

**County Administration**

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## **Crook County Board of County Commissioners**

**Wednesday, January 7, 2026 at 9:00 AM**

**Crook County Annex | 320 NE Court St. | Prineville OR**

Members of the public and media are welcome to attend in person or via Zoom: 1-253-215-8782; Meeting ID: 954 2612 6858; Passcode: 178149

**Commissioners: Brian Barney, Chair; Susan Hermreck; Seth Crawford**

### **Regular Session Agenda**

#### **Public Comment**

Please note that each speaker is limited to a maximum of 5 minutes. This guideline helps ensure that everyone has an equal opportunity to speak.

#### **Consent Agenda**

Consent agenda items are routine matters - e.g. minutes, appropriations orders, contracts, agreements, completion of previously discussed matters and decisions requiring Board ratification - which are not expected to generate discussion. Any member of the Board may request removal of an item for separate discussion or vote. All remaining items are approved in a single motion.

#### **1. Approve Minutes**

#### **2. Order 2026-01 Designation of Newspapers of Record**

#### **Discussion**

#### **3. Chamber of Commerce Quarterly Report**

##### **Requester:**

Deb Shaw, Director of Commerce & Tourism  
Andrea Weaver, Tourism Development Specialist

##### **Presenter(s):**

Deb Shaw, Director of Commerce & Tourism  
Andrea Weaver, Tourism Development Specialist

- 4. Annual Review and Adoption of Crook County Investment Policy**  
**Requester:**  
Christina Haron, Finance Director
- 5. Annual review of recommended updates to Crook County Fiscal Policies from Finance Committee**  
**Requester:**  
Christina Haron, Finance Director  
**Presenter(s):**  
Will Van Vactor, County Manager
- 6. Amendment Service Contract with City of Prineville**  
**Requester:**  
Jacquie Davis, Landfill Director
- 7. 2026 County Financial Assistance Agreement for Behavioral Health Services**  
**Requester:**  
Eric Blaine, County Counsel
- 8. Local Plan and Budget for Behavioral Health Services**  
**Requester:**  
Eric Blaine, County Counsel
- 9. Public Hearing: First Reading of Ordinance 357 An Ordinance Amending Titles 1,17, and 18 of the Crook County Code, and Declaring an Emergency**  
**Requester:**  
John Eisler, Community Development Director

### **Manager Report**

### **Commissioner Updates**

#### **Public Comment**

Please note that each speaker is limited to a maximum of 5 minutes. This guideline helps ensure that everyone has an equal opportunity to speak.

#### **Executive Session**

- 10. None scheduled.**

#### **Notice and Disclaimer**

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### **Additional Items**

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Contact: Brian Barney ([brian.barney@crookcountyor.gov](mailto:brian.barney@crookcountyor.gov)) (541) 447-6555 | Agenda published on December 31, 2025.



## Agenda Item Request

**Date of Meeting:** January 7, 2026

**Subject:**

Approve Minutes

**Background and Policy Implications:**

**Budget/Fiscal Impacts:**

**Legal Review (only if requested):**

**Elected official sponsor (if applicable):**

**CROOK COUNTY BOARD OF COMMISSIONERS MINUTES  
OF JUNE 11, 2025, REGULAR MEETING  
Open Portion**

**Be It Remembered** that the Crook County Board of Commissioners met in a Regular Court meeting on June 11, 2025, at 9:00 a.m. in the County meeting room located at 320 NE Court Street, Prineville, Oregon 97754.

**Board Members Present:** Commissioner Brian Barney, Commissioner Susan Hermreck; and Commissioner Seth Crawford

**Absentees:** None

**Others Present in Person or Via Zoom:** County Counsel Eric Blaine; County Manager Will Van Vactor; Executive Assistant and Communications Officer Sarah Puerner; Executive Assistant Breyanna Cupp; Community Development Director John Eisler; Facilities Director James Preuss; Office Manager Rebecca Keegan; District Attorney Kari Hathorn; Administrative Manager Kassandra Garrison; Finance Director Christina Haron; Budget Manager Jamie Berger; Executive Director Sean Briscoe; Administrative Assistant Mona Glade; Associate Planner Hannah Elliott; Assessment Technician Elsie Ray; Assessor Jon Soliz; Legal Assistant Alex Solterbeck; Natural Resources Manager Tim Deboodt; Undersheriff Bill Elliot; Administrative Division Manager Stephanie Wilson; Human Resources; Senior Health Programs Coordinator Alex Greenberg; Linda Pepper; Appraiser Stephanie West; Senior Planner Katie McDonald; Sheriff John Gautney; Health and Human Services Director Katie Plumb; HR Director Meghan McKee; Triangle; Gage Lindsey; Sheri Cleveland; JC; Kelsea Luebers; Executive Director of Tourism-Explore Prineville Kim Molnar; Chamber of Commerce Operations Manager Deb Shaw; Kirk Giovanini; Tawndy Byrd; Steve Holliday; Monty Kurtz; Sue Bureve; Wendy Woodley; Gail Staniford; Shaun Bunson; Haley Crow; and member of the public.

**REGULAR SESSION**

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

**Public Comment:** None

**Additions/Removals:** None

**Consent Agenda:**

1. End of public comment period for Title III expenditures approved on April 2, 2025.

**MOTION** to accept consent agenda as presented. Motion seconded by Commissioner Crawford. No discussion. Commissioner Hermreck votes Aye, Commissioner Crawford votes Aye, Commissioner Barney votes Aye. Motion carried 3-0.

**Discussion item #2: Crooked River Roundup Funding Request:**

**Requester:** Steve Holliday

**Details:** Steve Holliday attended the Regular Session to ask the Board of Commissioners for community funds to help with the Crooked River Roundup. Steve asked for these funds to fill the gap in the cost associated with rent fees of the fairgrounds. The request from the Crooked River Roundup was in the amount of \$4000.00.

**MOTION** to donate \$2500.00 to the Crooked River Roundup out of TRT grant Funds. Motion seconded by Commissioner Hermreck. No discussion. Commissioner Hermreck votes Aye, Commissioner Crawford votes Aye, Commissioner Barney votes Aye. Motion carried 3-0.

**Discussion item #3: Crook County Chamber of Commerce Quarterly Report:**

**Requester:** Deb Shaw

**Details:** Executive Director Kim Molnar and Operations Manager Deb Shaw attended the Regular Session to provide an update to the board about the Chamber of Commerce quarterly report. Kim presented stats on events, goals met, and overall success of the chamber. Deb Shaw provided an overview of membership health, event growth, and marketing outreach & engagement. Successes for 2025-2025 are visitor center, 64 successful events, addition of two new events, 50% renewal rate, and 56 new members.

**Discussion item #4: Approval of Amended Agreement Between District Attorney's Office and State for Child Support Services:**

**Requester:** Kassandra Garrison

**Details:** District Attorney Kari Hathorn and Operations Manager Kassandra Garrison attended the Regular Session to seek the board's approval for an amended agreement regarding child support services. The Cooperative Agreement updates CFR references to accurately reflect changes made by the Office of Child Support Services. The amendments include replacing references to 45 CFR § 75 with 2 CFR § 200, which increases thresholds for various categories, allows carryovers, and raises the minimis rate. Additionally, the terminology "enforcement" is being updated to "service," and contact information and email addresses have been updated.

**MOTION** for approval of the amended agreement between District Attorney's office and state for the child support services and suggest at this time that we as commissioners go ahead and sign it. Motion seconded by Commissioner Crawford. No discussion. Commissioner Hermreck votes Aye, Commissioner Crawford votes Aye, Commissioner Barney votes Aye. Motion carried 3-0.

**Discussion item #5: Treasurer's Report for May 2025:**

**Requester:** Christina Haron

**Details:** Finance Director Christina Haron attended the Regular Session to present the Treasurer's report to the public and the board. The attached report for May 2025 includes the following details: the cash on hand in the custody of the county treasurer, the banks where the funds are deposited along with the deposit amounts for each bank, the security provided by each bank to cover these deposits, and the interest rates paid on

those deposits. Additionally, the report includes a statement of the county's outstanding warrant indebtedness and the date up to which the county's warrant indebtedness has been redeemed.

**Discussion item #6: Public Budget Hearing - Order 2025-17 Adopting the Crook County Agricultural Extension Service District budget for fiscal year 2025-2026:**

**Requester:** Rebecca Keegan

**Details:** OSU Ag Extension Office Manager Rebecca Keegan attended the Regular Session to request the board of commissioners adopt the Ag Extension Service District budget. The Budget Committee for the Ag Extension met on May 20, 2025, to discuss the budget for FY25-26. Rebecca clarified that a scribner's error in the FY20 budget document, which was discussed during the Ag Extension budget meeting, is not part of the current budget cycle. She assured the board that the error in the previously reviewed budget document does not affect the budget they are being asked to approve today.

Opened Public Hearing. No comments. Closed Public Hearing.

**MOTION** that the Board of Commissioners of Crook County, Oregon, approve order 2025-17 adopting the budget the Crook County Agricultural Extension Service District for the 2026 fiscal year beginning July 1, 2025, Crook County Agricultural Extension Service District Budget Committee in the amount of \$913,300 and adopting taxes for the Crook County Agricultural extension service district for the 2026 fiscal year beginning July 1, 2025, in the amount of .1207 per \$1000.00 of assessed value for the permanent rate tax levy. Motion seconded by Commissioner Hermreck. No discussion. Commissioner Hermreck votes Aye, Commissioner Crawford votes Aye, Commissioner Barney votes Aye. Motion carried 3-0.

**Discussion item #7: Public Budget Hearing - Order 2025-18 Adopting the Crook County fiscal year 2026 budget:**

**Requester:** Jamie Berger

**Details:** County Manager Will Van Vactor attended the Regular Session to provide information on adopting the Crook County budget for fiscal year 2026, which will take effect on July 1, 2025. He gave an overview of the budget amounts and the necessary actions for the Board of Commissioners to adopt the budget, including making appropriations and imposing and categorizing ad valorem taxes. Will emphasized that without the adoption of the budget, there would be no spending authority on July 1<sup>st</sup>.

Opened Public Hearing. Kirk Giovanni asked why the amount was so high for the district attorney's office. Budget Manager Jamie Berger provided an overview of what the DA budget consists of. Kirk commented that the Road Department is 7.5 million and the DA is 3.5 million and wanted to note that. Closed Public Hearing.

**MOTION** that the Board of Commissioners of Crook County, Oregon approve Order 2025-18 adopting the budget for the 2026 fiscal year beginning July 1<sup>st</sup>, 2025, as approved by the budget committee in the amount of \$132,182,000.00 and adopting property taxes for the 2026 fiscal year beginning July 1<sup>st</sup>, 2025 in the amount of \$3.8702 per \$1000.00 of assessed value for the permanent rate tax levy and in the amount of

\$673,000.00 for the general obligation bond levy. Motion seconded by Commissioner Crawford. No discussion. Commissioner Hermreck votes Aye, Commissioner Crawford votes Aye, Commissioner Barney votes Aye. Motion carried 3-0.

**Discussion item #8: Public Budget Hearing - Order 2025-19 Adopting the Crook County Historical Museum Fund budget for fiscal year 2026:**

**Requester:** Jamie Berger

**Details:** County Manager Will Van Vactor attended the Regular Session to request the board of commissioners to adopt the Crook County Historical Museum fund budget for fiscal year 2026. County Board of Commissioners adoption of Crook County Historical Museum budget for fiscal year 2026, beginning July 1, 2025, making appropriations, and imposing and categorizing ad valorem taxes.

Opened Public Hearing. No comments. Closed Public Hearing.

**MOTION** that the Board of Commissioners of Crook County, Oregon approve Order 2025-19 adopting the budget for the Crook County Historical Fund for the operations of the Bowman Museum for the 2026 fiscal year beginning July 1, 2025, as approved by the budget committee in the amount of \$827,000.00 and adopting property taxes for the Crook County Historical Fund for the operations of the Bowman Museum for the 2026 fiscal year beginning July 1, 2025 in the amount of \$0.0600 per \$1000.00 of assessed value for the local options tax levy. Motion seconded by Commissioner Hermreck. No discussion. Commissioner Hermreck votes Aye, Commissioner Crawford votes Aye, Commissioner Barney votes Aye. Motion carried 3-0.

**Discussion item #9: Changes to the Bowman Museum Operational Hours:**

**Requester:** Sean Briscoe

**Details:** Executive Director Sean Briscoe attended the Regular Session to discuss proposed changes to the museum's operational hours. Currently, the museum follows two seasonal schedules: Winter Hours (Tuesday through Saturday, from September 1 to May 26) and Summer Hours (Monday through Saturday, from May 26 to September 1). Sean proposed keeping the Tuesday through Saturday schedule year-round due to staffing considerations and providing consistency for visitors. The commissioners agreed with the proposal, and no formal action was taken, as this was considered an operational decision.

**Discussion item #10: Courthouse Tree Removal:**

**Requester:** James Preuss

**Details:** Facilities Director James Preuss attended the Regular Session to request the board of commissioners' approval to remove six trees surrounding the courthouse. The trees are leaning away from the building and exerting pressure on its foundation due to their roots, creating a potential risk of falling, especially during wet conditions. Removing the trees will help prevent structural issues and improve the visibility of Crook County's iconic courthouse. One bid has been received for the project, with a cost of \$5,100. Although this was not specifically included in the current fiscal year's budget, it is considered necessary to maintain maintenance. Sean Briscoe mentioned that he had

discussions with the historical society about the tree removal and they are in support of the removal to preserve the courthouse.

**MOTION** to remove the six trees and award the contract to Lindsey Land & Tree in the sum of \$5100.00. Motion seconded by Commissioner Crawford. Seth Crawford mentioned that the historical society is in favor of tree removal. Sean Briscoe commented that the trees are a danger to the courthouse, and the trees take away from the integrity of the building. Commissioner Hermreck votes Aye, Commissioner Crawford votes Aye, Commissioner Barney votes Aye. Motion carried 3-0.

**Discussion item #11: Order 2025-20 In the matter of appointments to the Planning Commission:**

**Requester:** John Eisler

**Details:** Community Development Director John Eisler attended the Regular Session to request the board's approval of the Planning Commission's recommendations for appointments. This followed the Board of Commissioners' direction to the Planning Commission to reconsider the pro tem position and the resignation of Calvin Walters from the Planning Commission in March. To fill these vacancies, the County advertised the open positions. The Planning Commission conducted interviews with the candidates and based on these interviews, made recommendations for appointments. These recommendations are detailed in the enclosed memo and Order 2025-20, which was presented to the board for approval.

Kirk Giovanini introduced himself as a lifelong Prineville resident raising children in the local school district. He stated that meaningful change requires active involvement and expressed his desire to participate rather than be a bystander. Kirk noted his interest in helping the community, representing common-sense perspectives, and ensuring that new residents understand Crook County's values and character.

Monty Kurtz introduced himself as a Powell Butte resident and expressed appreciation for the opportunity to serve. He shared his enthusiasm for representing the community, learning from fellow Planning Commission members, and contributing through public service.

Gail Staniford spoke about the importance of the Planning Commission in shaping Crook County's future while preserving its history, culture, and identity. She emphasized the value of local knowledge and voiced her support for the appointment of Nicole Ontko, noting Nicole's understanding of the county, broader experience, and commitment to raising her family locally.

**MOTION** to approve Order 2025-20. Motion seconded by Commissioner Barney. No Discussion. Commissioner Hermreck votes Aye, Commissioner Barney votes Aye, Commissioner Crawford votes Nae, Motion carried 2-1.

**Manager Report:**

Will VanVactor mentioned that a survey is currently available online regarding the services provided by Crook County, specifically from the administration department. The survey will close next week to allow time for the data to be incorporated into documentation. Additionally, at the last regular session, Commissioner Crawford requested a workflow to address the use of video for boards and committees, ensuring the use of Zoom for meetings, recording them, and uploading the videos. The workflow is nearly complete, with plans for a soft rollout in July.

**Commissioner Updates:**

Commissioner Hermreck stated that the fees for the high school rodeo were previously approved, but two days—June 13th and 14th—were not included in the prior board approval. Commissioner Hermreck is asked the board to approve these additional two days.

**MOTION** to pay \$1,242.00 out of the community benefit fund for high school rodeo. Motion seconded by Commissioner Crawford. No Discussion. Commissioner Hermreck votes Aye, Commissioner Barney votes Aye, Commissioner Crawford votes Aye, Motion carried 3-0.

Commissioner Hermreck notified the board that Eastside Church requested to hold a prayer time on the first day of the rodeo, June 27th, from 11 a.m. to 2 p.m.

Brian Barney- None

Seth Crawford- None

Will VanVactor raised a question regarding an invoice associated with the Juniper Canyon clean-up conducted by Seth, specifically addressing a charge for a dead animal fee. He requested clarification from the Board on how they would like this fee to be handled for payment.

**Public Comment:**

Mike Ervin congratulated the individuals appointed to the Planning Commission and specifically spoke positively about Nicole. He suggested that commissioners state their last names before voting on motions. Mike also commented on his dislike of the blue fountain in front of the courthouse and expressed a desire for the Chamber of Commerce to support the broader community, including non-members.

**MOTION** to adjourn. Motion seconded by Commissioner Crawford. No Discussion. Commissioner Hermreck votes Aye, Commissioner Barney votes Aye, Commissioner Crawford votes Aye, Motion carried 3-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 1031AM.**

Respectfully submitted,

**Breyanna Cupp, Executive Assistant**

DRAFT

**CROOK COUNTY BOARD OF COMMISSIONERS MINUTES  
OF JUNE 25, 2025, WORK SESSION  
Open Portion**

**Be It Remembered** that the Crook County Board of Commissioners met in a regularly scheduled Work Session on June 25, 2025, at 9:00 a.m. in the Administration Conference room located at 203 NE Court Street, Prineville, Oregon 97754.

Board Members Present: Commissioner Susan Hermreck and Commissioner Seth Crawford

Absentees: Commissioner Brian Barney

Others Present in Person or Via Zoom: County Counsel Eric Blaine; Community Development Director John Eisler; Executive Assistant and Communications Officer Sarah Puerner; County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; Superintendent Brad Haynes; Fairgrounds Manager Casey Daly; District Attorney Kari Hathorn; Legal Assistant Alex Solterbeck; HR Director Meghan McKee; Human Resources; Sheriff John Gautney; Associate Professor of Chemistry Danielle Cass; Reed College Chemistry Student Ellie Provost; Office Manager Rebeccas Keegan; Natural Resources Extension Agent Jenna Deibel; Facilities Director James Preuss; Appraiser Stephanie West; Assessment Technician Elsie Ray; Administrative Assistant Mona Glade; Undersheriff Bill Elliott; Administrative Division Manager Stephanie Wilson; Community Corrections Lieutenant Aaron Boyce; Health and Human Services Director Katie Plumb; Assessor Jon Soliz; Airport Manager Kelly Coffelt; and members of the public.

**WORK SESSION**

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

Public Comment: None

Discussion item #1: Presentation about a Juniper Tree Ring Study and how it may provide historical information on metal content in the Crook County ground water:

Requester: Danielle Cass

Details: Associate Professor of Chemistry Danielle Cass and Reed College Chemistry Student Ellie Provost attended the Work Session to present an informational item on a juniper tree-ring study to reconstruct historical metal concentrations in Crook County groundwater and compare those trends with DEQ sampling results. With limited continuous monitoring and 2025 testing showing elevated manganese in roughly half of 61 well samples, the team proposes coring two pencil-diameter samples at waist height from junipers—which are abundant and draw relatively deep water—to create an annual record of metal uptake; coring is not expected to harm trees. Preliminary data from two October 2024 cores show year-to-year variation in manganese and aluminum, but additional samples—preferably from older trees—and correlation with hydrologic conditions are needed. The research is funded by Reed College and the Environmental Studies Summer Experience Fellowship, with no county budget impact. The team requested permission to core junipers on private property (or use cut sections) and

offered optional well-sampling and will coordinate outreach with County staff. Commissioners discussed aquifer representativeness, root depth, and variability across wet and dry years, and asked the researchers to return with results; no action was taken.

**Discussion item #2: OSU Extension: Forestry & Natural Resources Program Update:**  
**Requester:** Rebecca Keegan

**Details:** Central Oregon Forestry and Natural Resources Extension Agent Jenna Deibel attended the Work Session and introduced herself as a regional, tax-supported resource for Crook, Deschutes, Jefferson counties and the Confederated Tribes of Warm Springs, outlining four programming priorities based on her first-year needs assessment: forest health (frequent landowner questions on “why is my tree dying?”), East-side markets including opportunities like cross-laminated timber from small-diameter thinning, outreach to new rural landowners unfamiliar with high-desert management, and flexible Tribal forestry support focused on capacity and land reconnection. She detailed Crook County engagement and leadership with the Ochoco Forest Restoration Collaborative, which voted in May to pause for at least three months amid funding and membership challenges; during the pause she will host quarterly “Science Pub” talks in Prineville to sustain shared learning across federal, state, county, and private land topics. Dybal is developing accessible juniper management materials (“I’ve Got Juniper—What Now?”) as a presentation and forthcoming publication and is rolling out “Pest Scene Investigator” workshops (recently delivered in Warm Springs; sessions set for July 11<sup>th</sup> in Camp Sherman and July 12<sup>th</sup> in La Pine; the Crook County session was postponed due to low registrations). She requested outreach ideas to reach woodland lot owners and was encouraged to coordinate with County staff for posting on County Facebook and bulletin boards and to use channels like the Central Oregon Rancher and Roundup. In Q&A, she affirmed a balanced, active-management ethic and described a media effort on Eastern Oregon’s forest products industry decline. She also plans a basic forestry short course with ODF in Crook County this fall. No Board action was requested.

**Discussion item #3: Recommendation for Ag Extension Advisory Board Position:**  
**Requester:** Rebecca Keegan

**Details:** Office Manager Rebecca Keegan attended the Work Session to recommend that the Extension Advisory Board, which has 10 positions and one remaining vacancy, held a special meeting on June 16<sup>th</sup> and voted to recommend appointing Laura York to fill the final seat. Commissioners confirmed all public meeting requirements had been met and directed the appointment to the consent agenda, after which the board will be fully staffed.

**Discussion item #4: Signature on amendment to Crook County Deflection program grant allowing additional time to spend funds:**

**Requester:** Aaron Boyce

**Details:** Community Corrections Lieutenant Aaron Boyce attended the Work Session to request a signature on an amendment to the Criminal Justice Commission (CJC) grant to extend the spending deadline from July 1<sup>st</sup> to September, allowing additional time to spend remaining funds with no increase to the award amount. Commissioners noted the item is not time-sensitive and directed it to the consent agenda.

**Discussion item #5: Genetec (Siemen's) Preventive Maintenance Agreement:**

**Requester:** James Preuss

**Details:** Facilities Director James Preuss attended the Work Session to present the maintenance options for the Justice Center's security system. After confirming the system isn't locked to one brand, he withdrew Order 2025-21 and will instead arrange a one-year service contract (covering cameras, door access, and panic buttons) for under \$40,000 using the County's standard protection. Because the amount is over \$25,000, staff will get competitive quotes, and the County Manager will handle the signature. Next year, the County will seek broader bids from multiple firms to reduce long-term costs.

**Discussion item #6: Discussion of CIS Renewal:**

**Requester:** Will Van Vactor

**Details:** Elaina Huffman attended the Work Session to brief the Board on the 2025 CIS insurance renewal. CIS made a notable coverage tweak for vacant buildings, adding a \$100,000 sublimit for water damage after 90+ days of vacancy (while vandalism, glass breakage, and theft remain excluded). Year-over-year cost shows about an 11% increase on paper, but after accounting for the new Justice Center being added in 2024 (about \$50–55k of annual premium), the underlying premium change is under 6%. Key cost drivers include growth in operations and property values (buildings up roughly \$40 million), while the claims modifier stayed flat and the 2021–22 claim impact should phase out in two years. Since 2019, the County's higher-deductible liability plan has produced over \$340,000 in savings. Next steps include a CIS best-practices risk survey (with Facilities) and optional department-head meetings on claims, safety, and risk strategy.

**Discussion item #7: Airport Update / Status of Projects:**

**Requester:** Kelly Coffelt

**Details:** Airport Manager Kelly Coffelt attended the Work Session to provide an update on the airport. The crosswind runway reopened before fire season and the project is about 99% complete, with final seal/striping in the next few weeks and re-hydroseeding planned for fall. Because FAA seldom funds crosswind runways, completing this work is a major safety improvement for air tankers during strong afternoon crosswinds. The runway grindings will be reused on other County projects. The new hangar project has finished excavation and is forming foundations; due to building manufacturer delays, completion is now expected in late September or early October instead of August 31. Facilities will help finish the interior restroom, and leasing will begin soon given strong demand. The required five-year land-lease appraisal is underway with results expected by the end of July, after which lease rates will be reset to market. One older hangar sale will shift its ground lease from roughly \$800 per year to about \$3,000 under the updated lease terms. Operations are busy with active fire season tanker and helicopter activity, and the June 14 Wings & Wheels event was well attended. Hood Aero, the FBO, reports stable operations; after previous turnover they have a new maintenance crew, added part-time fuel support for fire season, and launched on-field flight training with an instructor and aircraft.

**Discussion item #8: Community Development Monthly Update:**

**Requester:** John Eilser

**Details:** Community Development Director John Eisler and Building Official Randy Davis attended the Work Session to provide monthly update. Randy Davis reported that Building Department activity remains steady and slightly improved over last year, with approximately 1,940 permits issued to date across residential and commercial projects and inspection activity increasing seasonally. Key updates included proposed wood pellet and brick mill redevelopment in design review, final approval of the Humane Society dog wing, early construction progress at the Ochoco Mill site, and ongoing groundwater-related delays at the Madras Highway project. Additional notes included upcoming work on a convenience store project, completion of a new fuel island at the Sinclair station, continued planning for a church renovation within city limits, and confirmation that the data center is operational with no new major projects announced. John Eisler reported that planning applications remain steady compared to last year and are still significantly up year-to-date and for the fiscal year following an early-year surge. Key land use items include the Moffett Solar project and another Sun Solar project, the Lester Zone Map Amendment scheduled for a second hearing on June 2, the Mueller Subdivision set for July 9, TSR North rescheduled for July 1, and Department of Defense Military Overlay updates later in July. A major new Hidden Canyon application was received, proposing six phases with approximately 125 single-family homes and 100 overnight lodging units, and is currently under review. John noted that the Multi-Care Complex and BestCare UGB applications were reportedly voted down and may require further revisions, emphasizing the need for improved communication on mental health-related projects. Overall on-site activity remains consistent with recent years, and code compliance staff continue to work through an active caseload, including ongoing building-without-permit cases.

Commissioner Hermreck expressed concern regarding recent news that a door manufacturing facility in Prineville is expected to close, resulting in a loss of approximately 184 jobs. She noted that this development is troubling, particularly in the context of ongoing discussions about economic development in Prineville and highlighted the potential impact on the community. She also commented that while the closure is not part of the formal community development agenda, it is an important issue to acknowledge. In closing, she made a lighthearted remark ahead of the upcoming report from Bill Elliott on county crime trends.

