

**CROOK COUNTY COURT MINUTES
OF OCTOBER 4, 2023, REGULAR MEETING
Open Portion**

Be It Remembered that the Crook County Court met in a Regular Court meeting on October 4, 2023, at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 97754.

Court Members Present: Judge Seth Crawford, and Commissioner Brian Barney

Absentees: Commissioner Jerry Brummer

Others Present in Person or Via Zoom: Legal Counsels Eric Blaine and John Eisler; Administrative Executive Assistant Sarah Puerner; Human Resources Director Kim Barber; Clerk Cheryl Seely; Finance Director Christina Haron; Undersheriff Bill Elliott; Sheriff John Gautney; Fairgrounds Manager Casey Daly; Airport Manager Kelly Coffelt; Community Development Director Will Van Vactor; Contract County Administrator Andy Parks; Library Director Sarah Beeler; Budget Analyst Jamie Berger; Natural Resources Policy Coordinator Tim Deboodt; Lieutenant Mitch Madden; James Staniford; Treasurer Galan Carter; Levi Roberts; Landfill Manager Jacquie Davis; Extension Manager Kim Herber; Systems Administrator Chelsea Watson; Health and Human Services Director Katie Plumb; Assessor Jon Soliz; Chief Administrative Deputy Stephanie Wilson; Mike Warren; Garth Finley; Monty Kurtz; Mark Maboll; Darlene Henderson; Ray Sessler; Mike Thomas; Bill Kuyper; Jim McGuire; Jason Chaney; Deane Cooper; Brian Iverson; Ronda Sneva; Paula Maboll; Gail Staniford; Jerry West; Melinda Kestler; Susan Hermreck; Krish Steber; Dean Hanes; Jennifer Winders; Kim Molnar; Deb Shaw; LaQuita Stec; Wendy Woodley; and members of the public.

REGULAR SESSION

The meeting was **called to order at 9:00 a.m.**

Judge Crawford announced that Commissioner Jerry Brummer has turned in his resignation for his position as Commissioner. It has not been certified yet and Clerk Cheryl Seely will speak on this matter.

Clerk Cheryl Seely provided clarification concerning the resignation process. Commissioner Brummer submitted his resignation to Cheryl on Friday. According to Oregon Statute, a resignation becomes binding at the close of the third business day after it is received. Tomorrow, an official written statement will be issued to the Court about the vacancy. The procedure for handling the vacancy will follow County Code guidelines.

Public Comment:

Jennifer Winders - expressed regret upon learning about Brummer's resignation. Today was intended to be a day focused on voting for change, specifically decisions regarding organizational structure. She suggested the possibility of hiring a consultant, noting that the current process doesn't appear to reflect a vote by the people. She emphasized the need for a nonpolitical approach that best serves the needs of our county.

Monty Kurtz - attended all the public meetings and am sorry to hear about Commissioner Brummer. There needs to be more thorough communication. Judge Crawford, as the administrator, is responsible for the lack of transparency, insufficient communication and lack of engagement. This initiative should have begun much earlier. A dedicated member of this community would agree that it's time for a change.

LaQuita Stec – not continuing with changing the form of government because the work session was rough and Judge Crawford's concerns about losing his judgeship, despite participation from all three Commissioners. Requests the Court consider putting this on the ballot for the voters to decide.

Darlene Henderson – profoundly disappointed with Commissioner Brummer's resignation and the timing of this as it's a few days prior to a very important decision from the County, our government, and how we are governed. Agrees with Monty Kurtz that this was a last-ditch effort to communicate to the people and it is irresponsible. Having three part time Commissioners with an Administrator is a responsible and appropriate route to take to manage the County and the resources available to the citizens.

Mark Maboll – would like to see these meetings moved to later in the day, maybe 6:30 pm. Most of the citizens and community members are retired. Paying Administrator \$18,500 a month. Questioned why the Court didn't do the job hiring route for the Administrator as it was not advertised on the market.

