupancy for a section of a larger facility. Also discussed was the division of fees. No action taken, simply an update.

**ORS 192.660(2)(e) ORS 192.660(2)(e)** For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions

Regarding a waterline extension on County property

**ORS 192.660(2)(i)** To review and evaluate the employment-related performance of the chief executive officer of an public body, a public officer, employee or staff member who does not request an open hearing; Requester: Jeff Wilson

Annual yearly review of County Counsel Jeff Wilson

**ORS 192.660(2)(a)** To consider the employment of a public officer, employee, staff member or individual agent.

HR Director Kim Barber discussed with the Court a temporary part-time employee for an undetermined length of time.

Following the discussions held in Executive Session, Judge Crawford adjourned the Court out of Executive Session and into Open Session, inviting any members of the public waiting back into the meeting room.

**OPEN SESSION**

**Motion**

Commissioner Barney moved to direct HR to proceed with paperwork as discussed in Executive Session. Commissioner Brummer seconded the motion. The vote was 3-0, motion carried.

**Motion**

Commissioner Brummer moved to approve hiring Laurie Furlong at $30.00 for the Temporary part time position to help with the scanning of projects. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

There being no further action items before the Court at this time, Judge Crawford continued the meeting into Executive Session for two more Executive Session Department Head performance reviews. These will be for Izaac Ross on April 18 and for Jeff Caldwell on April 22, 2019.

**Executive Session**

**ORS 192.660(2)(i)** To review and evaluate the employment-related performance of the chief executive officer of an public body, a public officer, employee or staff member who does not request an open hearing

April 18, 2019 Performance Review of Izaac Ross.

April 22, 2019 Performance Review of Jeff Caldwell

**Open Session**
Following the reviews, the Court came out of Executive Session and invited any public waiting back into the meeting room.

Motion

Commissioner Brummer moved to approve the compensation steps for both Izaac Ross and Jeff Caldwell. Commissioner Barney seconded the motion. The vote was 3-0, motion carried.

There being no further items before the Court requiring action at this time, Judge Crawford adjourned the meeting.

Respectfully submitted,

Colleen Ferguson

Colleen Ferguson,
Crook County Court Secretary Colleen