**Discussion item #9: Sheriff's Office Monthly Update:**

**Requester:** Bill Elliott

**Details:** Undersheriff Bill Elliott attended the Work Session and provided a statistical update from the Sheriff's Office and jail operations, noting mixed trends in criminal activity and enforcement. Person crimes increased by 11 percent compared to the prior year, while property crimes declined significantly. Community crime problems and sex crime reports were both up, with sex crimes showing a notable year-over-year increase. Mental health-related incidents also rose slightly. Sheriff's Office arrests for May were down overall, including a decrease in felony arrests, while misdemeanor arrests showed some increases. Jail statistics reflected relatively stable booking numbers compared to

last year, though DUI arrests increased substantially. Use-of-force incidents declined, and there was no suicide attempts reported in May, though suicide watches increased slightly. Calls for service decreased modestly from both the prior year and the previous month. Justice Center security activity reached its highest monthly level since opening, with increased visitor screenings and prohibited items turned away, including knives, pepper spray, and one firearm. Bill explained the use of “flagged” security cases for court proceedings requiring heightened awareness and noted that additional deputy responses were required in most flagged cases. He concluded by emphasizing the seasonal rise in activity expected during warmer months and major community events, underscoring the need for potential increases in incidents.

Commissioner Hermreck commented that she has recently observed individuals in the community who appear to be new to the area and exhibiting concerning behavior, noting an increase in visible mental health-related activity in public spaces. Bill Elliott responded that the Sheriff’s Office is also aware of an influx of individuals who have not previously been in the area, confirming that this trend had been anticipated and is now being observed locally. Commissioner Hermreck also acknowledged seeing several such individuals herself and expressed appreciation for the information provided.

**Manager Report:**

Will Van Vactor reminded the Board that a special meeting is scheduled for Monday afternoon to consider and adopt budget resolutions. He also noted that the Road Agency Board will meet the same afternoon to adopt its budget, following approval by the Road Agency Budget Committee last week. Commissioner Barney serves as the County’s representative on the Road Agency Board. Will reported that the budget processes are on track and had no additional updates at this time.

**Commissioner Updates:**

Commissioner Crawford shared that the County is working with Pacific Power to set up a community meeting at the community center. A date is tentatively planned for late next month, but it will be announced once everything is fully confirmed.

Commissioner Hermreck reported that Crook County received a 2025 National Association of Counties Achievement Award for the Bowman (Belknap) Exhibit Center, with plans for a certificate presentation at the site and recognition at a future Commissioner meeting. She also announced the County was awarded \$108,000 in grant funding for grasshopper control, which will be distributed based on treated acreage with any remaining funds used for a survey. Additionally, she shared that a grant application submitted by Angela Ostrander for livestock pens at the Crook County Fairgrounds was awarded \$25,000, exceeding the expected amount. The grant will support future improvements to junior livestock facilities, with the County to formally accept the grant at a later meeting.

**Discussion item #10: Letter- Request for project update:**

**Requester:** Commissioner Hermreck

**Details:** Commissioner Hermreck requested that the Board of Commissioners draft a letter to John Aniello project manager for Pacific Power, expressing Crook County’s

significant concerns about the Blueprint Transmission project. The letter will highlight potential impacts on prime irrigated farmland, as well as cultural and wildlife resources, emphasizing that any harm to these limited and irreplaceable resources is unacceptable. It will also invite Pacific Power to provide an update and conduct a presentation and Q&A session for the citizens of Powell Butte.

**MOTION** for us to be able to sign this letter. Motion seconded by Commissioner Crawford. No discussion. Commissioner Hermreck votes Aye, Commissioner Crawford votes Aye. Motion carried 2-0.

Commissioner Crawford suggested drafting a letter regarding the Secure Rural Schools legislation, which has passed the Senate and returned to the House. He emphasized the importance of sending the letter to Congress to support approval and recommended adding the item to the next agenda so the Board can review, make a motion, and sign the letter at that time.

**MOTION** to adjourn. Motion seconded by Commissioner Crawford. No discussion. Commissioner Hermreck votes Aye, Commissioner Crawford votes Aye. Motion carried 2-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 1041AM.**

Respectfully submitted,

**Breyanna Cupp, Executive Assistant**

**CROOK COUNTY BOARD OF COMMISSIONERS MINUTES  
OF NOVEMBER 12, 2025, WORK SESSION  
Open Portion**

**Be It Remembered** that the Crook County Board of Commissioners met in a regularly scheduled Work Session on November 12, 2025, at 9:00 a.m. in the Administration Conference room located at 203 NE Court Street, Prineville, Oregon 97754.

**Board Members Present:** Commissioner Brian Barney, Commissioner Susan Hermreck, and Commissioner Seth Crawford

**Absentees:**

**Others Present in Person or Via Zoom:** County Counsel Eric Blaine; Assistant County Counsel Bryan Libel; County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; Finance Director Christina Haron; Legal Assistant Alex Solterbeck; Health and Human Services Director Katie Plumb; Undersheriff Bill Elliott; HR Director Meghan McKee; IT Director Blaine Cheney; Community Health Worker Shelby Fisher; Public Health Modernization Manager Stephanie O'Neal; Facilities Director James Pruess; County Clerk Cheryl Seely; Emergency Manager AJ Crawford; Triangle; Jessica Barnes; Matt Miller; and members of the public.

**WORK SESSION**

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

**Public Comment:** None

**Discussion item #1: Treasurer's Report for October 2025:**

**Requester:** Christina Haron

**Details:** Finance Director Christina Haron attended the Work Session and presented the October Treasurer's Report. She reported that account balances remain consistent with the prior month, indicating stable financial conditions. The County received slightly over \$5 million in tax collections during October; all required distributions have been made, and the report reflects only retained amounts. As of November 12, tax collections are approximately \$2 million behind expectations; however, this is not a concern at this time, as collections are expected to catch up by the end of the week and into Monday. A final year-end tax collection update will be provided after November 17. Christina reviewed the report format, noting that the first page reflects bank account balances compared to cash accounts and the general ledger, followed by cash allocations by fund, investment balances, and current interest rates. She confirmed there were no outstanding warrants. The Local Government Investment Pool interest rate has decreased slightly due to recent rate changes, though further minor adjustments are expected. Christina noted recent market fluctuations and expressed cautious optimism for improvement. Christina concluded by offering to answer any questions from the Board.

**Discussion item #2: Sheriff's Office Monthly Update:**

**Requester:** Bill Elliott

**Details:** Undersheriff Bill Elliott attended the Work Session to provide the monthly report, noting that overall crime activity was down in most categories, likely due to seasonal changes. Person crimes saw a significant decrease, with only 17 reports, representing a 58% drop. Property crimes, however, increased slightly, with 18 reports, a 27% rise. Community problems were down a little, with 121 reports written, while sex crimes decreased by 28%, totaling 7 reports. Reports on mental health issues (POHs) were down by 1, with 3 incidents in October. Arrests were also down, with 3 felony arrests (a decrease) and 15 misdemeanor arrests (unchanged). Juvenile arrests remained the same, and overall arrests saw a 25% decrease. In terms of jail statistics, total bookings increased by 3%, totaling 85 for the month. DUI arrests were up by 33%, with 15 DUI arrests in October. Assaults, however, saw a significant 57% increase, with 21 reported cases, although no explanation was provided for this uptick. There were 2 incidents of use of force in the jail and 1 case of suicide watch, but no suicide attempts. Calls for service were down by 18% compared to last year, with 1,208 calls, while self-initiated calls, such as traffic enforcement and proactive policing, decreased by 34% due to staffing shortages. The total number of reports written was 166, which was a 6% decrease from the previous month. Cases taken, however, were down by 16%, totaling 77. In the Justice Center, 3,393 individuals were processed, up from 2,755 in September. There were 70 knives, 4 pepper sprays, 1 taser, and 1 gun attempted to be brought into the facility. Additionally, 13 cases required additional deputy responses, while 3 were flagged for security concerns. Undersheriff Elliott noted that year-to-date comparisons with the previous year will be available starting in January. The department is also tracking a rising trend in contraband and security-related incidents at the Justice Center.

**Discussion item #3: 2025-2027 IGA for the Financing of Local Public Health Services in Crook County Agreement #185807-4:**

**Requester:** Katie Plumb

**Details:** Health and Human Services Director Katie Plumb attended the Work Session to report that there has been yet another amendment to the contract with the Oregon Health Authority (OHA) to fund local public health services in Clark County. Four service area budgets were amended, with updates to the communicable disease budget (PEO101), where the full amount for the fiscal year has been awarded and is in line with the original budget. Federal funds from PEO109, which had been rolling over for some time, are expected to be spent by June 30th of this year. These funds are primarily directed towards respiratory response efforts, including COVID-19 and RSV. There was also an increase in the award for budget P4402. Overall, everything is on track with the budget, except for PEO109, which rolled forward slightly more than anticipated — about \$3,000 to \$4,000 more than the original budgeted amount. Despite this minor adjustment, the department is well-positioned financially, with no major discrepancies. The additional funds are seen as a positive development for the fiscal year.

**Discussion item #4: Community Health Advisory Council Appointments:**

**Requester:** Katie Plumb

**Details:** Health and Human Services Director Katie Plumb attended the Work Session to provide an update on the Community Health Advisory Council appointments. During the October 6th meeting, the committee reviewed several applications, and four individuals—Tom Evans, Rita Rodin, Emily Jerome, and Grant Havel—received unanimous support from the committee. Their applications were attached for review. Katie noted that Rita Rhoden is a staff member of the Health and Human Services Department. Typically, staff members attend these meetings as non-voting members, as the council advises on health and behavioral health issues. However, this dynamic was not discussed at the October meeting, which Katie acknowledged as an oversight. She clarified that she had spoken with Rita about the situation, and Rita is comfortable either way. If appointed, the bylaws may need to be amended to ensure only one vote per organization. Until that amendment is made, one of the staff members would need to abstain from voting if Rita is appointed.

During the discussion, Commissioner Hermreck suggested that it might be easier for Rita Rhoden to attend the meetings as staff rather than as a voting member. Katie Plumb agreed, stating that this would likely be the best approach moving forward. She added that there is another ongoing recruitment for council members, and if all current applicants are appointed, there would still be one available seat. However, if Rita is not appointed, there would be two seats open. Commissioner Barney confirmed that Rita would still be able to provide valuable input even if she attends as staff, and Katie Plumb reassured the board that her input would not be lost.

The Board discussed whether a motion was necessary regarding Rita's appointment. Katie Plumb clarified that no motion was needed at this point. She explained that unless there was any dissent, the discussion today would suffice, and the staff would update the appointment order for formal adoption at the next meeting.

Commissioner Barney agreed, stating he was comfortable with the process and did not see any need to change the system. The Board confirmed that the appointments would be rolled over to the consent agenda for the next meeting without requiring further discussion, unless there were objections.

**Discussion item #5: Off-Highway Vehicle (OHV) Road Ordinance Draft:**

**Requester:** Bryan Libel

**Details:** Assistant County Counsel Bryan Libel attended the Work Session to follow up to the September work session where the staff was directed to create a draft Off-Highway Vehicle (OHV) ordinance. Brian Libel led the development of the draft, which was shared with the Board for feedback. Will Van Vactor mentioned that Matt Miller had provided comments on the draft which was included in the meeting packet. Bryan walked the Board through the ordinance, explaining its structure. The ordinance begins by prohibiting the use of OHVs on county roads unless a license is granted by the county or the vehicle is used for agricultural purposes. He emphasized that the draft reflects the county's input before considering external feedback, such as that from Matt Miller. The ordinance outlines the requirements for obtaining a license, specifying the types of

vehicles allowed and the safety equipment required. It also details the procedure for the Roads Department to process these licenses, including the ability to impose additional restrictions based on safety concerns, such as times of day or weather conditions. A key part of the ordinance is maintaining recreational immunity, meaning the county does not charge for use of the roads but may charge a fee for staff time in processing the licenses. This distinction helps preserve legal protections for recreational use. The agricultural exemption was discussed in detail, with questions raised about whether agricultural vehicles like ATVs could be used freely on county roads as long as they have a slow-moving vehicle sign. It was clarified that this exemption applies to vehicles used for agricultural purposes, and that they must display the appropriate slow-moving vehicle sign when on the road.

The draft ordinance, along with Matt Miller's comments, was presented for feedback, and the Board was invited to provide input before further action is taken.

The conversation about the OHV ordinance focused on taking gradual steps before allowing widespread use across the county. Commissioner Barney expressed concerns about safety and law enforcement, suggesting more research and cautious expansion. He noted that many people already use ATVs for agricultural purposes and that the state may address these issues soon. Commissioner Crawford expressed support for providing citizens with the opportunity to use county roads but emphasized the need for a structured process rather than an unrestricted "let it rip" approach. He asked whether it would be possible for off-road vehicles, like a Polaris, to be made street legal, similar to how golf carts can be legalized through the DMV.

Matt Miller clarified that while the Oregon DMV and Oregon State Marine Board do not currently have a clear process for licensing off-road vehicles as street legal, there are existing ordinances in rural counties, such as Lake County and Grant County, where OHV use is permitted on county roads with certain insurance requirements. These areas typically have broader OHV ordinances that open most county roads to recreational use, with some exceptions. However, he noted that there is no state-wide pathway to license ATVs or similar vehicles for street use, though there have been legislative efforts that have yet to be passed. Commissioner Crawford then asked if adopting a similar approach in Crook County would address some of the concerns about public access. Matt Miller agreed, suggesting that a more tailored ordinance for Crook County, focusing on specific areas where OHV use makes sense for recreational purposes, might be a better approach than a blanket ordinance.

Staff explained that the ordinance as written primarily addresses commercial use and not private citizens. Expanding it would require additional research, particularly regarding staffing, application processing, and liability concerns. Feedback from CIS raised concerns about increased accidents with broader OHV use, highlighting the need to address both rider and public safety.

Matt Miller suggested aligning the ordinance with state law, including lowering the minimum age for minor passengers to 8 years old or 4'9". He also recommended adding strobe lights or other emergency signaling devices for breakdowns. Commissioner

Crawford supported these suggestions, and staff confirmed that a safety briefing would be required for all drivers, as the ordinance does not mandate a safety card.

The board decided to proceed cautiously, focusing on licensing for commercial use first while researching the potential to extend the ordinance to personal use in the future, with plans to revisit the topic later.

**Discussion item #6: Termination of Lease Agreement with Parks and Recreation District:**

**Requester:** Bryan Libel

**Details:** Assistant County Counsel Bryan Libel attended the Work Session to present and review with the board a draft termination of lease agreement for a 2013 lease between the county and the Parks and Recreation District for 6.73 acres south of the fairgrounds along the river. The property had been leased for ball and soccer fields, and a 2019 easement allowed construction of a water facility, but no significant developments have occurred since. Both parties now agree to terminate the lease and return the property to the county. Staff noted that the original donors envisioned the land as an extension of the fairgrounds rather than for recreational leases. Parks and Rec are cooperating in removing existing materials and cleaning the site, with plans for grass and use as overflow parking. A realistic timeline was proposed, with January 15th as the target for completion, though Parks and Rec requested continued use for Little League season, which staff noted does not create unusual liability compared to regular fairground parking. The agreement references the 2013 lease requirement to return the property in the same condition, and the county will work with Parks and Rec to ensure this. Overall, the termination and return of the property was supported, and the plan allows the county to manage it for parking and community use going forward.

**Manager Report:**

**Will VanVactor-** No major updates this morning. A reminder that next week is the AOC conference, so several staff and commissioners will be out of town on Wednesday, November 26<sup>th</sup>. As a result, there will be no Board of Commissioners meeting until December 3<sup>rd</sup>. Agenda items for the 26<sup>th</sup> have not been received, so no issues are expected. Additionally, Commissioner Hermreck noted she will be out December 3<sup>rd</sup> for NACO Energy Day. Lastly, Will mentioned an invoice was received from Crook County Foundation for use of Carey Foster Hall and a \$5,000 contribution; only the hall use was previously approved in August.

The board discussed an invoice from the Crook County Foundation for use of Carey Foster Hall and a requested \$5,000 donation for the holiday partnership. Commissioners noted that while the hall use had been approved in August, the donation request was not formally made this year. The cost for the 11-day hall rental was calculated at approximately \$5,880. Board members agreed on the importance of supporting community programs but emphasized the need for careful consideration of expenditures early in the budget year. They discussed potentially contributing a partial

amount, such as \$2,500, or capping the total support at \$10,000 to balance support with fiscal responsibility.

**MOTION** to reflect that, that, donation rate, or however we want to say it to the foundation cap the fee/donation of \$10,000. Motion seconded by Commissioner Crawford. No discussion. Commissioner Hermreck votes Aye; Commissioner Crawford votes Aye; and Commissioner Barney votes Aye. Motion carried 3-0.

Commissioner Updates:

Commissioner Crawford shared that he has been invited to speak at a logging conference in Eugene in February about the importance of “toting” in natural resource management. While he noted some nerves about the 40-minute presentation, he appreciated the opportunity and acknowledged its relevance given upcoming state issues. He also emphasized the importance of encouraging participation in elections, noting that “elections have consequences” and urging attendees to vote.

Commissioner Hermreck shared that she will be attending the NACo Energy Day on December 3<sup>rd</sup>.

Commissioner Barney None.

At 10:04AM the Board of Commissioners convened into Executive Session under the following statute(s): ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection.

**EXECUTIVE SESSION**

7. ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection

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

**MOTION** to direct council to correspond with the counterparty and to prepare such necessary documents as was discussed in the executive session. Motion seconded by Commissioner Crawford. No discussion. Commissioner Crawford votes Aye, Commissioner Barney votes Aye, Commissioner Hermreck votes Aye. Motion carried 3-0.

**MOTION** to adjourn. Motion seconded by Commissioner Hermreck. No discussion. Commissioner Hermreck votes Aye, Commissioner Crawford votes Aye, Commissioner Barney votes Aye. Motion carried 3-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 1037AM**.

Respectfully submitted,

**Breyanna Cupp**

DRAFT

## **Crook County Board of County Commissioners Minutes of December 3, 2025, Regular Session**

**Be It Remembered** that the Crook County Board of County Commissioners met in a Regular Session on December 3, 2025, at 9:00 AM in the Crook Annex Meeting Room, located at 320 NE Court Street, Prineville, OR 97754.

### **Regular Session**

**Board Members Present:** Seth Crawford, Brian Barney

**Board Members Absent:** Susan Hermreck

**Others Present in Person or Via Zoom:** County Counsel Eric Blaine; County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; Assistant County Counsel Bryan Libel; Landfill Director Jacquie Davis; Fairgrounds Manager Casey Daly; Natural Resources Manager Tim Deboodt; Community Corrections Lieutenant Aaron Boyce; Administrative Division Manager Stephanie Wilson; Budget Manager Jamie Berger; Finance Director Christina Haron; Legal Assistant Alex Solterbeck; County Clerk Cheryl Seely; HR Director Meghan McKee; IT Director Blaine Cheney; Assessor Jon Soliz; Health and Human Services Director Katie Plumb; Public Health Modernization Manager Stephanie O'Neal; Rob Brober; Heart of Oregon Conservation Program Director Patrick Orr; Tawndy Byrd; Julie Thompson; Ashley McCormick; Adam Mikulski; Karen Mikulski; Triangle; and members of the public.

**The meeting was called to order at 09:00 AM.**

### **Public Comment**

None

### **Consent Agenda**

**1. Approval of 2025-2027 IGA for the Financing of Local Public Health Services in Crook County Agreement #185807-4**

**2. Order Appointing Community Health Advisory Council Members**

**3. Termination of Lease Agreement with Parks and Recreation District**

**MOTION:** Seth Crawford moved to approve the consent agenda. Brian Barney seconded. No discussion. Seth Crawford votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

## **Discussion**

### **4. Plat Signatures for Ironhorse 1 phase 3 and 4**

#### **Requester:**

Rob Broberg, Owner

#### **Presenter(s):**

Rob Broberg, Owner

**Details:** Rob Brober of Development Solutions attended the Regular Session to address the board to request acceptance and approval of the plat for the final remaining property in the Iron Horse development. The plat consists of 27 lots, which were created following the city's construction of a new street and the relocation of the canal. This plat represents the last available space within the Iron Horse area.

**MOTION:** Seth Crawford moved to approve the Ironhorse 1 phase 3 and 4. Brian Barney seconded. No discussion. Seth Crawford votes Aye; Brian Barney votes Aye. Motion Passed 2-0.

### **5. Request for Signature for Acceptance of CJC Treatment Court Grants for TCP-27-12 and TCP-27-13 Grant Agreements**

#### **Requester:**

Aaron Boyce, Community Corrections Lieutenant

**Details:** Community Corrections Lieutenant Aron Boyce attended the Regular Session to request signatures for acceptance of two awarded Criminal Justice Commission Treatment Court grants. These long-standing programs were applied for in May and June and include two separate grants: one designated for Drug Court and one designated for Mental Health Court.

**MOTION:** Seth Crawford moved to approve CJC court grant for TCP-27-12 and TCP-27-13 Grant Agreements. Brian Barney seconded. No discussion. Seth Crawford votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

### **6. Government Finance Officers Association (GFOA) Budget Award and Special Recognition**

#### **Requester:**

Will VanVactor, County Manager

#### **Presenter(s):**

Christina Haron, Finance Director; Jamie Berger, Budget Manager

**Details:** County Manager Will Van Vactor attended the Regular Session and announced that Crook County has received the Government Finance Officers Association (GFOA) Award for the FY 2026 budget, recognizing excellence in governmental budgeting. The award reflects the county's commitment to transparency, accountability, and clear, reader-friendly financial planning for the fiscal year beginning July 1, and includes special recognition for excellence in long-range operating financial planning. Will expressed appreciation to Jamie Berger, Budget Manager, for meticulous

planning and expertise; to Christina Haron, Finance Director, for leadership and financial oversight; and to department heads, staff, the Budget Committee, and the Board for their contributions and review of the budget. Will noted that a press release would be issued and emphasized that the award sets a benchmark for future budgets, with planning for FY 2027 to begin later this month.

Commissioner Barney thanked the team and congratulated them on the accomplishment, calling it a real honor and a lot of work. He mentioned possibly getting a photo with the certificate for the press release and expressed appreciation for the staff's efforts, noting they do a great job making everything work for the Board and the county. Commissioner Crawford commended the team for their work and expressed appreciation for their efforts, noting they did a great job.

## **7. Crook County Landfill Recycling Program Updates**

### **Requester:**

Jacquie Davis, Landfill Director

**Details:** Landfill Director Jacquie Davis attended the Regular Session and provided an update on a new recycling option available to the public. County Manager Will Van Vactor thanked staff, including Breyanna and Chelsea, for their work on the new agenda platform, noting it was the first day of use and expressing enthusiasm for the new format. Jacquie explained that in July the State of Oregon unified its recycling system and reviewed the current statewide recycling guide for curbside recycling, as well as existing options at Prineville Disposal's depot and the landfill's commingled trailer. Jacquie then described a new recycling trailer pilot program through Circular Action Alliance (CAA), the state's producer responsibility organization. Crook County is participating as one of the first counties in the pilot, which will eventually include all counties by the end of 2027. The new trailer, located only at the landfill, accepts additional materials not allowed in curbside recycling, including plastic bags and stretch wrap, plastic lids, rigid plastic packaging handles, five-gallon plastic buckets, aluminum foil and cooking trays, and shredded paper. Jacquie noted the program is largely self-managed by CAA, with the county reimbursed for trailer storage and a portion of staff labor. CAA provides the trailer, signage, advertising, monitoring, and pickups, with county staff primarily checking for contamination and swapping out full collection bags as needed.

## **8. Heart of Oregon Corps Update on Central Oregon Youth Conservation Corps (COYCC)**

### **Requester:**

Patrick Orr, Heart of Oregon Conservation Program Director

### **Presenter(s):**

Patrick Orr, Heart of Oregon Conservation Program Director

**Details:** Patrick Orr, Conservation Program Director with Heart of Oregon Corps attended the Regular Session to report on the most recent Central Oregon Youth Conservation Corps season and thanked the Board for its \$5,000 grant, which supported youth and crew leader wages and transportation. He explained that the

program serves youth ages 16–24 across Central Oregon and that this season employed nine Prineville youth in an eight-week crew completing 1,338 hours of conservation work, as well as four additional youth in a three-week bridge crew program, resulting in meaningful wages for participants. Projects included fire fuels reduction, habitat restoration, trail work, and facilities maintenance, primarily in partnership with the U.S. Forest Service. Patrick also highlighted workforce development components such as college tours, career exploration, and resume building, and shared positive participant survey results showing increased connection to public lands, improved confidence about future careers, and high overall satisfaction. He expressed appreciation for the county's ongoing support and requested consideration of increased funding for the upcoming season to help diversify projects amid declining and more restricted federal funding.

Commissioner Barney noted his involvement with the RAC and expressed appreciation for the Heart of Oregon program, particularly enjoying seeing youth participate in presentations. He explained that funding comes from federal Title III funds, which have specific guidelines for use. He acknowledged that county funds are limited and that funding pressures exist across state, local, and private sources. Commissioner Barney thanked Patrick for the presentation and recognized the program as a valuable project.

## **9. First Reading and Hearing of Ordinance 356: Off-Highway Vehicle (OHV)**

### **Ordinance Requester:**

Bryan Libel, Assistant County Counsel

**Details:** Commissioner Barney opened the public meeting on Ordinance 356 which amends Crook County Code Chapter 10 to authorize commercial entities to use off-highway vehicles on county roads on a limited basis, and to establish rules and procedures for that use.

**MOTION:** Brian Barney moved to read by title only. Seth Crawford seconded. No discussion. Seth Crawford votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

Assistant County Counsel Bryan Libel attended the Regular Session and presented the first reading and public hearing of Ordinance 356, which amends Crook County Code Chapter 10 to authorize commercial entities to obtain licenses allowing the use of off-highway vehicles (OHVs) on county roads to access nearby public lands for recreational purposes. The ordinance prohibits OHVs on county roads except for licensed commercial use or agricultural duties with appropriate slow-moving signage. It outlines the types of OHVs permitted, safety requirements, age restrictions for drivers and passengers, commercial liability insurance, and mandatory safety training for drivers, passengers, and tour guides. The ordinance also details the application process, county review procedures, possible limitations related to weather or traffic, license terms and conditions, and the process for appealing county licensing decisions.

**Public Comment on Ordinance on 356:**

Adam Mikulski asked for clarification on what types of roads are included under the ordinance, specifically whether it applies to paved or gravel roads. It was clarified that the ordinance applies to all county roads, including paved, dirt, and other roads maintained by the county. Commissioner Barney clarified that the ordinance applies only to commercial licenses and is not intended for personal use of OHVs by the public. He noted that there are specific requirements for insurance, safety, and equipment, which are detailed in the ordinance packet. He added that residents on county roads could apply for a commercial license to operate OHVs along those roads.