Ray Sessler – feels that the Court presented the change in governance poorly. The Lemon Gulch situation changed 180 degrees when the public got involved. Maybe there is some middle ground to be found. Believes we can find the right people for the job and not bringing this information forth was a mistake. Understands the role of the Administrator and that the City runs well. If Judge Crawford is not running things, we may need to get rid of him. This County should be run by local people.

Paula Maboll – listened to the work session meeting and there was a lot of talk about educating the people and communicating with the people. If we would have started this earlier, there may not have been as much opposition. Believes it's possible to educate the public with flyers, brochures, and monthly Commissioner reports.

Consent Agenda:

1. Approve Minutes
2. Approve Grant applications through ODOTs Local Bridge Program
3. Approve Crook County Solid Waste Application for a Disposal Fee Credit
4. Consider ratification of appointment of Chief Information Officer (CIO)
5. Approve Order 2023-44 In the matter of appointments to the Board of Property Tax Appeals
6. Letter of Support for the OFRC Committee

MOTION to accept the Consent Agenda as presented. Motion seconded. No discussion. Motion carried 2-0.

Legal Counsel Eric Blaine went over the potential process for how the County will proceed with a vacancy. There is a section in the County Code that describes how a vacancy in the Court can be filled. There are two different notices. The 'Notice of Vacancy' is the first step that the Clerk will provide, and this starts a 90-day timeline of

trying to fill the position. Once the initial notice has been provided, then the Court will provide a separate public notice announcing the vacancy and intended process of filing the vacancy. Once this second notice is published, the public has 30 days to submit nominations to the Court if they wish. For nominations, the person must be qualified, and nominations must include a signed statement that the person is willing to serve in the position. Once the 30 days have passed, the Court will review all applications and nominations. The Court can decide to have an interview process, but it is not required. If the Court cannot make a decision on the applicants within 90 days, then the Governor can appoint a person to the position. This individual would serve as a temporary appointment until the next county wide election. The Court would like to see a formal application process and would like to interview all applicants once the timeline has passed.

MOTION to authorize staff members to prepare the public notice in conformance with today's discussion and once that is finalized, it will be published in the Central Oregonian, posted on the website and otherwise distributed to the general public. Motion seconded. No discussion. Motion carried 2-0.

Discussion item #7: Master Funding Agreement with OJD:

Requester: John Eisler

Details: This agreement was not received in time so this item has been removed from the agenda.

Administrator Report:

Andy Parks noted that there is an emergency repair needed for the Landfill. The quote received is just under \$32,000.

MOTION to approve the expenses of \$31,906.78 for labor and materials for the Landfill to repair a piece of Peterson equipment. Motion seconded. No discussion. Motion carried 2-0.

Additional Updates:

Assistant County Counsel John Eisler provided a brief update regarding the lawsuit with the State. The complaint was filed on Monday and the County has retained outside counsel for this matter. The complaint is a declaratory judgement and mainly asking the Court to interpret the statute.

Andy Parks wanted to mention the Budget document that was provided by the Finance staff. Staff spent a lot of time on this document and the document is available for the public to view. Crook County is one of nine counties in the State to receive the budget award and Crook County is the smallest county to receive this award. It is a large accomplishment for Crook County.

At 9:40 a.m. the Court convened into Executive Session under the following statute(s): ORS 192.660(2)(h) Consulting with Counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed; ORS 192.660(2)(e) For the purpose of conducting deliberations with persons designated by the governing body to negotiate real property transactions.

EXECUTIVE SESSION

At the conclusion of the Executive Session, the County Court convened back into Open Session, inviting members of the public into the meeting room.

MOTION to authorize staff to adjust the easement document as discussed in the Executive Session and if it is acceptable to the counter party, to authorize signing it out of court. Motion seconded. No discussion. Motion carried 2-0.

MOTION to authorize John Eisler to finalize and issue the press release as discussed in the Executive Session. Motion seconded. No discussion. Motion carried 2-0.

There being no further business before the Court, the meeting was **adjourned at 10:18 a.m.**

Respectfully submitted,

Sarah Puerner