Assistant County Counsel Bryan Libel explained that the proposed ordinance applies to two groups: individuals performing agricultural duties with a slow-moving vehicle sign, and commercial entities, such as businesses offering guided tours on public lands, that need to use county roads for access. Adam noted that this could apply to mine operators using county roads for work, which would fall under agricultural activities. Commissioner Barney clarified that the agricultural portion is already covered under state law (ORS) regarding slow-moving signs. Adam acknowledged he should comply with the requirement for slow-moving signs.

Tim Deboodt asked whether the ordinance requires commercial entities to provide proof of a license or permit to conduct commercial activities on public land before the county issues an OHV permit. He also inquired if there is an annual or time-based requirement for renewing the permit. Commissioner Barney noted that the ordinance includes strict procedures for commercial entities, including maintaining current state licenses, providing proof of insurance, and signing a contract that indemnifies the county. He added that the process is well-structured and carefully considered.

Commissioner Barney announced the closing of the current public hearing and the opening of a second public hearing on Ordinance 356, scheduled for Wednesday, December 17th, during the Board of Commissioners' next regular session in the same meeting room.

Commissioner Crawford shared that he met with individuals (not commercial entities) interested in similar access and would like to work with them to explore ideas for possible future consideration, potentially expanding access to regular citizens. Commissioner Barney responded that discussions are open to anyone interested in participating.

## **Manager Report**

**Details:** County Manager Will Van Vactor announced a special meeting is scheduled for Friday to continue discussions regarding few of our internal service departments. The meeting will cover Administration, Finance, Legal, and Human Resources.

## **Commissioner Updates**

### **Details:**

Commissioner Crawford reported on a recent AOC meeting, highlighting positive discussions about potential methane use to help fund a future flare purchase. He noted there is still progress to be made but emphasized the opportunity to generate revenue from extracted gas. He also provided an update on the gas tax initiative, reporting that over 175,000 signatures have been collected—well above the required number—to place it on the ballot, and thanked everyone involved in the effort.

Commissioner Barney shared that he toured the Deschutes County Courthouse addition, noting the project is expected to be completed by May. He highlighted that the addition will include three new courtrooms and four additional courtrooms, commenting on the quality of work and expressing interest in the project.

## **Executive Session**

### **10. None scheduled.**

**MOTION:** Seth Crawford moved to Adjourn. Brian Barney seconded. No discussion. Seth Crawford votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 09:38 AM.**

Respectfully submitted,

Breyanna Cupp, Executive Assistant

# **Crook County Board of County Commissioners Minutes of December 5, 2025, Special Session Agenda**

**Be It Remembered** that the Crook County Board of County Commissioners met in a Special Session Agenda on December 5, 2025, at 1:00 PM in the Crook Annex Meeting Room, located at County Annex Meeting Room 320 NE Court Street, Prineville, OR 97754.

## **Special Session Agenda**

**Board Members Present:** Seth Crawford, Susan Hermreck, Brian Barney

**Board Members Absent:**

**Others Present in Person or Via Zoom:** County Counsel Eric Blaine; County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; Administrative Division Manager Stephanie Wilson; Budget Manager Jamie Berger; Finance Director Christina Haron; Legal Assistant Alex Solterbeck; County Clerk Cheryl Seely; HR Director Meghan McKee; IT Director Blaine Cheney; Account Manager Lisa Neuberger; Systems Engineer Chelsea Watson; Undersheriff Bill Elliott; Human Resources; and members of the public.

**The meeting was called to order at 01:00 PM.**

## **Public Comment**

None.

## **Discussion**

### **1. Review of Core Services for the Administration, Finance, Legal, and Human Resources Departments**

#### **Details:**

Will Van Vactor opened the meeting by explaining the concept of core services in the public sector. He described core services as the essential and mission-critical functions that government departments must provide to serve the community and meet legal and operational responsibilities. These services ensure public welfare, security, and effective administration. He noted that core services are typically legally mandated, essential to mission fulfillment, and necessary for operational sustainability. Key characteristics include alignment with community needs, high public expectation, prioritization in strategic and financial planning, and their role as the foundation of public trust and accountability.

Finance Director Christina Haron presented an overview of its mission, essential functions, and core services, emphasizing its role in ensuring the County's fiscal health, transparency, and compliance. The department provides countywide financial

management, including revenue collection, accounts payable, budgeting and long-term financial planning, payroll and benefits administration, asset and debt management, and financial reporting, audit coordination, and policy development. Christina highlighted how these services support Board of Commissioners goals related to financial sustainability, transparency, service continuity, workforce support, and long-term infrastructure planning. Performance metrics were outlined for revenue collection, vendor payments, budgeting, payroll, investments, debt compliance, audits, and internal customer satisfaction. Key partnerships with county departments, auditors, agencies, vendors, and investment advisors were noted, along with potential budget considerations related to staffing capacity, technology upgrades, training needs, and changing economic conditions.

Commissioner Hermreck commended the Finance team on receiving the recent GFOA award and asked for an update on how the new financial system transition is progressing. Christina reported that the system's functions are working well and that the transition has gone smoothly. She noted the new system is already improving workflow, helping streamline contracts, and is expected to increase overall efficiency. Commissioner Barney noted that the system transition will take time and expressed appreciation that the Finance Department is doing well through the process. Commissioner Crawford agreed and also commended the Finance team on receiving their recent award.

County Counsel Eric Blaine presented an overview of the Office of Legal Counsel's mission, essential functions, and core services, emphasizing the department's role in providing timely, strategic, and cost-effective legal support to the Board of Commissioners, county departments, and commissions. The presentation outlined six core service areas: general civil legal representation and advice; contract, ordinance, and policy review; public records, public meetings, and governance compliance; employment, ethics, and personnel law; code enforcement, litigation, and county representation; and preventive legal services, risk management, and training. Eric explained that these services help ensure legal compliance, reduce risk and liability, promote transparency and accountability, and support effective county operations. Performance metrics, key partnerships, and budget considerations were also reviewed, including staffing levels, service standards, and funding through internal service charges.

Eric discussed the potential use of outside counsel and outlined how he would like that process to function if outside legal services are needed due to the loss of an employee in the office. Commissioner Hermreck asked questions regarding the partnerships and performance targets shown on the presentation slide. Eric explained that these targets are intended to be tracked and that upcoming budget goal-setting efforts will make them easier to measure.

Meghan McKee presented an overview of the Human Resources Department's mission, essential functions, and core services, emphasizing HR's role in supporting

County operations, employee welfare, and legal compliance. She explained that HR is responsible for recruitment and staffing, employee compensation and benefits, training and professional development, employee relations and conflict resolution, performance management, compliance with labor and safety laws, workforce planning, and management of HR information systems. Meghan highlighted performance measures used to evaluate HR effectiveness, including employee satisfaction, retention, diversity and inclusion outcomes, competitive pay and benefits, risk mitigation, and timely resolution of employee issues. She also reviewed key partnerships with Finance, Legal, IT, and elected officials, and discussed potential budget considerations such as increased service demand, compliance requirements, and costs associated with attrition and turnover.

Commissioner Hermreck asked for an update on the new HRIS system. Meghan McKee reported that implementation is nearly complete and that the department hopes to roll it out next month. She noted that NeoGov provides an improved platform, particularly for recruitment efforts. Commissioner Hermreck commended Meghan for her dedication and continued service to the County. Meghan expressed appreciation for her colleagues and the collaborative working environment. Commissioner Barney and Commissioner Crawford echoed Commissioner Hermreck's comments and also expressed their appreciation for Meghan and the HR team.

County Manager Will Van Vactor presented an overview of the Administration and Board of Commissioners' mission, essential functions, and core services, emphasizing executive leadership, strategic direction, fiscal stewardship, and accountability in serving Crook County residents. He outlined key service areas including county governance and strategic leadership, executive oversight of departments, budget and long-range financial planning, internal services and organizational support, and communications and public engagement. The presentation highlighted how these functions support Board goals related to outstanding service, financial sustainability, collaboration, transparency, quality of life, and long-term facilities planning. Performance measures, key partnerships, and potential budget considerations were reviewed, including the importance of competitive compensation, managing inflation and revenue changes, and balancing immediate operational needs with long-term strategic investments.

Commissioner Barney commended Will for his strong administrative leadership and stated that he is doing a great job. Commissioner Hermreck and Seth echoed Commissioner Barney's comments and also expressed their appreciation for Will's work.

Will emphasized that the review of core service descriptions is progressing well and will serve as a key tool for both budget planning and strategic decision-making. Feedback from commissioners will be incorporated into a final package to be presented at a regular board meeting. These core service descriptions will also provide a reference

point for annual updates to reflect changes in state mandates, board priorities, or service needs. Will noted that the process ensures the county can make informed, transparent, and strategic decisions moving forward.

**Executive Session**

**2. None scheduled.**

**MOTION:** Seth Crawford moved to adjourn the meeting. Susan Hermreck seconded. No discussion. Seth Crawford votes Aye, Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 3-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 01:52 PM.**

Respectfully submitted,

Breyanna Cupp, Executive Assistant

## **Crook County Board of County Commissioners Minutes of December 10, 2025, Work Session**

**Be It Remembered** that the Crook County Board of County Commissioners met in a Work Session on December 10, 2025, at 9:00 AM in the Administration Conference Room, located at 203 NE Court Street, Prineville, OR 97754.

### **Work Session Agenda**

**Board Members Present:** Seth Crawford, Susan Hermreck, Brian Barney

**Board Members Absent:**

**Others Present in Person or Via Zoom:** County Counsel Eric Blaine; County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; Assistant County Counsel Bryan Libel; Finance Director Christina Haron; Community Development Director John Eisler; Legal Assistant Alex Solterbeck; Senior Health Programs Coordinator Alex Greenberg; Budget Manager Jamie Berger; County Clerk Cheryl Seely; Health and Human Services Director Katie Plumb; Public Health Modernization Manager Stephanie O'Neal; HR Director Meghan McKee; Assessor Jon Soliz; Assessment Technician Elsie Ray; Administrative Division Manager Stephanie Wilson; IT Director Blaine Cheney; Building Official Randy Davis; Paul; Karin; Sue; and members of the public.

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

### **Public Comment**

None

### **Discussion**

#### **1. Treasurer's Report for November 2025**

**Requester:**

Christina Haron, Finance Director

**Details:** Finance Director Christina Haron attended the Work Session to present the Treasurer's Report for November 30th, noting a \$9 million increase over October, primarily due to tax season. She highlighted growth in the county's LGIP account and Zions core investments, with a target of maintaining approximately \$30 million in liquidity. Christina explained that \$5 million of surplus funds were invested in laddered maturities to optimize returns while ensuring cash flow needs are met. She reviewed the general ledger, fund allocations, and investment distribution, noting all accounts reconcile to cash in the bank except for deposits in transit and tax payments. She emphasized that the county holds most investments to maturity to minimize risk and maintain predictable returns. Christina also noted a recent decline in interest rates and described the strategy to lock in higher rates with certain investments before further decreases are expected. The report concluded with an invitation for questions from the

board.

## **2. Calendar for FY27 Budget Process**

### **Requester:**

Jamie Berger, Budget Manager

### **Presenter(s):**

Will Van Vactor, County Manager/ Budget Officer

Jamie Berger, Budget Manager

**Details:** Budget Manager Jamie Berger attended the Work Session to the proposed calendar for the 2027 budget process, noting that the schedule closely mirrors last year's timeline. Key highlights include goal setting in January, department training and submission of budget and personnel requests in February, one-on-one meetings with departments in March, document review in April, and final adoption of the budget in June to meet the July 1 start date. Commissioner Hemreck commented that she likes that the schedule clearly identifies who is involved in each step. The County Manager expressed excitement to kick off the budget season and thanked Jamie for putting the calendar together. The calendar specifies coordination with other commitments, including the NACO conference in February, and aims for a single, all-day budget committee meeting in May to review presentations and make decisions efficiently. The Board requested that this item be placed on consent agenda.

## **3. Easement for Parks and Recreation Dept. Irrigation Water Line on County**

### **Property**

### **Requester:**

Bryan Libel, Assistant County Counsel

**Details:** Assistant County Counsel Bryan Libel attended the Work Session to present information regarding a 6-inch irrigation water line on county property used by the Parks and Recreation Department, located at the RV park. Commissioner Hermreck asked about the necessity of an easement; Bryan explained that the Parks District would like access on county property for maintenance and repairs. Commissioner Seth noted the line extends to the left onto their fields and asked if there are any plans that would stop its use in the future. Bryan explained that the Board previously approved the lease termination and forwarded it to Parks Director Steve Waring for consideration.

Commissioners Seth and Susan discussed potential future development and whether easement language could allow for relocation if needed. Susan asked if the easement could include language to protect the county legally; both Susan and Seth requested documentation on the lease termination and the water line easement. Community Development Director John Eisler suggested that a revocable license might be more feasible than an easement to retain county control, while still guaranteeing water access to the Parks District. The commissioners discussed scenarios where future development could require relocating the line and agreed that the agreement should allow flexibility, provided water access is maintained. Commissioner Barney requested to review the lease and easement agreement beforehand and questioned whether the line is strictly irrigation water, noting that domestic water would be a separate concern.

Eric Blaine provided additional clarification on the water line. It was agreed that the termination of the lease and the water access could be treated as distinct items, and the Parks District would likely be amenable to relocating the line in the future if needed. This is a no-action item; Bryan Libel will follow up with Parks Director Steve Waring to discuss the easement/license and provide more information.

#### **4. Public Health Modernization Draft Plan Overview**

**Requester:**

Katie Plumb, Health & Human Services Director

**Presenter(s):**

Katie Plumb, Health & Human Services Director

Stephanie O'Neal, Modernization Manager

**Details:** Health and Human Services Director Katie Plumb; Public Health Modernization Manager Stephanie O'Neal attended the Work Session to present the draft modernization implementation plan for Crook County Health and Human Services. The plan is intended to outline the core public health services provided to the county, including disease prevention, health promotion, emergency response, environmental health, and community partnerships. It is designed to be long-term and adaptable and is intended as a living guide to be regularly updated to reflect changing community needs, resources, and departmental capacity. Stephanie emphasized that the Board's feedback on the draft is essential as the plan moves toward the implementation phase. Commissioner Hermreck described the plan as the "Bible of Public Health" and asked how it will be reviewed over time. Stephanie explained that once implemented, it will be submitted to the Oregon Health Authority (OHA) but updates will occur yearly, ensuring it remains a living document. Susan commended the health department for their hard work and thoroughness in preparing the draft. Katie discussed the implementation and adoption process, noting that there is no immediate time pressure and the plan does not need formal approval today. Stephanie added that she would be uncomfortable adopting the plan at this stage because it is still a draft and encouraged discussion on any areas where the Board would like more detail or alignment with county public health priorities. Commissioners Crawford and Commissioner Barney expressed support, with both commenting "great job" on the draft and implementation planning.

#### **5. 2025-2027 IGA for the Financing of Local Public Health Services in Crook County Agreement #185807-4 corrected**

**Requester:**

Katie Plumb, Health and Human Services Director

**Details:** Health and Human Services Director Katie Plumb attended the Work Session to provide an overview of Amendment 4 to the IGA for the financing of local public health services in Crook County. The amendment corrects an error in the Oregon Health Authority (OHA) language related to oversight of very small water systems. The correction removes the responsibility for very small water systems from Lane I of the agreement. No financial changes were made. Eric Blaine commented that the changes are functionally modest and not substantive, confirming that there is no impact on the Board-approved financial responsibilities. He also explained that having this discussion

in the minutes is helpful to document why differences may exist between the prior agreement recorded with the Clerk and the corrected version in the Health Department's records, ensuring clarity if questions arise in the future. Katie explained that the prior version of the agreement had already been approved by the Board and recorded, and this amendment simply corrects language identified by OHA. Eric confirmed that the amendment does not require re-approval by the Board, but documentation in the minutes provides proper context. It was agreed that Katie will sign the corrected agreement on behalf of the Board, as the change does not exceed her authorized dollar amount. Brian confirmed he had no questions regarding the amendment.

**MOTION:** Brian Barney moved to authorize Katie to sign. Seth Crawford seconded. No discussion. Seth Crawford votes Aye, Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 3-0.

## **6. Opting out of new Eastern Oregon Solar Siting Rules**

### **Requester:**

John Eisler, Community Development Director

**Details:** Community Development Director John Eisler attended the Work Session and presented a draft order for Crook County to opt out of the new Eastern Oregon solar siting rules. He explained that the Department of Land Conservation and Development (DLCD) created new rules that allow counties to either take no action, which subjects them to the new rules; opt out, which preserves current local rules; or develop their own program under Division 23. John recommended opting out to pause implementation of the new rules while the county develops its own program, noting that the rules are complex and that Crook County had previously spent significant staff resources interpreting earlier solar siting statutes. He emphasized that the opt-out is not permanent and can be reversed at any time. John also shared that Crook County received a DLCD grant to update its Goal 5 inventory and develop its own solar siting program, which will involve community input and provide flexibility in establishing agricultural mitigation and community benefits programs. Commissioner Brian expressed support, noting that Crook County should have the opportunity to make its own decisions and be fully engaged in the process. No public comments were raised, and the board agreed that the opt-out serves as a temporary measure while the county develops its own program. This is a no action item and will be placed on the regular session agenda for next week, with John providing an edit to be added at that time.

## **7. Community Development Monthly Update**

### **Requester:**

John Eisler, Community Development Director

### **Presenter(s):**

John Eisler, Community Development Director

Randy Davis, Building Official

**Details:** Community Development John Eisler attended the Work Session and provided the monthly planning update for October. He reported 24 pending applications

compared to 38 in October of the previous year, noting a slowdown in applications but an overall increase year-to-date. Notable projects include the Hidden Canyon application, the Central Oregon Landwatch appeal of a non-farm decision with a final hearing scheduled for December 17th, and the Verizon Tower in Powell Butte also scheduled for December 17th. John highlighted ongoing code updates, including removing outdated references to the county court, and provided updates on the Transportation Safety Action Plan, which is temporarily on hold pending confirmation of a grant extension. He also discussed the Hegele aggregate mine conditional use permit, clarifying it is for a different pit location than previously considered, and reported that Hidden Canyon Phase 1 is scheduled for February. On city-related items, he mentioned the Grocery Bandit zone lot change, the housing analysis grant, the economic opportunity analysis adoption expected next month, and the new subdivision at Iron Horse. On-site permit numbers were down for the month, with 14 permits issued versus 23 last year, though year-to-date numbers remain strong. On code compliance, 10 new cases were opened and 5 closed in October, with staff continuing to manage a high workload.

Building Official Randy Davis provided the monthly building update, noting consistent permit numbers for October with 204 permits issued, including 13 houses, 44 commercial permits, 118 other residential, and 28 shop-type structures. There are 175 houses currently under construction, 781 other residential permits, and 332 commercial permits, with the department still averaging over 1,000 field inspections per month. Eisler highlighted progress on the Madras Highway Apartments, including wall panel installation, fire caulking mitigation with STI company staff training, and resolution of sound transmission requirements in stairwell walls following state clarification. He noted ongoing challenges with plan comprehension among staff and contractors but emphasized the team's continued effort and adaptability. Eisler also updated on the Empire Solar project, explaining issues with phased submittals for a 103-megawatt project and the need for complete design sets for permitting. He mentioned that renewable energy projects are accelerating due to expiring tax credits.

## **Manager Report**

### **Details:**

**Will Van Vactor** reported that John, Randy, Chris, and Louis will be presenting on Community Development department, code compliance and sanitation topics at a college session from 6 to 8 p.m. Appreciation was extended to the Community Development team for their efforts preparing for County College as well as Kelly with the Airport for their presentations. Staff were reminded of an HR open house, initially scheduled for 11 a.m. but updated to 9 a.m., and encouraged to stop by. Will thanked HR for their coordination and support in organizing the event.

## **Commissioner Updates**

### **Details:**

#### Commissioner Barney None

Commissioner Crawford announced that the Secure Rural Schools (SRS) program was re-funded for the next three years, with strong confidence that the President will sign the legislation. A press release is planned, expressing appreciation to Congressman Cliff Bentz and his staff for their efforts in navigating the new system and securing the funding. Questions were raised about potential back payments, with initial indications suggesting coverage for this year and next year, though confirmation is pending. Seth also provided an update on County College, noting that attendance has remained strong and participants are gaining a better understanding of county operations, which will help in sharing information with the public.

Commissioner Hermreck shared that on Wednesday, December 17th, at 10:45 a.m., the fourth-grade class from Stein's Pillar will perform Christmas carols in front of the old courthouse and carroll. Last year's audience was small, so this year's attendees, including staff, are encouraged to come and enjoy the performance. While board members are not expected to sing along, they are welcome to hum. The timing is expected to coincide with the conclusion of the final regular board meeting of the year, and a short break may be necessary to accommodate the performance if the agenda runs long.

## **Executive Session**

### **8. None scheduled.**

**MOTION:** Seth Crawford moved to Adjourn. Susan Hermreck seconded. No discussion. Brian Barney votes Aye, Susan Hermreck votes Aye, Seth Crawford votes Aye. Motion Passed 2-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 10:00 AM.**

Respectfully submitted,

Breyanna Cupp, Executive Assistant

DRAFT

# **Crook County Board of County Commissioners Minutes of December 17, 2025, Regular Session**

**Be It Remembered** that the Crook County Board of County Commissioners met in a Regular Session on December 17, 2025, at 9:00 AM in the Crook Annex Meeting Room, located at County Annex Meeting Room 320 NE Court Street, Prineville, OR 97754.

## **Regular Session Agenda**

**Board Members Present:** Susan Hermreck, Brian Barney

**Board Members Absent:** Seth Crawford

**Others Present in Person or Via Zoom:** County Counsel Eric Blaine; County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; Community Development Director John Eisler; Finance Director Christina Haron; Senior Planner Katie McDonald; Fairgrounds Manager Casey Daly; Legal Assistant Alex Solterbeck; Undersheriff Bill Elliott; Assessor Jon Soliz; Elsie Ray; HR Director Meghan McKee; Administrative Division Manager Stephanie Wilson; Natural Resources Manager Tim Deboodt; Emergency Manager AJ Crawford; Systems Engineer Chelsea Watson; Russ Deboodt; County Clerk Cheryl Seely; Budget Manager Jamie Berger; Justin Alderman; Adam Mikulski; Ashley McCormick; Julie Thompson; Tawndy Byrd; Terry Flores; Joel Komarek; Jacob Ripper; Community Development; SWCD Director Andy Gallagher; and members of the public.

**The meeting was called to order at 09:00 AM.**

## **Public Comment**

None

## **Consent Agenda**

**MOTION:** Susan Hermreck moved to approve the consent agenda as presented. Brian Barney seconded. Susan Hermreck noted that the meetings and agendas now follow a new format. She explained that prior meeting minutes did not clearly identify who made motions, requiring readers to search for that information. The new format improves clarity by clearly documenting motions and seconds. She expressed appreciation for the updated format and noted that it represents a positive step toward modernization. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

### **1. Approve Minutes**

### **2. Approval of Amendment 2 to County / Parks and Rec Intergovernmental Agreement**

### **3. Approval of Calendar for FY27 Budget Process**

## **Discussion**

### **4. Recommendation of Appointment to Hahlen Special Road District (HSRD)**

#### **Requester:**

Terry Flores, HSRD Secretary

**Details:** HSRD Secretary Terry Flores attended the Regular Session and requested that the Board of Commissioners approve the appointment of Tanya Doherty to the Hahlen Special Road District (HSRD) Board for a three-year term, as recommended by the HSRD Board, to ensure a full Board is in place. The HSRD was formed in 1996 to oversee the financing, construction, and maintenance of roads within the District, with Crook County authorized to levy and collect property taxes to fund operations. Public notice of the vacancy was posted in September in accordance with District bylaws, and the County also advertised the position in local newspapers. Ms. Doherty was the sole applicant, and the HSRD Board reviewed her application and supported her appointment at its November 12, 2025, meeting.

**MOTION:** Susan Hermreck moved to In the matter of the appointment to the Halen Special Road District Order 2025-41, the appointment of Tonya Doherty to the Hahlen Special Road District, position number 2. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

### **5. Signature Request for Acceptance of Measure 57 Supplemental Funds**

#### **Contract**

#### **Requester:**

Aaron Boyce, Community Corrections Lieutenant

**Details:** Administrative Division Manager Stephanie Wilson attended the Regular Session to request a signature for acceptance of Measure 57 supplemental funds contract. Crook County Community Corrections receives funds from Oregon DOC to fund Parole and Probation Work with the Ballot Measure 57 population. This has been a long-standing program. This provides 109,700.00 dollars to the Community Correction biannual budget.

**MOTION:** Susan Hermreck moved for the Chairman of the Board of Commissioners to sign Intergovernmental Agreement 6930 in the matter of acceptance of Measure 57 Supplemental Funds contract for the sum of \$109,700. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

### **6. Lieutenant and Undersheriff Salary Schedule/Compensation Update**

#### **Requester:**

Stephanie Wilson, Administrative Division Manager

**Details:** Administrative Division Manager Stephanie Wilson attended the Regular Session and discussed establishing a competitive baseline for the lieutenant level, noting that this year presents an opportunity to set a new starting point for non-represented staff while maintaining a strong contract for represented employees. She explained that the proposal requests a single rate of pay for lieutenants, who hold significant responsibilities across different divisions, and emphasized that this approach is common in law enforcement. The plan provides budget flexibility for the future while ensuring fair and adequate compensation. With assistance from Jamie, Stephanie estimated the cost to implement the adjustment for three lieutenants at approximately \$66,000, which can be

accommodated within the current budget due to attrition and vacancies.

**MOTION:** Susan Hermreck moved to approve the Lieutenant and Undersheriff's salary schedule compensation update. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0

## **7. Recommendation of Appointment to the Budget Committee**

### **Requester:**

Will Van Vactor, County Manager/Budget Officer

**Details:** County Manager Will Van Vactor attended the Regular Session to present a recommendation to reappoint Steve Brown to the Budget Committee for a three-year term. He explained that, following a public meeting with the two other citizen members to review applications, the committee unanimously decided to reappoint Mr. Brown due to his continuity, experience, and background in finance. Will Van Vactor requested the Board's approval of the reappointment.

Commissioner Barney commented that he thinks that it was a good choice and Commissioner Hermreck commented that the County was fortunate to have highly qualified applicants. She supported the reappointment, noting that it is a good decision for continuity, especially given the challenges the Board has addressed.

**MOTION:** Susan Hermreck moved to approve Order 2025-39 the recommendation of appointments to the Budget Committee of Steve Brown. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

## **8. Approve 2026 Holiday Schedule, 2026 Regular Session Schedule, & 2026 Work Session Schedule**

### **Requester:**

Will Van Vactor, County Manager

**Details:** County Manager Will Van Vactor attended the Regular Session to present the 2026 Holiday Schedule, 2026 Regular Session Schedule, & 2026 Work Session Schedule. Will explained the holidays are the same from last year and those have already been approved by the board in prior years. Executive Assistant Breyanna Cupp mentioned that there would not be any work sessions in the month of November due to AOC and then the make-up for a regular session.

**MOTION:** Susan Hermreck moved to approve Order 2025-40, which concerns the 2026 holiday schedule, 2026 regular session schedule, and 2026 work session schedule. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

## **9. Wolf Depredation Compensation Committee Mitigation and Depredation Funds Disbursement**

### **Requester:**

Hunter Neuharth, Wolf Depredation Compensation Committee Chair

**Details:** Commissioner Hermreck attended the Regular Session and presented the wolf depredation funds. Last year, the process for funding wolf depredation was discussed, requiring submission of an application detailing losses, use of non-lethal measures, and affected animals. With beef cattle prices up, the funding reflects claims from last year as agreed upon by the committee. Allocations include McCormick Ranch at \$31,500, Hatfield High at \$11,500, Desert Creek at \$6,000, and ODFW at \$1,000 for stolen cameras. McCormick Ranch will also receive

additional funding related to livestock losses, with performance reported at 28 out of the depredation claim.

**MOTION:** Susan Hermreck moved to accept the Wolf Deprivation Compensation Committee Mitigation and Deprivation Fund distribution. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

## 10. Update on SWCD programs during fiscal year 2024-2025

**Requester:**

Andy Gallagher, SWCD District Manager

**Details:** SWCD District Manager Andy Gallagher attended the Regular Session and provided a condensed update to the Board of Commissioners on ongoing conservation and restoration efforts. He reported that one Sage Grouse CCAA plan is under review and, once approved, will increase enrollment in the Crook/Deschutes CCAA to 247,134.3 acres, with annual reporting underway. Multiple projects are moving forward through the Oregon Sage Grouse Partnership and the America the Beautiful Challenge, including juniper treatments, native seed production, and completion of cultural and NEPA requirements, with treatments expected to begin next spring. Several grant programs are active, including small grants, OWEB funding for Upper Ochoco Creek fish passage, and restoration and technical assistance grants supporting work across the county. Andy also highlighted progress on juniper removal, solar mitigation projects, and wildlife habitat improvements, with several treatments scheduled for this fall and winter. Wildfire recovery efforts are underway to assist landowners affected by the 2024 fires, though current funding supports planning only. He noted that funding has been received under Juniper Bill HB 5006, with applications due January 16, 2025, and strong landowner interest anticipated. Additional updates included a temporary freeze on NRCS contribution agreement funding due to a government shutdown and the recent hiring of a Prineville LIT Coordinator, funded through NRCS and BLM agreements.

Commissioner Hermreck asked questions regarding flood irrigation, which Andy addressed and explained. Susan expressed her appreciation for the work being done. Commissioner Barney also thanked Andy for his efforts and acknowledged the value of his work and contributions.

## 11. Amendment Service Contract with Muck Septic Service

**Requester:**

Bryan Libel, Assistant County Counsel

**Presenter(s):**

Eric Blaine, County Counsel

**Details:** County Counsel Eric Blaine attended the Regular Session and explained that the proposed contract amendment is modest but addresses two important items. First, it extends the current service agreement with Muck Septic Services LLC by one calendar year, moving the expiration date from December 31, 2025, to December 31, 2026. Second, the amendment allows Muck Septic to assign the contract to an affiliated entity, Superior Sanitation LLC, as part of an ongoing business restructuring, which staff did not find objectionable. He noted that a related use agreement with the City of Prineville for septic material storage is still under development. Eric concluded by recommending approval of the Second Amendment to the service agreement with Muck Septic Services LLC.

**MOTION:** Susan Hermreck moved to approve this Second Amendment of the service agreement

with Muck Septic Services LLC. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

## **12. NewSun Energy Local Community Benefits and PILOT Agreement**

### **Requester:**

Jacob Ripper, Director of Permitting and Entitlements

### **Presenter(s):**

Jake Stephens, CEO

Josie Norris, Director of Community Investments

**Details:** This item was removed from the agenda at the beginning of the meeting and no action was taken.

## **13. Order 2025-37 Opting out of New Eastern Oregon Solar Siting Rules**

### **Requester:**

John Eisler, Community Development Director

**Details:** Community Development Director John Eisler attended the Regular Session and explained that the amended order, reflecting the recently received grant agreement, remains straightforward. Under the new state rules, counties have three options: take no action (allowing larger solar projects without the exception process), create their own program with community input (an abbreviated Goal 5 update), or opt out temporarily. The proposed order opts out to maintain the current process, requiring projects over 320 acres to go through the exception process. With the DLCD technical assistance grant, the county will update its Goal 5 inventory, gather public input, and consider factors like transmission distance, slope, solar resources, and proximity to the urban growth boundary to guide future solar siting. Eisler emphasized that this approach allows Crook County to thoughtfully create its own program while maintaining the status quo until the planning process is complete.

Commissioner Hermreck stated that she does agree that this is the way that we need to go. We need to make our county special and do our own rules.

**MOTION:** Susan Hermreck moved to approve Order 2025-37, which is opting out of the new Eastern Oregon Solar Siting Rules. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

## **14. Second Reading and Hearing of Ordinance 356: Off-Highway Vehicle (OHV)**

### **Ordinance**

### **Requester:**

Bryan Libel, Assistant County Counsel

### **Presenter(s):**

Eric Blaine, County Counsel

**Details:** County Counsel Eric Blaine attended the Regular Session to explain that Ordinance 356, now in its second reading and public hearing, is intended to allow limited use of off-highway vehicles (OHVs) on county roads to promote tourism and economic development while preserving public safety. The ordinance establishes a licensing process for applicants to obtain permission to cross from private property onto county roads and access federal lands. It applies only to county roads, not city streets or state highways, and requires applicants to meet safety and insurance requirements. The ordinance does not have an emergency clause, so it would take effect 90 days

after approval. Once effective, the county will implement the application process, including at least one public hearing to gather community feedback. Blaine emphasized that existing agricultural and slow-moving vehicle regulations under Oregon law will not be affected, and the ordinance solely addresses limited OHV use for the stated purposes.

**MOTION:** Susan Hermreck moved to read by title only Ordinance 356. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

Commissioner Barney Opened the 2nd Public Hearing at 9:40 AM.

**Public Comment:**

Adam Mikulski raised a question regarding the permitting process for off-highway vehicles on county roads. He asked whether the permits will include guidance or requirements for addressing potential road damage caused by vehicle use, noting that similar situations at Bonneville Power required users to cover repair costs. He emphasized the importance of establishing clear rules and responsibilities for road maintenance within the permitting process. Brian Barney noted that guidance regarding road use and potential impacts will be provided both in the permit details and on an individual basis when applicants apply for a license. He referenced a specific applicant whose use involves less than a mile on a county road to access federal land and indicated that no significant road damage is anticipated. Barney also mentioned that it is preferable for vehicles to stay on the roadway rather than off to the side, to avoid disturbing adjacent areas. Eric Blaine explained that the ordinance's permitting requirements include specific insurance coverage to protect the county in case of damage to facilities. Additionally, if damage occurs, permit holders could face citations or legal action to recover costs for taxpayers. He emphasized that the ordinance is detailed, with multiple requirements designed to ensure accountability and protect county assets.

**MOTION:** Susan Hermreck moved to approve ordinance 356. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

**Manager Report**

**15. Finance Committee Appointment**

**Details:** County Manager Will Van Vactor reported that the only item under his manager's report was the appointment to the county's Finance Committee. In accordance with county fiscal policies, which require an annual review by the Finance Committee, he has appointed Steve Forrester to serve alongside the county treasurer and finance director. This appointment will support the upcoming fiscal year budget planning process.

## **Commissioner Updates**

Commissioner Hermreck reported on her recent participation in a National Association of Counties event, fully funded at no cost to Crook County taxpayers. She delivered presentations on solar, wind, and data centers across Wasco, Gilliam, and Sherman counties and found the experience highly informative. She highlighted community benefits, renewable energy infrastructure, and innovative land-use practices—such as using sheep to manage vegetation at solar farms without damaging equipment. She also observed workforce development programs, including trade school and electrical engineering opportunities that can position students for high-demand jobs in renewable energy and manufacturing. Hermreck noted insights into energy transmission, wastewater management, and data center operations, as well as perspectives from other states and tribal representatives. She concluded with a reminder about caroling at the historic courthouse steps.

Commissioner Barney None.

## **Public Comment**

None

## **Executive Session**

**16. ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection**

**17. 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.**

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

**MOTION:** Susan Hermreck moved to authorize the county manager to consult with outside counsel, as discussed in the executive session. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

**MOTION:** Susan Hermreck moved to authorize the legal proceeding discussed in the executive session, without further deliberation by the Board of Commissioners. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

**MOTION:** Susan Hermreck moved to adjourn the public, or the Board of Commissioner meeting. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 10:16 AM.**

Respectfully submitted,

Breyanna Cupp, Executive Assistant

DRAFT

# **Crook County Board of County Commissioners Minutes of December 19, 2025, Special Session**

**Be It Remembered** that the Crook County Board of County Commissioners met in a Special Session on December 19, 2025, at 1:00 PM in the Crook County Annex, located at 320 NE Court Street, Prineville, Oregon 97754.

## **Special Session Agenda**

**Board Members Present:** Susan Hermreck, Brian Barney

**Board Members Absent:** Seth Crawford

**Others Present in Person or Via Zoom:** County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; County Clerk Cheryl Seely; Assessor Jon Soliz; Chief Deputy Appraiser Shaun Christofferson; HR Director Meghan McKee; Human Resources; and members of the public.

**The meeting was called to order at 01:00 PM.**

## **Public Comment**

None

## **Discussion**

### **1. Review of Core Services for the Clerk's Office, Assessor's Office, and Road Department**

**Requester:**

Will Van Vactor, County Manager

**Presenter(s):**

Brad Haynes, Road Superintendent

Jon Soliz, Assessor

Cheryl Seely, County Clerk

**Details:**

Will Van Vactor opened the meeting by explaining the concept of core services in the public sector. He described core services as the essential and mission-critical functions that government departments must provide to serve the community and meet legal and operational responsibilities. These services ensure public welfare, security, and effective administration. He noted that core services are typically legally mandated, essential to mission fulfillment, and necessary for operational sustainability. Key characteristics include alignment with community needs, high public expectation, prioritization in strategic and financial planning, and their role as the foundation of public trust and accountability.

County Clerk Cheryl Seely reported to the Board that her office is committed to maintaining public records in accordance with the law and ensuring elections are conducted efficiently, fairly, and transparently. She noted that while the office does not have a formal mission statement, it strives to provide courteous, high-quality service with the highest standards of integrity. She outlined the office's key responsibilities, including serving as County Election Official, County Recorder, Public

Records Officer, Clerk of the Property Value Appeals Board, passport acceptance agent, and notary. She highlighted core services such as recording and archiving property and legal documents, conducting elections, issuing marriage licenses and domestic partnership certificates, maintaining military and mining records, and supporting the Board by preserving official records. She also explained the office's role in administering the Property Value Appeals Board, coordinating petitions and hearings, and reporting outcomes. Additionally, she emphasized the importance of providing local passport services. She noted that performance is measured by accuracy in recording and election administration, and highlighted key partnerships with the Assessor's Office, Finance Office, Oregon Secretary of State, and other stakeholders. Finally, she addressed budget considerations, including fluctuations in recording revenue, election security, and future election funding needs.

Cheryl Seely shared a quote from Oregon Secretary of State Tobias Read, who recently completed a statewide tour of county clerk offices. The quote emphasized that county clerks are on the front lines of democracy, protecting elections, safeguarding public records, and ensuring every Oregonian's vote is counted, while performing vital work that often goes unseen but is essential to daily life in the state.

Commissioner Hermreck thanked Cheryl Seely and commended her for her presentation during Secretary of State Tobias Read's visit, noting that her responses were clear and concise and that the partnership was well represented. Cheryl expressed that it was an honor to present alongside Secretary of State Tobias Read and that she appreciated the opportunity to engage with both political parties. She noted that it was rewarding to see strong public turnout and thoughtful questions, emphasizing that public interest and inquiry help promote understanding of the work her office does.

Commissioner Barney asked for an update on the digital recording of documents project and inquired whether the work had been completed. Cheryl explained that the digital recording and records access efforts are ongoing and nearing a public rollout. She reported plans to launch the Property Records Alert System (PROS) around January 1st or 2nd and noted the importance of announcing the program through the county website and a press release to encourage public sign-up. She shared that the county's Digital Research Room is already available online, allowing the public to search the index for free and purchase documents electronically, which has reduced staff time and improved efficiency. Cheryl also reported learning of a new Point and Pay feature that allows customers to receive a payment link rather than providing credit card information over the phone, a tool the office plans to implement to further streamline services and enhance customer convenience.

Assessor Jon Soliz reported that his office's mission is to serve the public by administering assessment and taxation of all taxable property in compliance with Oregon law, emphasizing fairness, accuracy, integrity, and proactive communication. She explained that the office determines real market and assessed values for all property, maintains ownership and tax lot records, prepares the annual tax roll for nearly 19,000 accounts, and provides services mandated by state statute and administrative rule. Core functions include appraisal of all property types, reappraisal of underperforming or damaged properties, submission of the annual appraisal plan, and defending property values before appeals boards or tax court. The office also maintains assessment records, processes exemptions and special assessments, calculates tax rates, and certifies the property tax roll for collection and distribution to taxing districts. She highlighted performance metrics including timely and accurate certification of the assessment roll, compliance with statutory ratio studies, and efficient public and agency service. Key partnerships include county departments, state agencies, taxing districts, title companies, and the public. Budget considerations noted were costs for continuing education, reduced grant funding, and rising technology expenses.

necessary to maintain office operations.

Commissioner Barney asked why the CAFFA grant has decreased. Assessor Jon Soliz explained that this is a statewide issue affecting all county assessment offices. Fees collected, primarily from the County Clerk's Office, have not increased in roughly 25 years despite rising costs and inflation. Previous attempts to raise these fees through legislation faced opposition, and the CAFFA grant covers only a small portion of expenses. Efforts are ongoing with the OSATCA group to propose a fee increase in the upcoming legislative session to help stabilize funding.

Commissioners discussed the 18–20 special taxing districts overseen by the office. It was clarified that this oversight is mandated by the state and does not generate any administrative fees or revenue for the county. While managing these districts can be time-consuming, especially when issues arise, the office provides the service as part of its responsibilities. The tax rates for these special districts are set by the individual district boards. Once established, the rates remain in effect. The office monitors these rates to ensure accuracy and confirms any changes with the districts to prevent errors.

Road Superintendent Brad Haynes was unable to attend the meeting, so County Manager Will Van Vactor asked the Board of Commissioners whether they preferred that he present the Road Department's core services or postpone the presentation to a later date. The Board elected to move the Road Department's core services presentation to a future meeting to help conclude the core services review process.

Will Van Vactor outlined the next steps in the core services review process, which include continuing the review of core service descriptions for all departments. Upcoming reviews are scheduled for January 16 for Fairgrounds, OSU, the Museum, and January 22 for Juvenile Services and the District Attorney's Office. The Road department will be added to one of these future dates. Departments will refine their core service descriptions based on feedback received, and once all reviews are complete, the full set of core services will be presented to the Board of Commissioners for acceptance.

**MOTION:** Susan Hermreck moved to adjourn the Core Services Special Session. Brian Barney seconded. Susan Hermreck votes Aye, Brian Barney votes Aye. No discussion. Motion Passed 2-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 01:41 PM.**

Respectfully submitted,

Breyanna Cupp, Executive Assistant

## **Crook County Board of County Commissioners Minutes of December 31, 2025, Work Session**

**Be It Remembered** that the Crook County Board of County Commissioners met in a Work Session on December 31, 2025, at 9:00 AM in the Administration Conference Room, located at 203 NE Court Street, Prineville, Oregon 97754.

### **Work Session Agenda**

**Board Members Present:** Susan Hermreck, Brian Barney

**Board Members Absent:** Seth Crawford

**Others Present in Person or Via Zoom:** County Counsel Eric Blaine; Executive Assistant Breyanna Cupp; Community Development Director John Eisler; County Clerk Cheryl Seely; Executive Director Sean Briscoe; HR Director Meghan McKee; IT Director Blaine Cheney; Legal Assistant Alex Solterbeck; Assessor Jon Soliz; Assessment Technician Elsie Ray; and members of the public.

**The meeting was called to order at 09:00 AM.**

Commissioner Barney announced a change to the agenda, removing items 6 and 7. Eric Blaine explained that the financial assistance agreement (CFFA) from the Oregon Health Authority was expected today but will now be distributed to counties next week. He also noted that the local behavioral health services plan should be approved alongside the CFFA, so both items were removed and are expected to be presented together next week. Commissioner Hermreck confirmed that the contracts would be shared with the Board when available, and Eric added that the upcoming CFFA will be a large document, though slimmer than in previous years.

### **Public Comment**

None

### **Discussion**

#### **1. Oaths of Office**

**Requester:**

Cheryl Seely, County Clerk

**Details:** Cheryl Seely attended the Work Session to provide an update on Oaths of Office for boards and committees. She explained that she maintains a spreadsheet tracking appointments, oaths, and term expirations, and recently reviewed which boards actually require an oath. After consulting with former Assistant County Counsel Bryan Libel, she determined that several committees—including the Ag Extension Service District Budget Committee, Abatement of Dangerous Building Codes Appeals Committee, Fair Board, Housing Works Committee, and Taylor Grazing Committee—do

not legally require oaths. Planning Commission also does not require one, but she will continue administering it for that group. Cheryl noted that special districts will now issue their own oaths at board meetings rather than coming to the Clerk's office. She emphasized that further investigation with each committee will ensure compliance with bylaws and clarified that she will only issue oaths where required.

Executive Assistant Breyanna Cupp asked whether a letter is sent to appointees notifying them of their need to take the oath of office. Cheryl Seeley explained that historically, the Clerk's office has not sent such letters or followed up, as they often lack contact information for appointees. Commissioner Hermreck noted that applications and contact information are collected and provided to the boards, and suggested that since the Board of Commissioners makes the appointments, the appointment letter should come from the Board to formally notify the appointee. The discussion focused on whether certain boards should continue taking oaths. It was agreed that the Planning Commission should continue receiving oaths, as it underscores the importance of their role in shaping the future of Crook County. Commissioner Hermreck and Cheryl Seeley noted that Will also supported continuing the oath for this board. They briefly discussed the Fair Board, acknowledging its responsibilities with the budget, and Cheryl offered to continue administering oaths for that board if desired.

## **2. Property Recording Alert Service (PRAS)**

### **Requester:**

Cheryl Seely, County Clerk

**Details:** Cheryl Seely attended the Work Session to provide an overview of the new Property Recording Alert Service, which went live on the county website. The free service, integrated with the Helion software, allows users to receive email alerts when documents containing specified names are recorded in the county office. Users must create an account, enter the exact names they want to monitor (up to 10), and follow the email instructions to activate alerts. The service provides basic document information, such as type, legal description, and names involved, but does not prevent fraudulent recordings or change the official record. Cheryl explained that the office cannot refuse to record documents that meet statutory requirements, and legislative attempts to allow preemptive prevention have not progressed. Users without email can access the public terminal in the clerk's office or use the online index to monitor records manually. The service is intended to provide early notification, not fraud prevention, and legal advice should be sought if fraudulent activity is suspected.

## **3. Update on Bowman Museum Staff Organization and FTE**

### **Requester:**

Sean Briscoe, Director of Bowman Museum

**Details:** Sean Briscoe attended the Work Session to provide an update on museum staffing and FTE changes. Due to recent resignations, the museum reorganized positions, combining an Extra Help staff member with the Saturday museum host into a 30-hour administrative clerk role. This adjustment increased the current fiscal year FTE to 2.47, with a projected 2.75 FTE for next year, allowing some cost savings on Extra

Help. Sean highlighted the contributions of full-time staff Carter Bond and Becky Smith, noting their positive impact on visitor experience and community engagement. Commissioners expressed appreciation for retaining Becky and for the growth and popularity of museum programs. No action was required; the update was for informational purposes.

#### **4. Letter of Support to Senators for Delisting Wolves**

##### **Requester:**

Susan Hermreck, County Commissioner

**Details:** Commissioner Susan Hermreck attended the Work Session to provide an update on a problematic wolf, OR183, in the eastern part of the county. She explained that the wolf, likely originating from Umatilla or Union County, has been killing livestock and poses a public safety concern. Non-lethal deterrents have proven ineffective. Commissioner Hermreck highlighted the urgency of delisting wolves to allow for removal of dangerous individuals, referencing recent federal legislation and high livestock losses in other regions. She requested a motion for the Board of Commissioners to sign a letter to the Governor, Oregon Department of Fish and Wildlife, U.S. Wildlife Services, and Senators Merkley and Wyden, urging support for wolf delisting to protect livestock and public safety.

**MOTION:** Brian Barney moved to approve a letter of support to the senators for delisting Wolves. Susan Hermreck seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

#### **5. Letter to Department of State Lands re: Data Center Project Application**

##### **Requester:**

Will Van Vactor, County Manager

**Details:** Commissioner Barney and Community Development Director John Eisler attended the Work Session to provide an update on the data center project application concerning property owned by the Department of State Lands (DSL) adjacent to the airport. The property consists of approximately 318 acres, which both the city and county have historically considered valuable for airport expansion, city growth, and water infrastructure. Recently, the city submitted a letter expressing interest in purchasing the property, which the county fully supports. However, a separate application (APP0065856) was submitted by Primville Airport Land LLC, a Delaware-based company, proposing a data center project. Commissioner Barney emphasized that the county cannot support this application due to the strategic importance of the land for long-term airport and industrial development. Commissioner Hermreck agreed with the opposition, and John Eisler added that the City and EDCO have also submitted letters opposing the project. He noted that although the application is for a short-term demonstration project, the potential impacts could be long-term and irreversible, including zoning and incorporation changes, as well as possible restrictions on airport expansion. The Board agreed that a letter of opposition should be sent immediately, reinforcing support for the city's purchase of the property and expressing concerns about the proposed data center project.

**MOTION:** Susan Hermreck moved for the Board of Commissioners to sign the letter in opposition to application number APP0065856 from Prineville Airport Land, LLC. Brian Barney seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

### **Manager Report**

None

### **Commissioner Updates**

Commissioner Hermreck shared a positive update highlighting Brenda Ford, the Community Outreach Specialist for the Crook County Library. Brenda was featured in Rimrock Trails for her volunteer work with teens in the adolescent residential treatment program, where she brings creativity, laughter, and connection through activities like painting, crafts, games, and seasonal projects. Brenda was quoted saying her goal is to be kind and make someone smile. Commissioner Hermreck praised her dedication, noting that Brenda also engages with residents at assisted living facilities and exemplifies excellence in county employees. She suggested sharing the article with HR to recognize Brenda's contributions and concluded by wishing everyone a Happy New Year.

Commissioner Barney None

### **Executive Session**

At 9:29AM the Board of Commissioners convened into Executive Session under the following statute(s): ORS 192.660(2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

### **6. ORS 192.660(2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.**

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

**MOTION:** Susan Hermreck moved to direct staff to inform the counterparty that the county approves the proposal as discussed in the executive session. Brian Barney seconded. No disucssion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

**MOTION:** Susan Hermreck moved to authorize the Board of Commissioners to sign the letters, provided that the counterparty does not propose different terms as discussed in the executive session. Brian Barney seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

**AMENDED MOTION:** Susan Hermreck moved to authorize the Board of Commissioners to sign the letters outside of a meeting provided that the counterparty

does not impose different terms as discussed in the executive session. Brian Barney seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

**MOTION:** Susan Hermreck moved to adjourn. Brian Barney seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 09:39 AM.**

Respectfully submitted,

Breyanna Cupp, Executive Assistant

DRAFT



## Agenda Item Request

**Date of Meeting:** January 7, 2026

**Subject:**

Order 2026-01 Designation of Newspapers of Record

**Background and Policy Implications:**

Each year the County is required to designate a paper(s) of record for publication. The County utilizes the Central Oregonian and the Bend Bulletin.

**Budget/Fiscal Impacts:**

**Requester:**

Eric Blaine, County Counsel

**Legal Review (only if requested):**

Legal drafted the order

**Elected official sponsor (if applicable):**

**IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON  
FOR THE COUNTY OF CROOK**

**IN THE MATTER OF DESIGNATION )  
OF NEWSPAPERS OF RECORD )** **ORDER 2026-01**

**WHEREAS**, the Central Oregonian is published in Crook County, Oregon, and is a newspaper of general circulation in Crook County, Oregon; and

**WHEREAS**, the Bulletin is also a newspaper of general circulation in Crook County, Oregon; and

**NOW, THEREFORE**, the Crook County Board of Commissioners hereby **ORDERS** that the **Central Oregonian** and **The Bulletin** are designated as co-newspapers of record for publication of all legal notices required by Oregon State Statutes or regulations. Publication in either or both newspapers shall be legally sufficient.

DATED this 7<sup>th</sup> day of January, 2026.

CROOK COUNTY BOARD OF COMMISSIONERS

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BRIAN BARNEY, County Commissioner

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SUSAN HERMRECK, County Commissioner

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SETH CRAWFORD, County Commissioner



## Agenda Item Request

**Date of Meeting:** January 7, 2026

**Subject:**

Chamber of Commerce Quarterly Report

**Background and Policy Implications:**

Update to our community partners from Prineville Crook County Chamber of Commerce/Explore Prineville.

**Budget/Fiscal Impacts:**

**Requester:**

Deb Shaw, Director of Commerce & Tourism  
Andrea Weaver, Tourism Development Specialist

**Presenter(s):**

Deb Shaw, Director of Commerce & Tourism  
Andrea Weaver, Tourism Development Specialist

**Legal Review (only if requested):**

**Elected official sponsor (if applicable):**



## Agenda Item Request

**Date of Meeting:** January 7, 2026

**Subject:**

Annual Review and Adoption of Crook County Investment Policy

**Background and Policy Implications:**

The financial policies are included in the budget document and are designed to establish guidelines for the fiscal stability of the County. The scope of these policies generally spans, among other issues, accounting, auditing, financial reporting, internal controls, operating and capital budgeting, revenue management, expenditure control, asset management, cash and investment management, and planning concepts, debt financing and pension funding.

ORS 294.135(a) requires local governments investing in securities with maturities longer than 18 months to adopt their investment policies annually. The County last reviewed and adopted the policy in February 2025. After reviewing the County's policy with our investment advisors, Government Portfolio Advisors, it is being presented for re-adoption for 2026 to the Crook County Commissioners with no recommended changes.

**Budget/Fiscal Impacts:**

Guides budgetary and financial decisions across the County.

**Requester:**

Christina Haron, Finance Director

**Legal Review (only if requested):**

**Elected official sponsor (if applicable):**



# MEMO

To: Christina Haron – Crook County  
From: Deanne Woodring and Frank McDonnell - GPA  
Date: November 10, 2025  
Re: Investment Policy Review and Update 2026

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ORS 294.135(a) requires local governments investing in securities with maturities longer than 18 months to adopt their investment policies annually. The County last reviewed and adopted the policy in January 2025. After reviewing the County's policy this year, it is being presented for re-adoption for 2026 to the Crook County Court with no recommended changes.

Thank you,



Deanne Woodring, CFA  
President



# **CROOK COUNTY**

## **Investment Policy**

January 2026

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## **1. Purpose**

This Investment Policy defines the parameters within which funds are to be invested by Crook County. This policy formalizes the framework, pursuant to ORS 294.135, for Crook County's investment activities to ensure effective and judicious management within the scope of this policy.

## **2. Governing Authority**

Crook County's investment program shall be operated in conformance with Oregon Revised Statutes and applicable federal law. Specifically, this investment policy is written in conformance with ORS 294.035; 294.040; 294.052; 294.135; 294.145 and 294.810. All funds within the scope of this policy are subject to regulations established by the state of Oregon. Any revisions or extensions of these sections of the ORS shall be assumed to be part of this Investment Policy immediately upon being enacted.

## **3. Scope**

This policy applies to activities Crook County with regard to investing the financial assets of General Fund operating funds, Capital Project Funds, Road Funds, Treasurer's Trust Funds and all other budgeted county funds in the custody of the County. Investments of employees' retirement funds, deferred compensation plans and other funds are not covered by this policy. The amount of funds falling within the scope of this policy over the next three years is expected to range between \$50 million and \$100 million.

## **4. General Objectives**

### **A. Preservation of Invested Capital**

Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The goal is to mitigate credit risk and interest rate risk.

### **B. Liquidity**

The investment portfolio shall remain sufficiently liquid to meet all reasonably anticipated operating requirements. Furthermore, the portfolio should consist largely of securities with active secondary or resale markets. A portion of the portfolio also may be placed in the Oregon Short Term Fund which offers next-day liquidity. Where possible and prudent, the portfolio should be structured so that investments mature concurrent with anticipated demands.

### **C. Return**

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into consideration the safety and liquidity needs of the portfolio. Although return consists of both principal return (gains and losses due to market value fluctuations) and income return (yield), this policy discourages active trading and turnover of investments. Investments should generally be held to maturity.

## 5. Standards of Care

### A. Prudence

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations are reported and appropriate action is taken to control adverse developments within a timely fashion as defined in this policy. The “prudent person” standard states:

*Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.*

### B. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. Disclosure shall be made to the governing body. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of The County. Officers and employees shall, at all times, comply with the State of Oregon Government Standards and Practices code of ethics set forth in ORS Chapter 244.

### C. Delegation of Authority and Responsibilities

#### i. Governing Body

The Crook County Court will retain ultimate fiduciary responsibility for invested funds. The governing body will receive reports, pursuant to, and with sufficient detail to comply with ORS 294.085 and 294.155.

#### ii. Delegation of Authority

Authority to manage investments within the scope of this policy and operate the investment program in accordance with established written procedures and internal controls is granted to the Crook County Finance Director, or his/her designee, or in the Finance Director’s absence, the Crook County Administrator, or his/her designed (hereinafter referred to as Investment Officer), and derived from the following: ORS 294.035 to 294.053, 294.125 to 294.145, and 294.810.

No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Investment Officer. The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

All participants in the investment process shall seek to act responsibly as custodians of the public trust. No officer or designee may engage in an investment transaction except as provided under the terms of this policy and supporting procedures.

iii. **Investment Committee**

The County Court may seek to establish an investment committee to provide guidance to the Investment Officer(s) and monitor investment policy compliance.

iv. **Investment Advisor**

The County may engage the services of one or more external investment managers to assist in the management of The County investment portfolio in a manner consistent with this investment policy. Investment advisors may be hired on a discretionary or a non-discretionary basis. If The County hires an investment advisor to provide investment management services, the advisor is authorized to transact with its direct dealer relationships on behalf of The County.

## **6. Transaction Counterparties**

### **A. Broker/Dealers**

The Investment Officer shall determine which broker/dealer firms and registered representatives are authorized for the purposes of investing funds within the scope of this investment policy. A list will be maintained of approved broker/dealer firms and affiliated registered representatives.

The following minimum criteria must be met prior to authorizing investment transactions. The Investment Officer may impose more stringent criteria.

- i. Broker/Dealer firms must meet the following minimum criteria:
  - a. Be registered with the Securities and Exchange Commission (SEC)
  - b. Be registered with the Financial Industry Regulatory Authority (FINRA)
  - c. Provide most recent audited financials
  - d. Provide FINRA Focus Report filings
- ii. Approved broker/dealer employees who execute transactions with The County must meet the following minimum criteria:
  - a. Be a registered representative with the Financial Industry Regulatory Authority (FINRA);
  - b. Be licensed by the state of Oregon;
  - c. Provide certification (in writing) of having read, understood, and agreed to comply with the most current version of this investment policy.

- iii. The Investment Officer may want to establish policy for engaging broker/dealer firms and registered representatives that are more restrictive than stated in this policy. Additional requisites or due diligence items may include:
  - a. Positive references from at least three other local government clients.
  - b. As part of the periodic due diligence review, inquiries with other local government clients with regard to their recent experiences with broker/dealer firms or registered representatives and any change in relationship status.
  - c. Requirement that approved registered representatives provide notification within 30 days of any formal investigations or disciplinary actions initiated by federal or state regulators.
  - d. Requirement that prospective registered representatives have an established history of advising local governments with similar amounts of assets under management.
- iv. Periodic (at least annual) review of all authorized broker/dealers and their respective authorized registered representatives will be conducted by the Investment Officer. Factors to consider would be:
  - a. Pending investigations by securities regulators
  - b. Significant changes in net capital
  - c. Pending customer arbitration cases
  - d. Regulatory enforcement actions
- v. The Investment Officer shall maintain and review annually a list of all authorized financial institutions and broker/dealers that are approved to transact with The County for investment purposes.

The Investment Officer or designee may utilize the investment advisor's approved broker/dealer list in lieu of The County's own approved list. The advisor must submit the approved list to The County annually and provide updates throughout the year as they occur. The advisor must maintain documentation of appropriate license and professional credentials of broker/dealers on the list. The annual investment advisor broker/dealer review procedures should include:

- a. FINRA Certification check
  - Firm Profile
  - Firm History
  - Firm Operations
  - Disclosures of Arbitration Awards, Disciplinary and Regulatory Events
  - State Registration Verification
- b. Financial review of acceptable FINRA capital requirements or letter of credit for clearing settlements.

The advisors must provide The County with any changes to the list prior to transacting on behalf of The County.

The advisor may be authorized through the contracted agreement to open accounts on behalf of The County with the broker/dealers on the approved list. The County will

receive documentation directly from the brokers for account verification and regulatory requirements.

## **B. Investment Advisors**

A list will be maintained of approved advisors selected by conducting a process of due diligence.

- i. The following items are required for all approved Investment Advisors:
  - a. The investment advisor firm must be registered with the Securities and Exchange Commission (SEC) or licensed by the state of Oregon (Note: Investment advisor firms with assets under management > \$100 million must be registered with the SEC, otherwise the firm must be licensed by the state of Oregon).
  - b. All investment advisor firm representatives conducting investment transactions on behalf of The County must be registered representatives with FINRA.
  - c. All investment advisor firm representatives conducting investment transactions on behalf of The County must be licensed by the state of Oregon.
  - d. Certification, by all of the advisor representatives conducting investment transactions on behalf of this entity, of having read, understood and agreed to comply with this investment policy.
- ii. A periodic (at least annual) review of all authorized investment advisors under contract will be conducted by the Investment Officer to determine their continued eligibility within the portfolio guidelines. The investment Advisor must notify The County immediately if any of the following issues arise while serving under a The County contract:
  - a. Pending investigations by securities regulators.
  - b. Significant changes in net capital.
  - c. Pending customer arbitration cases.
  - d. Regulatory enforcement actions.

## **C. Depositories**

All financial institutions who desire to become depositories must be qualified Oregon Depositories pursuant to ORS Chapter 295.

## **D. Competitive Transactions**

- i. The Investment Officer shall obtain and document competitive bid information on all investments purchased or sold in the secondary market. Competitive bids or offers should be obtained, when possible, from at least three separate brokers/financial institutions or through the use of a nationally recognized trading platform.
- ii. In the instance of a security for which there is no readily available competitive bid or offering on the same specific issue, then the Investment Officer shall document quotations for comparable or alternative securities.
- iii. When purchasing original issue instrumentality securities, no competitive offerings will be required as all dealers in the selling group offer those securities as the same original

issue price. However, the Investment Officer is encouraged to document quotations on comparable securities.

- iv. If an investment advisor provides investment management services, the advisor must retain documentation of competitive pricing execution on each transaction and provide upon request.

## **7. Administration and Operations**

### **A. Delivery vs. Payment**

All trades of marketable securities will be executed (cleared and settled) by delivery vs. payment (DVP) to ensure that securities are deposited in The County safekeeping institution prior to the release of funds.

### **B. Third-Party Safekeeping**

Securities will be held by an independent third-party safekeeping institution selected by The County. All securities will be evidenced by safekeeping receipts in Crook County name. Upon request, the safekeeping institution shall make available a copy of its Statement on Standards for Attestation Engagements (SSAE) No. 16. The County will have online access through the safekeeping bank for verification of the account holdings and transactions. The County may hold bank deposits or certificates of deposits at banks qualified under ORS.295.

### **C. Internal Controls**

The Investment Officer is responsible for establishing and maintaining an adequate internal control structure designed to reasonably assure that invested funds are invested within the parameters of this Investment policy and, protected from loss, theft or misuse. Specifics for the internal controls shall be documented in writing. The established control structure shall be reviewed and updated periodically by the County Court.

The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived and the valuation of costs and benefits requires estimates and judgments by management. The internal controls shall address the following points at a minimum:

- i. Compliance with investment policy constraints and requirements
- ii. Control of collusion
- iii. Segregation of duties and separation of responsibilities for trade execution, accounting, and record keeping
- iv. Custodial safekeeping
- v. Avoidance of physical delivery of securities wherever possible and address control requirements for physical delivery where necessary
- vi. Clear delegation of authority
- vii. Confirmation of transactions for investments and wire transfers in written or digitally verifiable electronic form
- viii. Dual authorizations of wire and automated clearing house (ACH) transfers
- ix. Staff training

- x. Review, maintenance and monitoring of security procedures both manual and automated
- xi. Timely reconciliation of custodial reports
- xii. Appropriate security for online transactions and access to bank accounts and bank data

An external auditor shall provide an annual independent review to assure compliance with Oregon state law and Crook County policies and procedures.

#### **D. Accounting Method**

The County shall comply with all required legal provisions and Generally Accepted Accounting Principles (GAAP). The accounting principles are those contained in the pronouncements of authoritative bodies including but not necessarily limited to, the Governmental Accounting Standards Board (GASB); the American Institute of Certified Public Accountants (AICPA); and the Financial Accounting Standards Board (FASB).

**Pooling of Funds:** Except for cash in certain restricted and special funds, The County will consolidate balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

## **8. Authorized and Suitable Investments**

#### **A. Permitted Investments**

All investments of The County shall be made in accordance with Oregon Revised Statutes: ORS 294.035 (Investment of surplus funds of political subdivisions; approved investments), ORS 294.040 (Restriction on investments under ORS 294.035), ORS 294.135 (Investment maturity dates), ORS 294.145 (Prohibited conduct for custodial officer), and ORS 294.805 to 294.895 (Local Government Investment Pool). If additional types of securities are considered for investment, per Oregon state statute they will not be eligible for investment until this Policy has been amended and the amended version adopted by the County Court. Minimum credit ratings and percentage limitations apply to the time of purchase.

The following lists allowable investment types:

**US Treasury Obligations:** Direct obligations of the United States Treasury whose payment is guaranteed by the United States. [ORS Section 294.035(3)(a)]

**US Agency Obligations:** Federal agency and instrumentalities of the United States or enterprises sponsored by the United States Government (GSE) and whose payment is guaranteed by the United States, the agencies and instrumentalities of the United States or enterprises sponsored by the United States Government. [ORS Section 294.035(3)(a)]

**Municipal Debt:** Lawfully issued debt obligations of the States of Oregon, California, Idaho and Washington and political subdivisions of those states if the obligations have a long-term rating on the settlement date of AA- or better by S&P or Aa3 or better by Moody's or equivalent rating by any nationally recognized statistical rating organization, or are rated

on the settlement date in the highest category for short-term municipal debt by a nationally recognized statistical rating organization. [ORS Section 294.035(3)(c)]

**Corporate Indebtedness:** Corporate indebtedness subject to a valid registration statement on file with the Securities and Exchange Commission or issued under the authority of section 3(a)(2) or 3(a)(3) of the Securities Act of 1933. Corporate indebtedness must be rated on the settlement date AA- or better by S&P or Aa3 or better by Moody's or equivalent rating by any nationally recognized statistical rating organization. [ORS Section 294.035(3)(i)]

**Commercial Paper:** Corporate indebtedness subject to a valid registration statement on file with the Securities and Exchange Commission or issued under the authority of section 3(a)(2) or 3(a)(3) of the Securities Act of 1933, as amended. Commercial Paper must be rated A1 by Standard and Poor's or P1 by Moody's or equivalent rating by any nationally recognized statistical rating organization. Issuer constraints for commercial paper combined with corporate notes will be limited by statute to 5% of market value per issuer. [ORS Section 294.035(3)(i)]

**Certificates of Deposit:** Certificates of deposit in insured institutions as defined in ORS 706.008, in credit unions as defined in ORS Section 723.006 or in federal credit unions, if the institution or credit union maintains a head office or a branch in this state [ORS Section 294.035(3)(d)].

**Bank Time Deposit/Savings Accounts:** Time deposit open accounts or savings accounts in insured institutions as defined in ORS Section 706.008, in credit unions as defined in ORS Section 723.006 or in federal credit unions, if the institution or credit union maintains a head office or a branch in this state [ORS Section 294.035(3)(d)(e)].

**Bankers' Acceptances:** A short-term credit investment created by a non-financial firm and guaranteed by a qualified financial institution whose short-term letter of credit rating is rated in the highest category without any refinement or gradation by one or more nationally recognized statistical rating organization. For the purposes of this paragraph, "qualified financial institution" means: (i) A financial institution that is located and licensed to do banking business in the State of Oregon; or (ii) A financial institution that is wholly owned by a financial holding company or a bank holding company that owns a financial institution that is located and licensed to do banking business in the State of Oregon. [ORS 294.035(3)(h)]

**Local Government Investment Pool:** State Treasurer's local short-term investment fund up to the statutory limit per ORS Section 294.810.

## B. Collateralization

Time deposit open accounts, Certificates of Deposit and savings accounts shall be collateralized through the state collateral pool for any excess over the amount insured by an agency of the United States government in accordance with ORS 295.018. All depositories must be on the State of Oregon's qualified list. Additional collateral requirements may be required if the Treasurer deems increased collateral is beneficial to the protection of the monies under The County's management.

### **C. Approval of Permitted Investments**

If additional types of securities are considered for investment, per Oregon state statute they will not be eligible for investment until this Policy has been amended and the amended version adopted by Crook County.

### **D. Prohibited Investments**

- i. The County shall not invest in “144A” private placement securities, this includes commercial paper privately placed under section 4(a)(2) of the Securities Act of 1933.
- ii. The County shall not lend securities nor directly participate in a securities lending or reverse repurchase program.
- iii. The County shall not purchase mortgage-backed securities.
- iv. The County shall not purchase, per ORS 294.040, any bonds of issuers listed in ORS 294.035(3)(a) to (c) that have a prior default history.
- v. No commitment to buy or sell securities may be made more than 14 days prior to the anticipated settlement date.

## **9. Investment Parameters**

### **A. Credit Risk**

Credit risk is the risk that a security or a portfolio will lose some or all of its value due to a real or perceived change in the ability of the issuer to repay its debt. Credit risk will be mitigated by the following guidelines:

- i. Diversification: It is the policy of The County to diversify its investments. Where appropriate, exposures will be limited by security type; maturity; issuance, issuer, and security type, Allowed security types and Investment exposure limitations are detailed in the table below.
- ii. Credit Ratings: Investments must have a rating from at least one of the following nationally recognized statistical ratings organizations (NRSRO): Moody's Investors Service; Standard & Poor's; and Fitch Ratings Service as detailed in the table below. Ratings used to apply the guidelines below should be investment level ratings and not issuer level ratings.
- iii. The minimum weighted average credit rating of the portfolio's rated investments shall be AA-/Aa3/AA- by Standard & Poor's; Moody's Investors Service; and Fitch Ratings Service respectively.
- iv. Diversification and Credit Exposure Constraints: The following table limits exposures among investments permitted by this policy.

### Total Portfolio Diversification Constraints

Issue Type	Maximum % Holdings	Maximum % per Issuer	Ratings S&P, Moody's, or Equivalent NRSRO	Maximum Maturity
US Treasury Obligations	100%	None	N/A	5.25 years
US Agency Obligations	100%	35%	N/A	5.25 years
Municipal Bonds (OR, CA, ID, WA)	25%	5%	AA- / Aa3 Short Term*	5.25 years
Corporate Bonds			AA- / Aa3	5.25 years
	35%**	5%***		
Commercial Paper			A1 / P1	270 days
Bank Time Deposits/Savings Accounts	20%	20%	Oregon Public Depository	N/A
Certificates of Deposit	10%	5%	Oregon Public Depository	5.25 years
Banker's Acceptance	10%	5%	A1 / P1	180 days
Oregon Short Term Fund	Maximum allowed per ORS 294.810	None	N/A	N/A

\*Short Term Ratings: Moody's - P1/MIG1/VMIG1, S&P - A-1/P-1, Fitch - F-1

\*\*35% maximum combined corporate and commercial paper per ORS.

\*\*\*Issuer constraints apply to the combined issues in corporate and commercial paper holdings.

### **B. Determining a Security's Rating**

A single rating will be determined for each investment by utilizing the highest security level rating available for the security from Standard and Poor's, Moody's Investor Services and Fitch Ratings respectively.

### **C. Investment Maturity**

- i. Where feasible and prudent, investment maturities should be matched with expected cash outflows to mitigate risk.
- ii. The County will not directly invest in securities maturing more than 5.25 years\* from the date of purchase.
- iii. The maximum weighted maturity of the total portfolio shall not exceed 2.50 years. This maximum is established to limit the portfolio to excessive price change exposure.
- iv. Liquidity funds will be held in the State Pool or in money market instruments maturing one year and shorter.

v. Core funds will be defined as the funds in excess of liquidity requirements. The investments in this portion of the portfolio will have maturities between one day and 5.25 years and will be only invested in higher quality and liquid securities.

#### **Total Portfolio Maturity Constraints:**

<b>Maturity Constraints</b>	<b>Minimum % of Total Portfolio</b>
Under 30 days	10%
Under 1 year	25%
Under 5.25 years	100%
<b>Maturity Constraints</b>	<b>Maximum of Total Portfolio in Years</b>
Weighted Average Maturity	2.5
<b>Security Structure Constraint</b>	<b>Maximum % of Total Portfolio</b>
Callable Securities	25%

\*Exception to 5.25-year maturity maximum: Reserve or Capital Improvement Project monies may be invested in securities exceeding 5.25 years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of the funds.

## **10. Authority to Invest for Other Entities**

Crook County shall not serve as the custodian for the investment of funds on behalf of any other jurisdiction, agency, district or entity, except where required by statute. In such cases, the governing body of said other jurisdiction, agency, district or other entity shall annually furnish to Crook County, a written order authorizing Crook County to invest the funds pursuant to Oregon Revised Statutes and in conformance with the Investment Policy and further indemnifying and holding Crook County harmless from and against any and all claims, liabilities, demands, actions or damages incurred in connection with, or in any way relating to, such investment. Such order shall be spread upon the minutes or journal of the governing body. The governing body of said other jurisdiction, agency, district or entity shall furnish a copy of the minutes upon which the order has been spread along with the signed, written order authorizing investing.

## **11. Investment of Proceeds from Debt Issuance**

Investments of bond proceeds are restricted under bond covenants that may be more restrictive than the investment parameters included in this policy. The investments will be made in a manner to match cash flow expectations based on managed disbursement schedules.

Liquidity for bond proceeds will be managed through the OSTF Pool or Bank deposit balances.

Funds from bond proceeds and amounts held in a bond payment reserve or proceeds fund may be invested pursuant to ORS 294.052. Investments of bond proceeds are typically not invested for resale and maturity matched with expected outflows.

Information will be maintained for arbitrage rebate calculations.

## **12. Investment of Reserve or Capital Improvements**

Pursuant to ORS 294.135(1)(b), reserve or capital Improvement project monies may be invested in securities with a maturity of 5.25 years at the maximum when the funds in question are being accumulated for an anticipated use that will occur more than 18 months after the funds are invested, then, upon the approval of the governing body of the county, municipality, school district or other political subdivision, the maturity of the investment or investments made with the funds may occur when the funds are expected to be used. Reserve or Capital Improvement Project monies may be invested in securities exceeding 5.25 years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of the funds.

## **13. Guideline Measurement and Adherence**

### **A. Guideline Measurement**

Guideline measurements will use market value of investments.

### **B. Guideline Compliance**

- i. If the portfolio falls outside of compliance with adopted investment policy guidelines or is being managed inconsistently with this policy, the Investment Officer shall bring the portfolio back into compliance in a prudent manner and as soon as prudently feasible.
- ii. Violations of portfolio guidelines as a result of transactions; actions to bring the portfolio back into compliance and; reasoning for actions taken to bring the portfolio back into compliance shall be documented and reported to the County Court.
- iii. Due to fluctuations in the aggregate surplus funds balance, maximum percentages for a particular issuer or investment type may be exceeded at a point in time. Securities need not be liquidated to realign the portfolio; however, consideration should be given to this matter when future purchases are made to ensure that appropriate diversification is maintained.

## **14. Reporting and Disclosure**

### **A. Compliance**

The Investment Officer shall prepare a report at least quarterly that allows the County Court to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the investment oversight body. The report will include, at a minimum, the following:

- i. A listing of all investments held during the reporting period showing: par/face value; accounting book value; market value; type of investment; issuer; credit ratings; and yield to maturity (yield to worst if callable).
- ii. Average maturity of the portfolio at period-end
- iii. Maturity distribution of the portfolio at period-end

- iv. Average portfolio credit quality of the portfolio at period-end
- v. Average weighted yield to maturity (yield to worst if callable investments are allowed) of the portfolio
- vi. Distribution by type of investment
- vii. Transactions since last report
- viii. Violations of portfolio guidelines or non-compliance issues that occurred during the prior period or that are outstanding. This report should also note actions (taken or planned) to bring the portfolio back into compliance.

## **B. Performance Standards/Evaluation**

- i. The County yields will be compared to the OST Pool rates.
- ii. The portfolio will be invested into a predetermined structure that will be measured against a selected benchmark portfolio. The structure will be based upon a chosen minimum and maximum effective duration and will have the objective to achieve market rates of returns over long investment horizons. The purpose of the benchmark is to appropriately manage the risk in the portfolio given interest rate cycles. The core portfolio is expected to provide similar returns to the benchmark over interest rate cycles but may underperform or outperform in certain periods. The portfolio will be positioned to first protect principal and then achieve market rates of return. The benchmark used will be a 0-3 year or 0-5 year standard market index and comparisons will be calculated monthly and reported quarterly.
- iii. When comparing the performance of The County's portfolio, all fees and expenses involved with managing the portfolio shall be included in the computation of the portfolio's rate of return.
- iv. The mark to market pricing will be calculated monthly and be provided in a monthly report.

## **C. Audits**

Management shall establish an annual process of independent review by the external auditor to assure compliance with internal controls. Such audit will include tests deemed appropriate by the auditor.

## **D. Reporting Requirements**

The Investment Officer will retain and provide quarterly investment reports to the County Court in a similar manner as outlined in ORS 208.090. The reports also will be available upon request. Securities holdings and cash balances held in the investment portfolio will be provided on the reports.

The minimum quarterly reporting requirements for total portfolio are as follows:

- Earnings Yield
- Holdings Report (including mark to market)
- Transactions Report
- Weighted Average Maturity or Duration

- Compliance Report

## **15. Policy Maintenance and Considerations**

### **A. Review**

The investment policy shall be reviewed at least annually to ensure its consistency with the overall objectives of preservation of principal, liquidity and return, and its relevance to current law and financial and economic trends.

The annual report should also serve as a venue to suggest policies and improvements to the investment program, and shall include an investment plan for the coming year.

### **B. Exemptions**

Any investment held prior to the adoption of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested as provided by this policy.

### **C. Policy Adoption and Amendments**

This Investment Policy and any modifications to this policy must be formally approved in writing by the Crook County Court. Regardless of whether this policy is submitted to the OSTF Board for comment, this policy shall be re-submitted not less than annually to the County Court for approval.

## Glossary of Terms

**Accrued Interest:** The interest accumulated on a security since the issue date or since the last coupon payment. The buyer of the security pays the market price plus accrued interest.

**Agency Securities:** See "Federal Agency Securities."

**Bankers' Acceptance (BA's):** A draft or bill of exchange drawn upon and accepted by a bank. Frequently used to finance shipping of international goods. Used as a short-term credit instrument, bankers' acceptances are traded at a discount from face value as a month market instrument in the secondary market on the basis of the credit quality of the guaranteeing bank.

**Basis Point:** A basis point is a unit of measure used in finance to describe the percentage change in the value or rate of a financial instrument. One basis point is equivalent to 0.01% (1/100th of a percent) or 0.0001 in decimal form. In most cases, it refers to changes in interest rates and bond yields.

**Benchmark:** A market index used as a comparative basis for measuring the performance of an investment portfolio. A performance benchmark should represent a close correlation to investment guidelines, risk tolerance and duration of the actual portfolio's investments.

**Bond:** An interest-bearing security issued by a corporation, government, governmental agency, or other body. It is a form of debt with an interest rate, maturity, and face value, and it is usually secured by specific assets. Most bonds have a maturity of greater than one year and in general, pay interest semiannually.

**Broker/Dealer:** A person or firm transacting securities business with customers. A "broker" acts as an agent between buyers and sellers, and receives a commission for their services. A "dealer" buys and sells financial assets from its own portfolio. A dealer takes risk by owning an inventory of securities, whereas a broker merely matches up buyers and sellers.

**Call:** An option to buy a specific asset at a certain price within a certain period of time.

**Callable:** A bond or preferred stock that may be redeemed by the issuer before maturity for a call price specified at the time of issuance.

**Call Date:** The date before maturity on which a bond may be redeemed at the option of the issuer.

**Certificate of Deposit (CD):** Bank obligation issued by a financial institution generally offering a fixed rate of return (coupon) for a specified period of time (maturity).

**Collateral:** Securities or other property that a borrower pledges as security for the repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

**Commercial Paper:** Short-term, unsecured, negotiable promissory notes issued by a company or financial institution. Issued at a discount and matures at par or face value. Usually a maximum maturity of 270 days, and given a short-term debt rating by one or more NRSROs.

**Core Fund:** Core funds are defined as operating fund balance which exceeds THE COUNTY's daily liquidity needs. Core funds are invested out the yield curve to diversify maturity structure in

the overall portfolio. Having longer term investments in a portfolio will stabilize the overall portfolio interest earnings over interest rate cycles.

**Corporate Note:** A debt instrument issued by a corporation with a maturity of greater than one year and less than ten years.

**Coupon Rate:** The annual rate of interest that the issuer of a bond promises to pay to the holder of the bond.

**Current Maturity:** The amount of time left until an obligation matures. For example, a one-year bill issued nine months ago has a current maturity of three months.

**Current Yield:** The coupon payments on a security as a percentage of the security's market price. In many instances the price should be gross of accrued interest, particularly on instruments where no coupon is left to be paid until maturity.

**CUSIP:** A CUSIP number identifies securities. CUSIP stands for Committee on Uniform Security Identification Procedures, which was established under the auspices of the American Bankers Association to develop a uniform method of identifying municipal, U.S. government, and corporate securities.

**Delivery Versus Payment (DVP):** Settlement procedure in which securities are delivered versus payment of cash, but only after cash has been received. Most security transactions, including those through the Fed Securities Wire system and DTC, are done DVP as a protection for both the buyer and seller of securities.

**Depository Trust Company (DTC):** A firm through which members can use a computer to arrange for securities to be delivered to other members without physical delivery of certificates. A member of the Federal Reserve System and owned mostly by the New York Stock Exchange, the Depository Trust Company uses computerized debit and credit entries. Most corporate securities, commercial paper, CDs and BAs clear through DTC.

**Discount Notes:** Short term debt obligations issued by Federal Agencies at a discount. Discount notes mature at par and can range in maturity from overnight to one year. Discount Notes typically have very large primary (new issue) and secondary markets.

**Federal Agency Security:** A debt instrument issued by one of the federal agencies. Federal agencies are considered second in credit quality and liquidity only to U.S. Treasuries.

**Federal Agency:** Government sponsored/owned entity created by the U.S. Congress, generally for the purpose of acting as a financial intermediary by borrowing in the marketplace and directing proceeds to specific areas of the economy considered to otherwise have restricted access to credit markets.

**Federal Farm Credit Bank (FFCB):** A Government Sponsored Enterprise (GSE) system that is a network of cooperatively owned lending institutions that provide credit services to farmers, agricultural cooperatives and rural utilities. The FFCBs act as financial intermediaries that borrow money in the capital markets and use the proceeds to make loans and provide other assistance to farmers and farm-affiliated businesses. FFCB debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance

to the U.S. Financial system and agricultural industry. Also issues notes under its "designated note" program.

**Federal Home Loan Bank System (FHLB):** A Government Sponsored Enterprise (GSE) system, consisting of wholesale banks (currently twelve district banks) owned by their member banks, which provides correspondent banking services and credit to various financial institutions, financed by the issuance of securities. The principal purpose of the FHLB is to add liquidity to the mortgage markets. Although FHLB does not directly fund mortgages, it provides a stable supply of credit to thrift institutions that make new mortgage loans. FHLB debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and housing market. Frequent issuer of discount notes, agency notes and callable agency securities. Also issues notes under its "global note" and "TAP" programs.

**Federal Home Loan Mortgage Corporation (FHLMC or "Freddie Mac"):** One of the large Federal Agencies. A government sponsored public corporation (GSE) that provides stability and assistance to the secondary market for home mortgages by purchasing first mortgages and participation interests financed by the sale of debt and guaranteed mortgage backed securities. FHLMC debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and housing market. Frequent issuer of discount notes, agency notes, callable agency securities and MBS. Also issues notes under its "reference note" program.

**Federal National Mortgage Association (FNMA or "Fannie Mae"):** One of the large Federal Agencies. A government sponsored public corporation (GSE) that provides liquidity to the residential mortgage market by purchasing mortgage loans from lenders, financed by the issuance of debt securities and MBS (pools of mortgages packaged together as a security). FNMA debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and housing market. Frequent issuer of discount notes, agency notes, callable agency securities and MBS. Also issues notes under its "benchmark note" program.

**Federal Reserve Bank:** One of the 12 distinct banks of the Federal Reserve System.

**Federal Reserve System (the Fed):** The independent central bank system of the United States that establishes and conducts the nation's monetary policy. This is accomplished in three major ways: (1) raising or lowering bank reserve requirements, (2) raising or lowering the target Fed Funds Rate and Discount Rate, and (3) in open market operations by buying and selling government securities. The Federal Reserve System is made up of twelve Federal Reserve District Banks, their branches, and many national and state banks throughout the nation. It is headed by the seven member Board of Governors known as the "Federal Reserve Board" and headed by its Chairman.

**General Obligation Bonds (GOs):** Bonds secured by the pledge of the municipal issuer's full faith and credit, which usually includes unlimited taxing power.

**Government Bonds:** Securities issued by the federal government; they are obligations of the U.S. Treasury. Also known as "governments."

**Government Sponsored Enterprise (GSE):** Privately owned entity subject to federal regulation and supervision, created by the U.S. Congress to reduce the cost of capital for certain borrowing

sectors of the economy such as students, farmers, and homeowners. GSEs carry the implicit backing of the U.S. Government, but they are not direct obligations of the U.S. Government. For this reason, these securities will offer a yield premium over Treasuries. Some consider GSEs to be stealth recipients of corporate welfare. Examples of GSEs include: FHLB, FHLMC, FNMA and FFCB.

**Interest:** Compensation paid or to be paid for the use of money. The rate of interest is generally expressed as an annual percentage.

**Interest Rate:** The interest payable each year on borrowed funds, expressed as a percentage of the principal.

**Investment Advisor:** A company that provides professional advice managing portfolios, investment recommendations and/or research in exchange for a management fee.

**Investment Portfolio:** A collection of securities held by a bank, individual, institution, or government agency for investment purposes.

**Investment Securities:** Securities purchased for an investment portfolio, as opposed to those purchased for resale to customers.

**Liquidity:** The ease at which a security can be bought or sold (converted to cash) in the market. A large number of buyers and sellers and a high volume of trading activity are important components of liquidity.

**Liquidity Component:** A percentage of the total portfolio that is dedicated to providing liquidity needs for the County.

**Mark to Market:** Adjustment of an account or portfolio to reflect actual market price rather than book price, purchase price or some other valuation.

**Municipals:** Securities, usually bonds, issued by a state or its agencies. The interest on "munis" is usually exempt from federal income taxes and state and local income taxes in the state of issuance. Municipal securities may or may not be backed by the issuing agency's taxation powers.

**NRSRO:** A "Nationally Recognized Statistical Rating Organization." A designated rating organization that the SEC has deemed a strong national presence in the U.S. NRSROs provide credit ratings on corporate and bank debt issues. Only ratings of a NRSRO may be used for the regulatory purposes of rating such as Moody's, S&P, Fitch and Duff & Phelps.

**Par Value:** The value of a security expressed as a specific dollar amount marked on the face of the security, or the amount of money due at maturity. Par value should not be confused with market value.

**Prudent Person Standard:** Standard that requires that when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee will act with care, skill, prudence, and diligence under the circumstances the prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the entity.

**Rate of Return:** Amount of income received from an investment, expressed as a percentage of the amount invested.

**State of Oregon Local Government Investment Pool (OSTF – Oregon Short Term Fund):** The OSTF is organized pursuant to ORS 294.805 through 294.895. Participation in the Pool will not exceed the maximum limit annually set by ORS 294.810.

**Total Return:** Investment performance measured over a period of time that includes coupon interest, interest on interest, and both realized and unrealized gains or losses. Total return includes, therefore, any market value appreciation/depreciation on investments held at period end.

**Treasury Bill (T-Bill):** An obligation of the U.S. government with a maturity of one year or less. T-bills bear no interest but are sold at a discount.

**Treasury Bonds and Notes:** Obligations of the U.S. government that bear interest. Notes have maturities of one to ten years; bonds have longer maturities.

**Yield:** The annual rate of return on an investment, expressed as a percentage of the investment. Income yield is obtained by dividing the current dollar income by the current market price for the security. Net yield, or yield to maturity, is the current income yield minus any premium above par or plus any discount from par in the purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

**Yield to Maturity:** The average annual yield on a security, assuming it is held to maturity; equals to the rate at which all principal and interest payments would be discounted to produce a present value equal to the purchase price of the bond.

### Ratings Table – Long-Term

Three Highest Rating Categories	S&P	Moody's	Fitch	Definition
AAA	Aaa	AAA		Highest credit quality
AA+, AA, AA-	Aa1, Aa2, Aa3	AA+, AA, AA-		Very high credit quality
A+, A, A-	A1, A2, A3	A+, A, A-		High credit quality
BBB+, BBB, BBB-	Baa1, Baa2, Baa3	BBB+, BBB, BBB-		Good credit quality
BB+, BB, BB-	Ba1, Ba2, Ba3	BB+, BB, BB-		Non-investment grade

### Ratings Table – Short-Term

Highest Rating Category	S&P	Moody's	Fitch	Definition
A1+, A1	P1+, P1	F1+, F1		Highest credit quality
<b>Municipal Commercial Paper</b>				
A-1, A-1+, SP-1+, SP-1	P1, MIG1, VMIG1	F1+, F1		Highest credit quality



## Agenda Item Request

**Date of Meeting:** January 7, 2026

**Subject:**

Annual review of recommended updates to Crook County Fiscal Policies from Finance Committee

**Background and Policy Implications:**

The financial policies are included in the budget document and are designed to establish guidelines for the fiscal stability of the County. The scope of these policies generally spans, among other issues, accounting, auditing, financial reporting, internal controls, operating and capital budgeting, revenue management, expenditure control, asset management, cash and investment management, and planning concepts, debt financing and pension funding.

**Budget/Fiscal Impacts:**

Guides budgetary and financial decisions across the County.

Suggested edits are:

- To correct the hyphenation of "cost effective" under Executive Summary Section A
- Update wording of the "Period to Fund" for the Landfill under Section B4 to allow adjustment due to post closure liability, which will change each year based upon inflation and that year's mix of cell area not under final cover. This will align the policy with the actual trajectory of the post closure liability per the annual DEQ post closure report consistent with the current proportion of cells under final cover.

**Requester:**

Christina Haron, Finance Director

**Presenter(s):**

Will Van Vactor, County Manager

**Legal Review (only if requested):**

**Elected official sponsor (if applicable):**

# Crook County Fiscal Policies

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## A. EXECUTIVE SUMMARY

Crook County has an important responsibility to its citizens to protect and manage public funds to ensure the sustainable provision of services desired by the County's citizens. The following financial policies are designed to establish guidelines for the fiscal stability of the County. The scope of these policies generally spans, among other issues, accounting, auditing, financial reporting, internal controls, operating and capital budgeting, revenue management, expenditure control, asset management, cash and investment management, and planning concepts, debt financing and pension funding in order to:

- Demonstrate to the citizens of Crook County, the investment community, and the bond rating agencies that the County is committed to strong fiscal operations and to the preservation of its ability to provide the financial stability to navigate through economic downturns and respond to the changing needs of the community;
- Provide an adequate financial foundation to sustain a sufficient level of County services to the community delivered in a ~~cost-effective~~cost-effective and efficient manner;
- Present fairly and with full disclosure the financial position and results of operations of the County and its special districts in conformity to Generally Accepted Accounting Principles (GAAP); and
- Determine and demonstrate compliance with finance-related legal and contractual issues in accordance with provisions of the Oregon Revised Statutes and Administrative Rules, federal legislation, agreements and other contractual documents.

These policies apply to all financial operations of Crook County and all other entities governed by the Crook County Board of Commissioners.

# Crook County Fiscal Policies

## B. FINANCIAL PLANNING AND BUDGETING POLICIES

### B1. Oregon Budget Law

In accordance with Oregon Budget Law, Crook County adopts a balanced budget by individual fund and in total.

For each fund, total resources, consisting of beginning net working capital, current year revenues and other resources, equal total requirements, which includes personnel, materials and services, capital outlay, debt service, transfers, contingencies, unappropriated ending fund balances, and reserves for future expenditures.

Additionally budget appropriations are made in accordance with Oregon Budget Law at the department, category or program level.

### B2. Budget Process

The County's annual budgeting process engages management, advisory boards, the Budget Committee, the County Board of Commissioners as well as public comment received throughout the year so that major policy issues, department goals and objectives are identified, reconciled, and aligned with County Board of Commissioners goals and objectives. The reconciled and aligned goals and objectives are incorporated into the annual budget with resources directed to achieve the goals.

The proposed budget is presented to the Budget Committee in public meetings held in the spring of each year. The Budget Committee approves the budget, property tax rate for operations and levy amount for any general obligation debt, with amendments to address issues identified during the budget review process including those raised by the public.

The County Board of Commissioners, at a public meeting in prior to July 1, and after a public hearing,

adopts the budget, property tax rate for operations and levy amount for any general obligation debt, with amendments, limited to ten percent in each fund, to address items raised by the public, themselves, or subsequent emerging items.

The adopted budget is a living document for the fiscal year, meaning it may be amended throughout the year to address emerging opportunities, risks and/or changes in conditions.

### B3. Budget Adjustments

All budget adjustment requests will be submitted to the Finance Department for analysis. The County's Financial Officer will determine the need for the adjustment and, if necessary, prepare the resolution and any required public notices for the proposed adjustment for County Board of Commissioners consideration to ensure compliance with budget laws.

### B4. Net Working Capital (Contingency)

In order to maintain a prudent level of financial resources to avoid reducing service levels, borrowing between funds during the fiscal year, increasing fees, and/or raising taxes (i.e. voter-approved local option levy) due to revenue shortfalls and unforeseeable one-time expenditures, the minimum net working capital balances, as of the beginning and end of each fiscal year, will be determined and established by the Finance Director. Net working capital indicates funds readily available to meet current expenditures.

The determined minimum balances and actual and/or estimated amounts will be reported in the budget document and quarterly financial reports. In the event net working capital falls below the established thresholds, the Finance Director shall provide the County Board of Commissioners for Board of Commissioners approval a plan to restore compliance.

## Crook County Fiscal Policies

The following table summarizes the minimum net working capital for each fund:

FUND	PERIOD TO FUND*	FUNDING SOURCES, COMMENTS
<b>Operating Funds</b>		
General	5 months	Property tax funded
Road	12 months	Major capital improvement risk
Sheriff's Office (excluding Parole & Probation)	5 months	Property tax funded
Parole & Probation	3 months	Quarterly state funding
Community Development	18 months	Volatile activity, 100% fee supported
Health Services	4 months	Federal, state, and local funding excluding pass-through funding
Library	5 months	Property tax funded
Veterans Services	3 months	State and local funding
Special Transportation	3 months	State and federal funding
Video Lottery	3 months	Quarterly state funding
Surveyor	6 months	100% fee-funded services
Tourism	3 months	Quarterly local funding
Fairgrounds	3 months	Diversified local funding
Landfill	3 months + <u>\$4.28</u> <u>million annual post</u> <u>closure liability +</u> <u>\$250,000</u>	100% fee-funded services; 3 mos operating, <del>\$4.28M plus the annual for post-closure liability and plus \$250k for capital repairs</del>
Weed Control	6 months	Federal and local funding, 100% fees
Airport	6 months	Federal, state, and local funding
Facilities	3 months	Internal service funding
<b>Other Funds</b>		
Clerk Special Revenue	None	Local funding
Taylor Grazing	None	Non-operational federal funding
Title III	None	Non-operational federal funding
Risk Management	None	Internal service funding
Community College Edu Center	None	Funded per agreement
Crooked River Watershed	None	Pass-through activity
Capital Asset Reserve	None	Emergency and opportunities fund
Capital Projects	None	Capital projects fund
Debt Service	None	Debt service fund
<b>County Special Districts</b>		
OSU Extension	5 months	Property tax funded

# Crook County Fiscal Policies

FUND	PERIOD TO FUND*	FUNDING SOURCES, COMMENTS
Historical Society (Museum)	5 months	Property tax funded
Crook County Road Agency	None	Pass-through activity

\* Period to fund is calculated based upon average of budgeted Personnel, budgeted Materials & Services, budgeted Debt Service, and 20% of budgeted Capital Outlay expenditures for the current fiscal year.

## B5. Long-Range Planning

Each year the County will update resource and requirement forecasts for major operating funds for the next five years, including an updated five-year Capital Improvement Plan (CIP) for all capital equipment, vehicles, transportation improvements, landfill improvements, fairground facilities, and building improvements (see also B7 below). The forecasts will be included in the annual budget to facilitate budget decisions and strategic planning, based on a multi-year perspective.

including a statement identifying the needs, conditions, and circumstances that have caused the project's creation, as well as the expected results if the project is approved and implemented or if no action is taken.

## C. FINANCIAL REPORTING POLICIES

### C1. Accounting

The County's accounting systems and financial reports will be in conformance with all state and federal laws, generally accepted accounting principles (GAAP), as well as standards of the Governmental Accounting Standards Board (GASB) and the Government Finance Officers Association (GFOA).

### C2. Internal Controls

Financial systems, procedures and processes will maintain internal controls to monitor revenues, expenditures, program performance, and grant requirements on an ongoing basis.

### C3. Annual Audit

An annual audit will be performed by an independent public accounting firm, licensed as a municipal auditor, with an audit opinion to be included with the County's published annual financial report.

### C4. Annual Financial Report

The annual financial report shall demonstrate compliance with finance-related legal and contractual provisions, including disclosures in sufficient detail to minimize ambiguities and potential for misleading inference.

The County's annual financial report will be provided as required to stakeholders to enable

## B6. Budget Awards Program

The County will submit its annual budget to the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Awards Program in order to hold a best practices standard of preparing budget documents of the very highest quality.

## B7. Capital Assets and Improvements

The County's asset capitalization policy is to capitalize and depreciate assets greater than \$10,000 with a useful life beyond one year and repairs or maintenance greater than \$10,000 that extend the useful life of the asset beyond one additional year. Capital assets or repairs costing less than \$10,000 or having a useful life or increasing useful life of one year or less will be treated as operating expenditures.

Annually, the County will approve a five-year Capital Improvement Plan (CIP), congruent with the adoption of its budget, starting with the Fiscal Year 2024 budget. The CIP shall provide details on each capital project: its estimated costs, sources of financing and a description,

# Crook County Fiscal Policies

them to make informed decisions and it will also be posted on the County's website.

As a continuing disclosure requirement, the annual financial report will be provided via electronic submission to the Electronic Municipal Securities Rulemaking Board (EMMA).

## C5. Quarterly Financial Reports

The Finance Department will collaborate with all County departments, to prepare quarterly financial reports that will include unaudited comparisons of actual to budget, with updated full-year estimates of revenue and expenditures. The report will also include narrative highlighting progress made on goals and other initiatives, including explanation to any material changes to delivery of budgeted activity and revenue or expenditures. These reports will be posted to the County's website.

## C6. Financial Accounting Activity

The Finance Department will oversee the County's enterprise resource planning (ERP) financial systems and perform financial transactional activity, including review and adjustments, reconciliations, and allocations. ERP information will be accounted for timely and accurately, with daily posting and review of transactions. Inquiry and transactional access to ERP information and systems will be available, consistent with internal control protocols, to all Board of Commissioners, elected officials, management, and authorized staff to facilitate oversight, accountability, and timely decision making.

## D. REVENUE POLICIES

### D1. Revenue Diversification

The County will diversify its revenue streams to reduce reliance on property taxes and potential negative implications to service delivery resulting from fluctuations in revenue sources.

### D2. Property Taxes

The County's general operating levy will be used primarily to fund the Sheriff's Office, Library, Clerk's office, Assessor's office, District Attorney's office, Juvenile Services, Health Services, Veterans Services, the Fairgrounds, and the Historical Society. Additionally, property taxes may be utilized to support voter-approved debt for capital items.

### D3. Fees and Charges

User fees and charges will be established for services that benefit specific individuals or organizations. The amount of individual fees will be established at amounts that do not exceed the full cost of delivering a service. The County will annually review and adjust all fees, licenses, permits, fines, and other miscellaneous charges in conjunction with the budget process. Factors for fee or charge adjustments will include the impact of inflation, the cost of federal and state mandates, gained efficiencies, and updates/revisions to rate setting methodologies.

### D4. Billing Rates

The County shall establish billing rates for its employees and capital equipment, including vehicles. The rates will be determined on a full-cost recovery basis. These rates will be charged to internal and external customers as incurred.

### D5. Collection Policy

The County shall timely pursue collection of delinquent accounts. Interest may be charged on past due accounts, and when so charged the rate shall be at statutory rates unless another rate is imposed by agreement or statute. When necessary, the County may discontinue service, present a case at small claims Board of Commissioners, send accounts to collection agencies, foreclose on property, assign liens, and use other methods of collection, such as

# Crook County Fiscal Policies

imposing penalties, collection fees, and late charges.

## D6. Use of One-Time Revenue

Generally, one-time revenue shall be directed to non-recurring capital requirements, debt retirement, contribution to capital reserves, contribution to PERS unfunded liability or other liability, and other non-recurring expenses. One-time revenue shall not be used to fund ongoing operations, unless the County, in the context of a multi-year financial plan, chooses to address funding gaps and other operating requirements with future funding to sustain those operations identified and documented.

## D7. Use of Unpredictable Revenue

Revenue of a limited or undefined term will generally be used for capital projects or one-time operating expenditures to ensure that no ongoing service programs are lost when such revenue is reduced or discontinued.

## D8. Pursuit of Grant Funding

Grants are generally contributions from one government to another, usually for a specific purpose. Grants may come with matching fund and/or other requirements. Grants will be approved consistent with the County's Purchasing Rules and Procedures as described in Crook County Code 3.12.

Additionally, all potential grants that require matching funds, on-going resource requirements, or include new or additional continuing compliance requirements shall be evaluated and considered before submittal of the application.

## D9. Revenue Estimates

Revenue will be estimated annually in the budget process in a conservative manner using objective and analytical approaches, with five-year forecasts as noted above. Forecasts of

current year revenue will be updated quarterly as noted in B5 above.

## E. EXPENDITURE POLICIES

- E1. Expenditures will be controlled through appropriate internal controls and procedures. Management must ensure expenditures comply with the adopted budget. Department directors, managers, or division managers will be responsible for the administration of their department/division budget(s). This includes accomplishing the goals and objectives incorporated into the budget and monitoring each department/division budget for compliance with spending limitations.
- E2. The County Board of Commissioners Chair will administer expenditure control at the category or divisional level. Additionally, the County Board of Commissioners Chair may give authorization to mandate expenditure control down to any line-item level. Expenditures anticipated to be in excess of these levels will require County Board of Commissioners approval.
- E3. All purchases of goods and services must comply with the County's purchasing policies, guidelines, and procedures, as well as with state and federal laws and regulations.
- E4. All compensation planning and collective bargaining will include analyses of the total cost of compensation, which includes but is not limited to analysis of salary increases, health benefits, pension contributions, and other fringe benefits.
- E5. The County uses internal service charges to account for services provided by one department to other departments on a cost-recovery basis.

The departments providing internal services include Administration/County Board of

# Crook County Fiscal Policies

Commissioners, Facilities, Finance, GIS, Human Resources, Information Technology, and Legal Counsel.

Goals of an internal service charge include but are not limited to the following:

- a. To improve operational efficiency and effectiveness.
- b. To enhance accountability and transparency of administrative and related overhead costs.
- c. To measure the full cost of providing services for the purpose of fully recovering that cost through fees or charges to user departments.

E6. County staff are to make every effort to control expenditures to ensure County services and programs provided to its citizens and taxpayers are cost effective and efficient. Expenditures that will reduce future costs will be encouraged.

## F. CASH MANAGEMENT POLICIES

### F1. Investments

County funds will be invested in a prudent and diligent manner with emphasis on safety, liquidity, and yield, in that order. The County will conform to all state and local statutes governing the investment of public funds and to the County's investment policy. The County's investment policy shall be approved by the State of Oregon Short-Term Fund Board as required and reviewed by the County Board of Commissioners annually, or as otherwise needed.

### F2. Banking Services

The County will periodically review its banking services (no less than every five years). If fees and/or services of the existing banking relationships are not meeting expectations and/or pricing of competitors is materially less

than present relationships, the County will seek requests for proposals for banking services.

### F3. Annual Validation of County Bank Accounts

Each year a letter is to be mailed to all banking institutions operating within Crook County to validate that the only Crook County accounts, listing Crook County or a Crook County department as the owner of the account and utilizing the County's federal identification number, are those accounts that have been approved by the County Board of Commissioners and request that each bank notify the County of any accounts in operation within their financial institutions that are not on the approved list.

### F4. Authorization and Management

The County Board of Commissioners shall by action of the Board of Commissioners authorize all bank accounts and authorized signatories to those bank accounts. The Finance Director shall manage all banking and investment related services for the County.

### F5. Credit/Purchase Cards

The Finance Director, in consultation with the Board of Commissioners Chair, is authorized to set up credit/ purchase cards for County staff as requested, consistent with purchasing limitations.

### F6. Internal Controls and Performance Auditing Policies

Employees in the public sector are responsible to the taxpayers for how public resources are used and must perform their duties in compliance with law, policy, and established procedures. In order to provide citizens with an objective and independent appraisal of County government, the County will maintain an independent audit program to evaluate and report on the financial condition, the accuracy of financial record keeping, compliance with

# Crook County Fiscal Policies

applicable laws, policies, guidelines and procedures, and efficiency and effectiveness of operations.

## G. DEBT POLICIES

G1. The Finance Director is responsible to structure all debt issuances and oversees the on-going management of all County debt including general obligations, lease purchase agreements, revenue bonds, full faith and credit bonds, promissory notes, equipment financing agreements and any other contractual arrangements that obligate the County to make future principal and interest payments.

G2. No debt will be issued for which a sufficient specifically identified revenue source(s) is(are) available for repayment. The Finance Director shall prepare an analysis of the source(s) of repayment prior to issuance of any debt.

G3. When issuing long-term debt, the County will ensure that debt is only incurred when necessary and when all ~~or~~ the following conditions are met:

- a. For capital improvements too large to be financed from current resources,
- b. The useful life of a financed improvement must exceed the life of the related debt,
- c. The benefits of financing exceed the cost of borrowing, and
- d. Operating costs related to capital improvements are adequately considered, forecasted, and matched with corresponding revenue before debt is issued.

G4. The County will manage and administer its long-term debt in compliance with the restrictions and limitations of state law with regard to bonded indebtedness for counties as outlined in the Oregon Revised Statutes.

The statutes outline the processes for public

hearings, public notice and bond elections, as well as provision for the issuance and sale of bonds and restrictions on the use of those bond proceeds.

These statutory restrictions establish legal limitations on the level of limited tax and general obligation bonded debt which can be issued by the County (limit of 1% and 2% of the real market value of all taxable property, respectively).

All bond issuances and promissory notes will be authorized by resolution of the County Board of Commissioners.

G5. The County will not use long-term debt to fund current operations, to balance the budget, or to fund projects that can be funded from current resources. The County may use short-term debt or interfund loans as permitted by law to cover temporary cash flow needs resulting from a delay in grant proceeds or other revenues and delay in the issuance of long-term debt.

G6. The County will, through prudent financial management and budgeting practices, strive to maintain or enhance its Moody's or S&P credit ratings for full faith and credit debt and for general obligation debt.

G7. The County will ensure that adequate procedures are in place to meet the post issuance obligations of borrowers to report periodic financial information and to disclose certain events of interest to bond holders in a timely manner.

## H. PENSION FUNDING POLICIES

H1. The County will use its best efforts to fund its pension obligations in an equitable and sustainable manner.

H2. The County participates in the Oregon Public

# Crook County Fiscal Policies

Employees Retirement System (PERS) as an Employer within the State and Local Government Rate Pool. The following principles and objectives shall guide the County:

- a. PERS provides no less than biennially an actuarially determined contribution rate (ADC) to serve as the basis for minimum contributions.
- b. The County will prepare a PERS rate stabilization plan on or before the end of Fiscal Year 2028 to more equitably fund PERS costs on a sustainable basis and update annually thereafter, with a goal of ensuring its funding status is between 90% and 110% of its actuarially determined liability.

H3. To continue the County's accountability and transparency, the County will communicate all of the information necessary for assessing the County's progress toward meeting its pension funding objectives periodically, but no less than annually.

## I. MANAGEMENT OF FISCAL POLICIES

- I1. Fiscal policies and changes in policies shall be approved by the County Board of Commissioners and adopted by resolution after a public hearing is held. The approval may be inclusive of the annual budget adoption process and the associated resolutions to that process.
- I2. The Finance Director or designee shall prepare a report explaining the substantive impact of all changes recommended and their impact on the County's operations, service levels, and/or finances.
- I3. The Finance Committee shall review the County's fiscal policies annually and shall provide recommended changes to the County Manager

for consideration. The Finance Committee shall consist of the County Treasurer (or Designee), Finance Director (or Designee) and one other member appointed by the County Manager.

- I4. The County Board of Commissioners Chair shall implement fiscal policies and monitor compliance.
- I5. If the County Board of Commissioners Chair discovers a material deviation from policy, it shall be reported in writing to the County Board of Commissioners in a timely manner.
- I6. As a part of the County's annual budget document, the County Board of Commissioner Chair's budget message shall identify the following:
  - a. All major changes in policy since the previous budget year,
  - b. Any material variations from policy in the ensuing year's budget, and
  - c. Funds that do not meet reserve requirements, along with the developed plan to restore the reserves to the desired levels.

e. \_\_\_\_\_

## J. DEFINITION OF TERMS

### Budget Committee

A committee consisting of the three County Commissioners and an equal number of citizen members appointed by the County Board of Commissioners.

### Capital Improvement Plan (CIP)

The CIP is a schedule of capital projects including estimated cost and timing. There is a separate CIP for each major infrastructure system in the County, such as roads, landfill, airport, jail, information technology, County facilities, and vehicles.

### Category level

For budget control purposes, categories include

# Crook County Fiscal Policies

personnel services, materials and services, capital outlay, debt service, transfers, contingency, reserves, and unappropriated.

## **Debt Coverage Ratio (DCR)**

Represents the ratio of net revenues available to pay scheduled debt service. A ratio of 1.0 reflects “net revenues” equal to scheduled debt service. A ratio greater than 1.0 reflects net revenues in excess of scheduled debt services and a ratio less than 1.0 indicates net revenue is less than scheduled debt service.

## **Divisional level**

For budget control purposes, divisional level would include the jail within the Sheriff’s Office. Other divisions may include the building and electrical divisions within the Community Development Department.

## **Government Finance Officers Association (GFOA)**

The national finance officers’ organization whose purpose is to enhance and promote the professional management of governments for the public benefit by identifying and developing financial policies and best practices, while promoting their use through education, training, facilitation of member networking, and leadership.

## **Net Working Capital**

Net working capital indicates funds readily available to meet current expenditures. Formula: Current assets - Current liabilities = Net working capital

## **Oregon Revised Statutes (ORS)**

Oregon’s compilation of state laws including rules of civil procedure.

# MEMORANDUM



**To:** Crook County Board of Commissioners  
**From:** Will Van Vactor, County Manager  
**Date:** January 6, 2026  
**Re:** Adoption of Revised Fiscal Policies for FY27

---

## 1. Introduction

Crook County's fiscal policies serve as a framework to ensure responsible use of public funds. These policies are intended to protect public resources and support sustainable service delivery. As part of our commitment to responsible fiscal management and transparency, these policies are examined and updated annually to ensure they reflect current best practices and respond to changing economic conditions.

## 2. Background

The Finance Committee, comprising Steve Forrester (Prineville City Manager), Galan Carter, (County Treasurer), and Christina Haron (Finance Director), met on December 17, 2025, for the annual review of our fiscal policies. This review led to a couple of proposed modifications to the fiscal policies. The committee's suggested revisions were subsequently shared with me for my review and consideration.

## 3. Recommended Changes

After considering the committee's suggested revisions, I recommend adopting the following changes because (1) they are modest in nature and do not represent a dramatic change in current policy, and (2) the revisions should lead to additional clarity and certainty for future planning at the landfill.

- **Editorial Corrections:**

The term "cost-effective" in the Executive Summary (Section A) is corrected by adding a hyphen for consistency and clarity.

- **Landfill Section B4 Adjustments:**

Modifications are made to allow for annual adjustments based on inflation rates and relevant post-closure liabilities, ensuring policies align with the Department of Environmental Quality's reports. This adjustment allows more realistic alignment of the landfill's financial planning with its operational requirements.

These revisions are reflected in a redline of the fiscal policies included in the packet for the January 7, 2026, regular board meeting.

#### **4. Additional Recommendations**

The Finance Committee also emphasized the importance of crafting a comprehensive debt policy. The proposed policy would:

- Define permitted uses of debt, authority for debt, and metrics for debt affordability.
- Include guidelines for debt structuring, repayment sources, and ensure compliance with disclosure regulations.
- Facilitate strategic management of long-term debt, offering clear guidelines for issuance and management.

Implementing such a policy would reinforce fiscal responsibility and could potentially lead to cost savings by optimizing debt management strategies. For that reason, I recommend the County begin by preparing a draft debt policy for future review. If there is consensus amongst the board, staff will develop a draft policy for further discussion during a future work session.

#### **5. Next Steps**

##### **a) Adoption of Amendments to the Fiscal Policies:**

- *Recommended:* Move to adopt the revisions and modifications to the fiscal policies as outlined in the fiscal policy redline draft included in the packet for today's meeting.
- Alternative: Move to either leave the fiscal policies as they are currently stated, or recommend other changes be made.

##### **b) Debt Policy Development:**

- The Board is also requested to provide direction to staff on whether to pursue the development of a comprehensive debt policy, a draft of which could be reviewed in subsequent meetings. No motion necessary.

Adopting these changes will bolster Crook County's financial governance framework, ensuring robust financial management practices and improved fiscal stability for future projects and initiatives.



## Agenda Item Request

**Date of Meeting:** January 7, 2026

**Subject:**

Amendment Service Contract with City of Prineville

**Background and Policy Implications:**

The County currently has an agreement with the City of Prineville to accept septic material from the County's septic acceptance facility located at the landfill into their wastewater treatment plant. The current agreement expires January 13th, 2026 and this proposed amendment would extend that agreement for another year.

**Budget/Fiscal Impacts:**

**Requester:**

Jacquie Davis, Landfill Director

**Legal Review (only if requested):**

**Elected official sponsor (if applicable):**



## Agenda Item Request

**Date of Meeting:** January 7, 2026

**Subject:**

2026 County Financial Assistance Agreement for Behavioral Health Services

**Background and Policy Implications:**

**Budget/Fiscal Impacts:**

**Legal Review (only if requested):**

**Elected official sponsor (if applicable):**



## Agenda Item Request

**Date of Meeting:** January 7, 2026

**Subject:**

Local Plan and Budget for Behavioral Health Services

**Background and Policy Implications:**

**Budget/Fiscal Impacts:**

**Legal Review (only if requested):**

**Elected official sponsor (if applicable):**



## Agenda Item Request

**Date of Meeting:** January 7, 2026

**Subject:**

Public Hearing: First Reading of Ordinance 357 An Ordinance Amending Titles 1, 17, and 18 of the Crook County Code, and Declaring an Emergency

**Background and Policy Implications:**

Text Amendments to Crook County Code to bring sections into compliance with current State statutes and regulations, provide clear and objective criteria within the zoning ordinance to provide for greater understanding of requirements, allow for local flexibility in interpreting code language, edit code language that is incorrect, and remove references to outdated or removed sections.

- Title 17 -Chapter 17.12 General requirements and subdivision review committee
- 17.24 Land Partitioning – removing requirement of no structures in area of adjustment
- 18.124 Supplementary Provisions -Updating ADU language with CCFRD request along with removal of wildfire mapping requirements
- 18.16.045 Exclusive Farm Use Zone Uses - amends the code to reflect state statute requirements
- 18.172.080 Members of the planning commission – update to the geographical areas listed in the Comprehensive Plan for planning commissioners
- 18.16.020 Exclusive Farm Use – include farm impacts test from OAR 660-033-0130 (5)
- 18.85 Flood Damage Prevention – clarification of structural code compliance
- 18.12 Establishment of Zones, Boundaries – removal of Floodplain Combining zone
- 18.16.010 Exclusive Farm Use Zone Uses – addition of childcare facility to use table
- 18.132.010 Manufactured Dwellings – clarification for current practice of 15 year or newer for manufactured dwelling to a year standard for compliance with the ORSC energy envelope standard
- 1.04.010 General penalties – allowing the penalties to be changed
- 18.08 Definitions – Dwelling Unit, Designed for Occupancy and Kitchen
- 18.132.080 Recreational vehicle on an individual lot – addition of a 12 month

- cycle, clarification of black and grey water disposal, and must be road ready, not on a permanent foundation
- Addition of recreational use in recreational zones – RR1, RR5 & RR(M)5

Update from County Court to Board of County Commissioners

**Budget/Fiscal Impacts:**

**Requester:**

John Eisler, Community Development Director

**Presenter(s):**

John Eisler, Community Development Director

**Legal Review (only if requested):**

**Elected official sponsor (if applicable):**

**IN THE COUNTY COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CROOK**

**AN ORDINANCE AMENDING TITLES 1,  
17, AND 18 OF THE CROOK COUNTY CODE,  
AND DECLARING AN EMERGENCY**

**ORDINANCE 357**

**WHEREAS**, from time to time it is helpful to review the County's land use planning code provisions, to identify areas where typos can be corrected, additional clarity for applicants can be provided, and efficiencies can be promoted in conduct of the County's land use responsibilities; and

**WHEREAS**, from time to time the County's land use planning code provisions require updates to conform to state law; and

**WHEREAS**, Crook County's form of governance has changed from a County Court to a Board of Commissioners; and

**WHEREAS**, the proposed changes described herein have been considered at a public hearing of the Crook County Planning Commission, which recommends that the Board of County Commissioners adopt such revisions.

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF CROOK COUNTY, OREGON ORDAINS AS FOLLOWS:**

**Section One:** The above recitals and the staff report (Exhibit B) are adopted into and made a part of this Ordinance No. 357 as the County's findings of fact.

**Section Two:** Crook County Code Chapters 1.04, 17.12, 17.24, 18.08, 18.12, 18.16, 18.85, 18.132, and 18.172 are hereby amended to read on the attached Exhibit A, with additions underlined and deletions ~~struck through~~.

**Section Three:** The references to the "County Court" are hereby replaced throughout Titles 17 and 18 as depicted on the attached Exhibit A, with additions *italicized* and deletions ~~struck through~~.

**Section Four:** If any court of competent authority invalidates a portion of this Ordinance, the remaining portions will continue in full force and effect.

**Section Five:** *Emergency.* This Ordinance being necessary for the health, safety, and welfare of the people of Crook County, an emergency is declared to exist, and this Ordinance becomes effective immediately upon approval after the final reading.

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026

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Commissioner Brian Barney

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Commissioner Susan Hermreck

---

Commissioner Seth Crawford

Vote:	Aye	Nay	Excused
Brian Barney	____	____	_____
Susan Hermreck	____	____	_____
Seth Crawford	____	____	_____

## EXHIBIT A

### Title 1 – Chapter 1.04 General Penalties

Request: To provide flexibility in the receipt of fine payments, recognizing that the circuit court is no longer a participant in the majority of code compliance hearings, and thus there are no court costs.

Proposed Amendments:

#### **1.04.010 General penalties.**

- (1) Any violation of any county ordinance shall be punishable, upon conviction, by a fine not exceeding \$500.00 for a noncontinuing offense; and
- (2) When a violation is of a continuing nature, a separately punishable violation occurs on each calendar day the violation continues and shall be punishable, upon conviction, by a fine not exceeding \$500.00 per day; and
- (3) Fines recovered upon conviction for violation of any county ordinance ~~shall~~ *may* be paid to the clerk of the court in which recovery is had; after first deducting court costs in the proceedings, the clerk shall pay the remainder to the treasurer of Crook County for the general fund of Crook County *or such specific fund as designated for this purpose*; and
- (4) Notwithstanding any of the above, the county may seek any other relief including but not limited to equitable relief as the court in which the action is brought deems justified.

## **Title 17 -Chapter 17.12 General requirements and subdivision review committee**

Request: To incorporate the subdivision review committee comments into the staff report and not make direct recommendations to the decision-making body. Additional edits are changes to job titles.

Proposed Amendments:

### **17.12.030 Subdivision review committee.**

There is hereby established a subdivision review committee to review all tentative subdivision plans and ~~make recommendations provide comments to the planning commission be incorporated in the staff report.~~ The committee shall consist of the following members:

- (1) County planning director (who will be chairman).
- (2) County engineer or designated representative.
- (3) County legal counsel.
- (4) County ~~Roadmaster~~—Road superintendent
- (5) County sheriff.
- (6) Fire chief.
- (7) County sanitarian.
- (8) County assessor.
- (9) City engineer, planner, and/or street superintendent.
- (10) State Forestry Representative for fire protection.
- (11) Other members or ex officio members of the committee may be designated by the ~~county planning commission~~ Community Development Director and may include, among others, as follows:
  - (a) Public utility representative(s).
  - (b) Irrigation district representative(s).
  - (c) School district representative.
  - (d) Department of Environmental Quality.
  - (e) Department of Transportation.
  - (f) Postal department.
  - (g) Other state or federal agencies.

### **17.12.040 Duties of committee.**

It shall be the duty of the committee to examine and review all tentative subdivision plans and ~~make recommendations provide comments to the planning commission to be incorporated in the staff report prior to submittal thereto.~~ (Ord. 231 § 1 (Exh. A), 2010; Ord. 19 § 2.040, 2003)

#### **17.12.050 Subdivision conference.**

The director shall schedule a meeting with the subdivision review committee and the subdivider or his authorized agent and engineer or surveyor prior to submittal to the commission. (Ord. 19 § 2.050, 2003)

#### **17.12.060 Committee review factors.**

In review of proposed subdivisions, the committee shall consider the follow factors:

- (1) Preliminary plat requirements.
- (2) Conformance to the zoning ordinance.
- (3) Quantity and quality of existing or proposed water supply, adequacy of the existing or proposed sewage disposal system to support the projected population; or in the event that subsurface sewage disposal is proposed for any or all of the parcels of the development, the capability of the soil for the proper long-term support of such a system or systems.
- (4) Adequacy of public services, existing or committed and funded, in the area of the proposed development, such as schools, police and fire protection, health facilities, highway and arterial road networks, and other transportation facilities, parks and other recreational facilities, to serve the increase in population expected to be created by the development.
- (5) Effect of the development on the scenic or natural beauty of the area, historic sites or rare and irreplaceable natural areas.
- (6) Location of development in relation to industrial plants, livestock feedlots, solid waste disposal sites (existing and proposed), mining and quarrying operations and other possible conflicting land uses, particularly agricultural and forestry use.
- (7) Possible adverse effects on the development by natural hazards, such as floods, slides or faults, etc.
- (8) Possible adverse effects of the development on adjacent or area agricultural, grazing, forest or industrial lands and operations.
- (9) Design and development for retention of the maximum feasible amount of vegetation and other natural amenities.
- (10) Possible environmental damage to the area or possible effects on fish, wildlife or their habitat.
- (11) Possible conflicts with easements acquired by the public for access through or use of property within or adjacent to the proposed development.

- (12) Unusual conditions of the property involved such as high water table, slope, bedrock, or other topographic or geologic conditions, which might limit the capability to build on the land using ordinary and reasonable construction techniques.
- (13) Marketable title or other interest contracted for.
- (14) Adequate financial arrangements for on-site and off-site improvements proposed or required.
- (15) Evidence that each and every parcel can be used for the purpose for which they are intended and to be offered.
- (16) Agreement or bylaws to provide for management, construction, maintenance, or other services pertaining to common facilities or elements in the development.
- (17) Protective covenants or deed restrictions; *including but not limited to defensible space standards, fire sprinklers, or secondary access for fire standards.*

## **17.24 Land Partitioning**

Request: To remove the prohibition on structures within area of adjustment.

Proposed Amendments:

### **17.24.080 Special partitioning and property line adjustment regulations.**

(2) The property line adjustment of a parcel by the relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel and either parcel is not reduced below the minimum lot size established by the applicable zoning ordinance, ~~and that there are no dwellings or other structures located within the area involved in the adjustment,~~ may be approved by the planning department. *All existing structures shall meet the dimensional standards and setback requirements of the zone.* On land zoned for exclusive farm use, forest use or mixed farm or forest use the requirements of ORS 92.192(3) must also be met. A filing fee shall be required. A survey may not be required by the planning department and the county surveyor for parcels that can be legally described by aliquot part.

## **18.124 Supplementary Provisions**

Request: To align with state statute and remove the language regarding the fire map. To align driveway requirements with Oregon Fire Code, legislation, and County standards.

Proposed Amendments:

### **18.124.140 Accessory dwelling units.**

[...]

(2) Accessory dwelling units, as defined in CCC 18.08.010, where permitted by zoning within rural residential zones, are subject to site plan review and the following standards:

(a) Definitions. For the purposes of this subsection (2), unless otherwise specifically provided, certain words, terms, and phrases are defined as follows:

(i) "Accessory dwelling unit" (ADU) means a residential structure that is used in connection with or that is auxiliary to a single-family dwelling.

(ii) "Area zoned for rural residential use" means land that is not located inside an urban growth boundary and that is subject to an acknowledged exception to a statewide land use planning goal relating to farmland or forestland and planned and zoned by the county to allow residential use as a primary use.

(iii) "Single-family dwelling" means a residential structure designated as a residence for one family and sharing no common wall with another residence of any type.

(iv) "Usable floor area" means the area included within the surrounding insulated exterior walls of a structure, exclusive of attached garages, carports, decks, stairs, porch covers, or similar appurtenances.

(v) "Vacation occupancy" means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, that has all of the following characteristics:

(A) The occupant rents the unit for vacation purposes only, not as a principal residence;

(B) The occupant has a principal residence other than at the unit; and

(C) The period of authorized occupancy does not exceed 45 days.

(b) Criteria for ADUs. In rural residential zones where an ADU is a permitted use, a lot or parcel may qualify for one ADU subject to site plan review and the following standards:

(i) The lot or parcel is at least five acres in size;

- (ii) At least one single-family dwelling is sited on the lot or parcel. For purposes of this section, "sited" means that a single-family dwelling exists on the lot or parcel, or a single-family dwelling has been approved by the planning department;
- (iii) The lot or parcel is not located within an urban reserve area, consistent with ORS 195.137;
- (iv) The ADU complies with all applicable laws and regulations relating to sanitation and wastewater disposal and treatment;
- (v) The ADU must comply with the property development standards of the applicable rural residential zone, except that any ADU that is proposed on a lot or parcel that is adjacent to land zoned primarily for farm (EFU) or forest use (F-1), the ADU shall be set back at least 100 feet from the boundary of the adjacent property that is zoned for farm or forest use;
- (vi) A subdivision, partition or other division of the lot or parcel so that the existing single-family dwelling is situated on a different lot or parcel than the ADU may not be approved;
- (vii) Only one ADU is allowed on a qualifying lot or parcel;
- (viii) The ADU will be located no farther than 100 feet from the existing single-family dwelling, measured from a wall of the single-family dwelling to the nearest part of the usable floor area of the ADU;
- (ix) The ADU will not include more than 900 square feet of usable floor area as defined by subsection (2)(a)(iv) of this section;
- (x) The existing single-family dwelling on the lot or parcel is not subject to an order declaring it a nuisance or subject to any pending action under ORS 105.550 to 105.600;
- (xi) The lot or parcel on which the ADU is located is served by a fire protection district that complies with ORS 181A.410;
- (xii) The ADU provides for the following:
  - (A) Adequate access connecting an accessory dwelling unit with a fire protection service provider with professionals who have received training or certification described in ORS 181A.410. Adequate access is met by demonstrating compliance with subsections (2)(b)(xii)(A)(1), and (2)(b)(xii)(A)(2), or and (2)(b)(xii)(A)(3) of this section:
    1. A continuous, minimum 20-foot width right(s)-of-way with unobstructed vertical clearance of not less than 13.5 feet.

2. A continuous, minimum 14-foot width driveway with unobstructed shoulders of three feet on each side, with an unobstructed vertical clearance of not less than 13.5 feet, with a minimum curve radius of 48 feet, designed and maintained to support minimum gross vehicle weight (GVW) of 75,000 lbs. and composed on all-weather surface including, but not limited to, asphalt, gravel or concrete. Prior to receipt of an occupancy permit for the ADU, the applicant shall provide a letter from a licensed Oregon engineer confirming that the driveway meets the above-described standard.

3. Driveways in excess of 200 feet shall provide a 20-foot wide, 40-foot long passage (turnout) at a distance of one-half the driveway length or 400 feet, whichever is less.

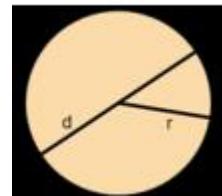
4. ~~Prior to submitting a land use application for an ADU, the applicant shall provide notice of its intent to construct an ADU to the applicable fire and rescue district, including the plans for access to the ADU.~~

(xiii) The applicant provides an evacuation plan that arranges for safe evacuation and identifies staged evacuation areas. As used in this section, “safe evacuation” means an identified route for evacuation from the ADU to the staged evacuation area. “Staged evacuation area” means a public or private location that occupants of the ADU may evacuate to.

(A) The applicant must provide written authorization from the owner of the staged evacuation area that the occupants of the ADU may evacuate to that location.

(B) The staged evacuation area that the occupants of the ADU may use must be at least one-quarter acre or 10,890 square feet, in size and kept clear of all flammable materials, including natural vegetation, excluding irrigated lawns. The evacuation area shall have a minimum distance from the outer boundary of 59 feet and a minimum distance across of 118 feet, as shown below.

$$\begin{aligned} r &= 58.88 \text{ ft} \\ d &= 117.75 \text{ ft} \\ \text{Area} &= 10,890 \text{ ft}^2 \end{aligned}$$



(C) A determination by the county that an evacuation plan meets the requirements of this subsection (2)(b)(xiii) is not a certification that the plan provides for safe evacuation and is not a certification of the safety of the identified staged evacuation areas. The county does not warrant or guarantee the effectiveness of any proposed

evacuation plan and cannot be held liable in the event of property damage, injury, or death that may occur when an evacuation plan is used or followed.

- (xiv) No portion of the lot or parcel is within a designated area of critical state concern as defined in Chapter 660-043 OAR.
- (xv) If the water supply source for the ADU or associated lands or gardens will be a well using water under ORS 537.545(1)(b) or (d), no portion of the lot or parcel is within an area in which new or existing ground water uses under ORS 537.545(1)(b) or (d) have been restricted by the water resources commission.
- (xvi) If the ADU is served by a well, the construction of the ADU shall maintain all setbacks from the well required by the water resources commission or water resources department.
- (xvii) If the ADU is served by a water source other than a well serving only the primary residence on the property, the applicant must provide a letter confirming that the supplier of water is "willing and able to serve" the ADU.
- (xviii) The applicant signs and records a restrictive covenant with Crook County deeds and records stating that the ADU allowed under this section will not be used for vacation occupancy.
- (xix) An existing single-family dwelling and an ADU allowed under this section are considered a single unit for the purposes of calculating exemptions under ORS 537.545(1).
- (xx) ~~The accessory dwelling unit complies with the construction provisions of Section R327 of the Oregon Residential Specialty Code, if:~~
  - (A) ~~The lot or parcel is in an area identified as extreme or high wildfire risk on the statewide map of wildfire risk described in ORS 477.490; or~~
  - (B) ~~No statewide map of wildfire risk has been adopted.~~
- (xxi) ~~If the lot or parcel is in an area identified on the statewide map of wildfire risk described in ORS 477.490 as within the wildland urban interface, the lot or parcel and ADU must comply with the defensible space requirements for wildfire risk reduction established by the state fire marshal under ORS 476.392 and any applicable local requirements for defensible space established by the local government pursuant to ORS 476.392.~~

## **18.16.045 Exclusive Farm Use Zone Uses**

Request: To align County Code with State statute.

Proposed Amendments:

### ***18.16.045 Alteration, restoration or replacement of a lawfully established dwelling.***

(1) A lawfully established dwelling may be altered, restored or replaced if, when an application for a permit is submitted, the permitting authority finds to its satisfaction, based on substantial evidence, that:

(a) The dwelling to be altered, restored or replaced has, or formerly had:

(i) Intact exterior walls and roof structure;

(ii) Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;

(iii) Interior wiring for interior lights;

(iv) A heating system; and

~~(v) The dwelling was assessed as a dwelling for purposes of ad valorem taxation for the previous five property tax years, or, if the dwelling has existed for less than five years, from that time.~~

~~b) Notwithstanding subsection (1)(a)(v) of this section, if the value of the dwelling was eliminated as a result of either of the following circumstances, the dwelling was assessed as a dwelling until such time as the value of the dwelling was eliminated:~~

~~(i) The destruction (i.e., by fire or natural hazard), or demolition in the case of restoration, of the dwelling; or~~

~~(ii) The applicant establishes to the satisfaction of the permitting authority that the dwelling was improperly removed from the tax roll by a person other than the current owner. "Improperly removed" means that the dwelling has taxable value in its present state, or had taxable value when the dwelling was first removed from the tax roll or was destroyed by fire or natural hazard, and the county stopped assessing the dwelling even though the current or former owner did not request removal of the dwelling from the tax roll.~~

*(b) Unless the value of the dwelling was eliminated as a result of destruction or demolition, was assessed as a dwelling for purposes of ad valorem taxation since the later of:*

- (i) Five years before the date of the application; or
- (ii) The date that the dwelling was erected upon or fixed to the land and became subject to property tax assessment; or
- (c) If the value of the dwelling was eliminated as a result of destruction or demolition, was assessed as a dwelling for purposes of ad valorem taxation prior to the destruction or demolition and since the later of:
  - (i) Five years before the date of the destruction or demolition; or
  - (ii) The date that the dwelling was erected upon or fixed to the land and became subject to property tax assessment.

(2) For replacement of a lawfully established dwelling under Use 2.7 in Table 1:

- (a) The dwelling to be replaced must be removed, demolished or converted to an allowable nonresidential use *within three months after the date the replacement dwelling is certified for occupancy pursuant to ORS 455.055*.
  - (i) ~~Within one year after the date the replacement dwelling is certified for occupancy pursuant to ORS 455.055; or~~
  - (ii) ~~If the dwelling to be replaced is, in the discretion of the permitting authority, in such a state of disrepair that the structure is unsafe for occupancy or constitutes an attractive nuisance, on or before a date set by the permitting authority that is not less than 90 days after the replacement permit is issued; and~~
  - (iii) ~~If a dwelling is removed by moving it off the subject parcel to another location, the applicant must obtain approval from the permitting authority for the new location.~~

~~(b) The applicant must cause to be recorded in the deed records of the county a statement that the dwelling to be replaced has been removed, demolished or converted.~~

(b) The replacement dwelling:

- (i) May be sited on any part of the same lot or parcel.
- (ii) Must comply with applicable siting standards. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.
- (iii) ~~Must comply with the construction provisions of section R327 of the Oregon Residential Specialty Code, if:~~

~~(A) The dwelling is in an area identified as extreme or high wildfire risk on the statewide map of wildfire risk described in ORS 477.490; or~~

~~(B) No statewide map of wildfire risk has been adopted.~~

(c) As a condition of approval, if the dwelling to be replaced is located on a portion of the lot or parcel that is not zoned for exclusive farm use, the applicant shall execute and cause to be recorded in the deed records of the county in which the property is located a deed restriction prohibiting the siting of another dwelling on that portion of the lot or parcel. The restriction imposed is irrevocable unless the county planning director, or the director's designee, places a statement of release in the deed records of the county to the effect that the provisions of 2013 Oregon Laws, Chapter 462, Section 2 and ORS 215.283 regarding replacement dwellings have changed to allow the lawful siting of another dwelling.

~~(3) The county planning director, or the director's designee, shall maintain a record of the lots and parcels that do not qualify for the siting of a new dwelling under subsection (2) of this section, including a copy of the deed restrictions filed under subsection (2)(c) of this section.~~

~~(3) A replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction.~~

~~However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.~~

~~(a) The siting standards of subsection (3)(b) of this section apply when a dwelling qualifies for replacement because the dwelling:~~

~~(i) Formerly had the features described in subsection (1)(a) of this section;~~

~~(ii) Was removed from the tax roll as described in subsection (1)(b) of this section; or~~

~~(iii) Had a permit that expired as described under subsection (4)(c) of this section.~~

~~(b) The replacement dwelling must be sited on the same lot or parcel:~~

~~(i) Using all or part of the footprint of the replaced dwelling or near a road, ditch, river, property line, forest boundary or another natural boundary of the lot or parcel; and~~

~~(ii) If possible, for the purpose of minimizing the adverse impacts on resource use of land in the area, within a concentration or cluster of structures or within 500 yards of another structure.~~

~~(c) Replacement dwellings that currently have the features described in subsection (1)(a) of this section and that have been on the tax roll as described in subsection (1)(b) of this section may be sited on any part of the same lot or parcel.~~

~~(4) A replacement dwelling permit that is issued under Use 2.7 in Table 1:~~

~~(a) Is a land use decision as defined in ORS 197.015 where the dwelling to be replaced:~~

~~(i) Formerly had the features described in subsection (1)(a) of this section; or~~

~~(ii) Was removed from the tax roll as described in subsection (1)(b) of this section;~~

~~(b) Is not subject to the time to act limits of ORS 215.417; and~~

~~(c) If expired before January 1, 2014, shall be deemed to be valid and effective if, before January 1, 2015, the holder of the permit:~~

~~(i) Removes, demolishes or converts to an allowable nonresidential use the dwelling to be replaced; and~~

~~(ii) Causes to be recorded in the deed records of the county a statement that the dwelling to be replaced has been removed, demolished or converted.~~

*(4) If an applicant is granted a deferred replacement permit under this section:*

*(a) The deferred replacement permit:*

*(i) Does not expire but the permit becomes void unless the dwelling to be replaced is removed or demolished within three months after the deferred replacement permit is issued; and*

*(ii) May not be transferred, by sale or otherwise, except by the applicant to the spouse or a child of the applicant.*

*(b) The replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction.*

*(5) An application under this section must be filed within three years following the date that the dwelling last possessed all the features listed under subsection (1)(a) of this section.*

*(6) Construction of a replacement dwelling approved under this section must commence no later than four years after the approval of the application under this section becomes final.*

### **18.172.080 Members of the planning commission**

Request: To add language to the eligibility portion of the CCC 18.172.080(1) to further define the geographic representation for potential applicants.

Proposed Amendments:

#### ***18.172.080 Members of the planning commission.***

##### **(1) Members of the Planning Commission.**

[...]

(d) Members of the planning commission shall be residents of the various geographic areas of the county. The various geographic areas are depicted in the map of citizen planning areas in the Crook County comprehensive plan (*Lone Pine, Powell Buttes, Urban Reserve Area, Prineville Reservoir, Ochoco Reservoir and Post-Paulina*). The county court may deviate from these areas to the extent practicable needed to obtain a full seven-member planning commission from the applicant pool available. An objection to an applicant by the majority of the county court may be the basis for deviating from the geographic areas in the citizen planning areas.

[...]

## **18.16.020 Exclusive Farm Use**

Request: To include the adopted rule update in the Oregon Administrative Rule, which details the information needed to make a finding for sub 1 and 2 of the Farm Impacts test. This is from the Farm/Forest Rule Advisory Committee whose intent was to codify case law and provide clarification for jurisdictions across the state to apply a standard measure for these criteria.

Proposed Amendments:

### **18.16.020 Conditional use review criteria**

An applicant for a use permitted as a conditional use "C" in Table 1 must demonstrate compliance with the following criteria and specific requirements for conditional uses in Chapter 18.160 CCC:

- (1) The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use;
- (2) The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use; and
  - (a) *For purposes of subsection (1) and (2), a determination of forcing a significant change in accepted farm or forest practices on surrounding lands devoted to farm and forest use or a determination of whether the use will significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use requires:*
    - (A) *Identification and description of the surrounding lands, the farm and forest operations on those lands, and the accepted farm practices on each farm operation and the accepted forest practices on each forest operation;*
    - (B) *An assessment of the individual impacts to each farm and forest practice, and whether the proposed use is likely to have an important influence or effect on any of those practices; and*
    - (C) *An assessment of whether all identified impacts of the proposed use when considered together could have a significant impact to any farm or forest operation in the surrounding area in a manner that is likely to have an important influence or effect on that operation.*
    - (D) *For purposes of this subsection, examples of potential impacts for consideration may include but are not limited to traffic, water availability and*

*delivery, introduction of weeds or pests, damage to crops or livestock, litter, trespass, reduction in crop yields, or flooding.*

*(E) For purposes of subsection (1) and (2), potential impacts to farm and forest practices or the cost of farm and forest practices, impacts relating to the construction or installation of the proposed use shall be deemed part of the use itself for the purpose of conducting a review under subsections (1) and (2).*

*(F) In the consideration of potentially mitigating conditions of approval under ORS 215.296(2), the governing body may not impose such a condition upon the owner of the affected farm or forest land or on such land itself, nor compel said owner to accept payment to compensate for the significant changes or significant increases in costs described in subsection (1) and (2).*

(3) The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this title and the following general criteria:

- (a) The use is consistent with those goals and policies of the comprehensive plan which apply to the proposed use;
- (b) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;
- (c) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- (d) The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- (e) The use is or can be made compatible with existing uses and other allowable uses in the area.

## **18.85 Flood Damage Prevention**

Request: To update reference to building structural floodproofing regulations

Proposed Amendments:

### **18.85.060 General provisions.**

~~(3) Coordination with State of Oregon Specialty Codes. Pursuant to the requirement established in Chapter 455 ORS, Crook County enforces the State of Oregon Specialty Codes. Crook County does hereby acknowledge that the Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in special flood hazard areas. Therefore, this chapter is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.~~

*(3) Coordination with the Building Official or designee. Pursuant to requirements established in Title 15 of the Crook County Code for the Administration and Implementation of the NFIP, Crook County enforces the ASCE Standard 24, Flood and Resistant Design and Construction and the FEMA Technical Bulletin Requirements for Flood Openings in Foundation Walls and Walls of Enclosures. Crook County does hereby acknowledge that certain provisions outside the Oregon Specialty Codes apply to the design and construction of buildings and structures located in special flood hazard areas. Therefore, this chapter is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.*

## **18.12 Establishment of Zones, Boundaries**

Request: To remove Chapter 18.84, it was replaced by Chapter 18.85 which is not a zone.

Proposed Amendments:

### **18.12.010 Establishment of zones.**

For the purpose of this title, the following zones are hereby established:

<b>Chapter</b>	<b>Zones</b>	<b>Abbreviated</b>
<b>18.84</b>	<del>Flood Plain</del> <del>Combining</del>	<del>FP</del>

### **18.16.010 Exclusive Farm Use Zone Uses**

Request: To align with ORS 215.283(2)(aa) and include the use into the table for EFU zones.

Proposed Amendments:

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
7	<b>Parks/Public/Quasi-Public Uses</b>	C	Planning Commission Hearing	<b>18.16.015 (28) 18.16.020</b>

*(28) Child care facilities, preschool recorded programs or school-age recorded programs that are:*

*(a) Authorized under ORS 329A.250 to 329A.450;*

*(b) Primarily for the children of residents and workers of the rural area in which the facility or program is located; and*

*(c) Colocated with a community center or a public or private school allowed under this subsection.*

## **18.132.010 Manufactured Dwellings**

Request: Provide clear and objective criteria for siting of manufactured dwellings

Proposed Amendments:

### **18.132.005 Policy and purpose**

*This policy establishes clear, objective standards for the placement of manufactured dwellings to ensure the exterior thermal envelope performance is equivalent to that required of site-built single-family dwellings, in compliance with ORS 197.307 and the current Oregon Residential Specialty Code (ORSC).*

### **18.132.010 Minimum standards for manufactured dwellings.**

#### **(4) Placement Standards for Manufactured Dwellings.**

~~(a) Manufactured dwellings constructed no more than 15 years prior to the date of application are permitted as a dwelling where a dwelling is allowed.~~

~~Manufactured dwellings constructed more than 15 years prior to the date of application shall not be allowed for placement in Crook County except as allowed under subsection (4)(b) of this section or by exception by the Crook County community development director.~~

~~This provision applies to new site plan applications submitted after the date of the ordinance codified in this chapter (November 13, 2019).~~

~~(b) All manufactured dwellings, which were manufactured in accordance with the laws in effect at the time of construction, are allowed in all permitted mobile home parks.~~

*A manufactured dwelling cited on an individual lot outside of a manufactured dwelling park, must demonstrate compliance with the exterior thermal envelope performance standards equivalent to the ORSC in effect at the time of the permit application. Compliance is determined by the dwelling's Manufacture Date.*

##### *A. Modern Construction (Post-January 1, 2017)*

*Dwelling is deemed compliant with the exterior thermal envelope if it possesses a valid HUD Insignia certifying compliance with the federal standards in place at the time of manufacture.*

*\*This date aligns with the adoption of ORSC updates based on the 2015 IECC/IRC, which significantly increased envelope stringency.*

*B. Older Construction (July 1, 1976 – December 31, 2016)*

*The Applicant must provide an Energy Certification Report prepared by a licensed Oregon engineer, architect, or certified Home Energy Rater (HERS). The report must certify that the existing manufactured dwelling's thermal envelope (walls, roof, floor, windows, doors) has been analyzed and/or upgraded to meet:*

- 1. The prescriptive R-values (e.g., floor R-30) and U-factors equivalent to the 2017 ORSC.*
- 2. Air leakage control measures equivalent to the 2017 ORSC standard, or a comprehensive on-site air sealing plan for the installation.*

*C. Pre-HUD Construction (Pre-July 1, 1976)*

*Placement on individual lots is prohibited due to the inability to certify that the factory-built structure meets the required thermal and safety standards equivalent to a site-built dwelling, as required by ORS 197.307.*

*Placement of these homes may only be considered under the special safety/inspection procedures permitted by ORS 197.485(4) and only in existing manufactured dwelling parks where permitted by the zoning district.*

## **18.08 Definitions**

Request: The heart of the issue is that accessory structures should not provide complete living facilities that are independent of the primary dwelling. Incorporating these two definitions into our Code will hopefully remove ambiguity and provide clarity to all parties.

Proposed Amendments:

### ***18.08.040 D Definitions***

*“Designed for occupancy” means a structure or portion of a structure designed to include permanent independent living facilities:*

- *with four or more interior plumbing fixtures;*
- *kitchen;*
- *full bathroom; and*
- *space which could be reasonably used as a bedroom.*

*“Dwelling unit” means one or more rooms in a building designed for occupancy by one family ~~and having not more than one cooking facility~~.*

### ***18.08.110 K Definitions***

*“Kitchen” means an area designed to be used for the preparation of food.*

*Design elements that indicate an area may be used for the preparation of food include:*

- *capabilities of a cooking facility (240-volt electrical outlet or gas piping);*
- *sink;*
- *countertop exceeding 6 lineal feet;*
- *dedicated space and electrical outlet capable of supporting a refrigerator exceeding 5.0 cubic feet; or*
- *space with access to electrical and drain hookups that could reasonably be used for a dishwasher.*

**18.132.080 Recreational vehicle on an individual lot.**

Request: Clarify recreational vehicle use for private property.

1. An RV may only be stored or placed on a lot or parcel, but not lived in or used as a dwelling, if there is also a permitted dwelling, as defined in Chapter 18.08 CCC, on the same parcel or lot, except:
  - (a)In the county's residential zones, excluding the SR-1 (suburban residential) zone, an individual may stay in a self-contained RV on a parcel or lot owned by the individual for up to 60 days in a 90-day period ~~but all wastewater must be properly disposed of in an approved septic system or dumping station;~~
  - (b)An RV may be placed on a lot for which a valid building permit is issued for a residence. The RV may be occupied for no more than one year; or
  - (c)In the county's residential zones, excluding the SR-1 (suburban residential) zone, an individual may stay in a self-contained RV on a parcel or lot owned by the individual for more than 60 days but less than six months over a 12 month period upon issuance of a temporary use permit by the Crook County community development department. ~~All necessary permits shall be obtained from the building, environmental health and planning departments. An RV used as a temporary dwelling shall meet setback requirements. This provision does not apply in subdivisions where the use of recreational vehicles as temporary or seasonal dwellings is limited by or prohibited by covenants, conditions and restrictions (CCRs) or other homeowner association agreements.~~
2. A Recreational Vehicle shall not be placed on a permanent foundation and must remain readily mobile at all times.
3. All wastewater must be properly disposed of in an approved septic system or dumping station.

### **Recreational use in recreational zones**

Request: Addition of recreational use in recreational zones including RRM5, RR1 and RR5.

Proposed Amendments:

**18.40.010 - Uses permitted outright, to add:**

*(10) Private Recreational Use, subject to the limitations set forth in CCC 18.132.080.*

**18.44.010 - Uses permitted outright, to add:**

*(7) Private Recreational Use, subject to the limitations set forth in CCC 18.132.080.*

## **Update from County Court to Board of County Commissioners**

Request: The County Court reformed as a Board of County Commissioners in 2024. The Crook County Code Titles 17 and 18 are shown below representing the update for this change.

Proposed Amendments:

### **18.04.090 Remedies.**

In case a building or other structure is, or is proposed to be, located, constructed, maintained, repaired, altered or used, or any land is or is proposed to be used in violation of this title, the *board county court* or a person whose interest in real property in the county is or may be affected by the violation may, in addition to other remedies provided by law, institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or remove the unlawful location, construction, maintenance, repair, alteration or use. When a temporary restraining order is granted in a suit instituted by a person who is not exempt from furnishing bonds or undertakings under state law, the person shall furnish undertaking as provided in ORS 32.010 to 32.060. (Ord. 18 § 10.030, 2003)

### **18.08.080 H definitions.**

“Habitable floor” means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a “habitable floor.”

“Hearing authority” means the *board county court*, planning commission, or a hearings officer appointed by the *board court* under CCC 18.172.010(2).

“Height of building” means the vertical distance from the average of the finished grade adjacent to the building walls to the average height of the highest roof surface.

“Height of wind energy system” means the vertical distance from the grade to the tip of a wind generator blade when the tip is at its highest point.

“High-value farmland” means land in a tract composed predominantly of soils that are:

- (a) Irrigated and classified prime, unique, Class I or II; or
- (b) Not irrigated and classified prime, unique, Class I or II; and
- (c) High-value farmland includes tracts growing specified perennials as demonstrated by the most recent aerial photography of the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture taken prior to November 4, 1993. “Specified perennials” means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees, or vineyards, but not including seed crops, hay, pasture or alfalfa.

“Historic area” means lands with sites, structures and objects that have local, regional, state-wide or national historical significance.

“Hog farm” means any premises where 25 or more hogs are maintained.

“Home occupation” means an occupation carried on within a dwelling and/or a residential accessory structure by a resident or employees depending on type pursuant to Chapter 18.160 CCC and is secondary to the residential use of the dwelling and/or the residential accessory structure. (Ord. 321 § 4, 2020; Ord. 309 § 1 (Exh. B), 2019)

### **18.08.270 Administrative terminology and construction.**

(1) **Terminology.** The word “county” shall mean the county of Crook, Oregon. The words “*board of commissioners county court*” and “*board court*” shall mean the *Board of Commissioners county court* of the County of Crook. The words “planning commission” and “commission” shall mean the county planning commission of the county of Crook duly appointed by the *board county court*. The words “planning director,” “building official,” “county roadmaster,” “county clerk,” “county sanitarian,” “county surveyor,” “tax collector” and “assessor” shall mean the planning director, building official, county roadmaster, county clerk, county sanitarian, county surveyor, tax collector, and assessor of the county of Crook. “Planning director” shall mean the planning director or his designated representative.

(2) **Construction.** Words used in the present tense include the future tense; words used in the singular include the plural and words used in the plural include the singular; the word “shall” is mandatory; the word “may” is permissive; the masculine shall include the feminine and neuter. (Ord. 309 § 1 (Exh. B), 2019)

### **18.12.030 Zoning map.**

A zoning map or zoning map amendment adopted by CCC 18.12.020 or by an amendment thereto shall be prepared by authority of the planning commission or be a modification by the *board county court* of a map or map amendment so prepared. The map or map amendment shall be dated with the effective date of the ordinance that adopts the map or map amendment. A certified print of the adopted map or map amendment shall be maintained in the office of the county clerk as long as this title remains in effect. (Ord. 280 § 2 (Exh. B), 2015; Ord. 18 § 2.030, 2003)

### **18.16.010 Use table.**

Table 1 identifies the uses permitted in the EFU zone. This table applies to all new uses, expansions of existing uses, and changes of use when the expanded or changed use would require review, unless otherwise specified on Table 1. All uses are subject to the general provisions, special conditions, additional restrictions and exceptions set forth in this chapter. Due to the limited amount of high-value farmland in Crook County, the uses for high-value farmland are not listed in this section. If a use permitted in Table 1 is located on high-value farmland, the requirements of this chapter and the requirements of OAR Division 33 shall be used for review.

As used in Table 1:

(1) Use Type.

- (a) "A" means the use allowed.
- (b) "STS" means the use is subject to site plan review and any other listed criteria.
- (c) "C" means the use is a conditional use. Conditional uses are permitted subject to county review, any specific standards for the use set forth in CCC 18.16.015, the conditional use review criteria in CCC 18.16.020, the general standards for the zone, and specific requirements applicable to the use in Chapter 18.160 CCC.
- (d) "X" means the use is not allowed.

(2) Review Procedures.

- (a) "P" means the use is permitted outright; uses and activities and their accessory buildings and uses are permitted subject to the general provisions set forth by this chapter.
- (b) "Administrative" are permitted by right, requiring only nondiscretionary staff review to demonstrate compliance with the standards in this chapter. Permits subject to administrative review are limited to actions that do not require interpretation or the exercise of policy or legal judgment.
- (c) "Notice and opportunity for public hearing" involve permits for which the application of review criteria requires the exercise of limited discretion. Decisions are made by the planning director. These decisions require a notice of decision and opportunity for appeal and public hearing.
- (d) "Planning commission hearing" uses require a public hearing. Decisions are made by the planning commission, usually with an opportunity to appeal to the board of commissioners. These decisions involve the exercise of discretion and judgment when applying applicable land use and development criteria but implement established policy. Uses that are subject to this review procedure may be allowed subject to findings of compliance with applicable approval criteria and development standards. These decisions require a public notice prior to, and after, a decision.

(3) The "Subject To" column identifies any specific provisions of CCC 18.16.015 and other local requirements to which the use is subject.

**Table 1. Use Table for Exclusive Farm Use (EFU) District**

	Use	Use Type	Review Procedure	Subject To
1	Farm, Forest, and Natural Resource Uses			
1.1	Farm use.	A	P	
1.2	Propagation or harvesting of a forest product.	A	P	

**Table 1. Use Table for Exclusive Farm Use (EFU) District**

	Use	Use Type	Review Procedure	Subject To
1.3	Composting limited to accepted farming practices in conjunction with and auxiliary to farm use on the subject tract.	A	P	
1.4	A facility for the processing of farm products with a processing area of less than 2,500 square feet.	A	P	
1.5	Agricultural buildings customarily provided in conjunction with farm use.	STS	Administrative	
1.6	Creation of, restoration of, or enhancement of wetlands.	STS	Administrative	
1.7	A facility for the processing of farm products with a processing area of at least 2,500 square feet but less than 10,000 square feet.	STS	Notice and Opportunity for Hearing	<u>18.16.015(1)</u>
1.8	A facility for the primary processing of forest products.	C	Planning Commission Hearing	<u>18.16.015(2)</u>
2	Residential Uses			
2.1	Primary farm dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015(25)</u> 18.16.025
2.2	Relative farm help dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015(3)</u> <u>18.16.015(25)</u>
2.3	Accessory farm dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015(25)</u> 18.16.030
2.4	Lot of record dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015(25)</u> 18.16.035

**Table 1. Use Table for Exclusive Farm Use (EFU) District**

	Use	Use Type	Review Procedure	Subject To
2.5	Nonfarm dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015(25)</u> 18.16.040
2.6	Replacement dwelling for historic property.	STS	Notice and Opportunity for Hearing	<u>18.16.015(25)</u>
2.7	Replacement dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015(25)</u> 18.16.045
2.8	Temporary hardship dwelling.	C	Notice and Opportunity for Hearing	<u>18.16.015(4)</u> <u>18.16.015(25)</u> 18.16.020(1) and (2)
2.9	Residential home as defined in ORS <u>197.660</u> , in existing dwellings (limited to the EFU-2 and EFU-3 zones only).	C	Planning Commission Hearing	<u>18.16.015(25)</u>
2.10	Room and board arrangements for a maximum of five unrelated persons in existing residences.	C	Notice and Opportunity for Hearing	<u>18.16.015(25)</u>
3	Commercial Uses			
3.1	Dog training classes or testing trials.	STS	Notice and Opportunity for Hearing	<u>18.16.015(5)</u>
3.2	Farm stand.	STS	Notice and Opportunity for Hearing	<u>18.16.015(6)</u>
3.3	Winery.	STS	Notice and Opportunity for Hearing	<u>18.16.050</u>

**Table 1. Use Table for Exclusive Farm Use (EFU) District**

	Use	Use Type	Review Procedure	Subject To
3.4	Cider business.	STS	Notice and Opportunity for Hearing	<u>18.16.050</u>
3.45	Farm brewery.	STS	Notice and Opportunity for Hearing	<u>18.16.052</u>
3.5	Agri-tourism and other commercial events or activities that are related to and supportive of agriculture.	STS	Notice and Opportunity for Hearing	<u>18.16.055</u>
3.6	Parking of up to seven log trucks.	C	Notice and Opportunity for Hearing	
3.7	Home occupations.	C	Notice and Opportunity for Hearing	<u>18.160.050</u>
3.8	Commercial dog boarding kennels or dog training classes or testing trials that cannot be established under Use 3.1.	C	Planning Commission Hearing	
3.9	A landscape contracting business, as defined in ORS <u>671.520</u> , or a business providing landscape architecture services, as described in ORS <u>671.318</u> , if the business is pursued in conjunction with the growing and marketing of nursery stock on the land that constitutes farm use.	C	Notice and Opportunity for Hearing	
3.10	Commercial activities in conjunction with farm use, including the processing of farm crops into biofuel not permitted under Use 1.6, but excluding activities in conjunction with a marijuana crop.	C	Planning Commission Hearing	<u>18.16.015(7)</u>

**Table 1. Use Table for Exclusive Farm Use (EFU) District**

	Use	Use Type	Review Procedure	Subject To
3.11	Equine and equine-affiliated therapeutic and counseling activities.	C	Planning Commission Hearing	<u>18.16.015(9)</u>
3.12	Guest ranch.	C	Planning Commission Hearing	<u>18.16.015(8)</u>
4	Mineral, Aggregate, Oil and Gas Uses			
4.1	Exploration for and production of geothermal, gas, oil and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead.	STS	Administrative	
4.2	Operations for the exploration for minerals as defined by ORS <u>517.750</u> .	STS	Administrative	
4.3	Operations conducted for mining and processing of geothermal resources as defined by ORS <u>522.005</u> and oil and gas as defined by ORS <u>520.005</u> not otherwise permitted.	C	Planning Commission Hearing	
4.4	Operations conducted for mining, crushing or stockpiling of aggregate and other mineral and other subsurface resources.	C	Planning Commission Hearing	<u>18.16.015(11)</u> <u>18.144</u>
4.5	Processing as defined by ORS <u>517.750</u> of aggregate into asphalt or Portland cement.	C	Planning Commission Hearing	<u>18.16.015(10)</u> <u>18.144</u>
4.6	Processing of other mineral resources and other subsurface resources.	C	Planning Commission Hearing	
5	Transportation Uses			

**Table 1. Use Table for Exclusive Farm Use (EFU) District**

	Use	Use Type	Review Procedure	Subject To
5.1	Climbing and passing lanes within the right-of-way existing as of July 1, 1987.	STS	Administrative	
5.2	Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right-of-way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur or no new land parcels result.	STS	Administrative	
5.3	Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.	STS	Administrative	
5.4	Minor betterment of existing public road and highway related facilities such as maintenance yards, weigh stations and rest areas, within right-of-way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.	STS	Administrative	
5.5	Construction of additional passing and travel lanes requiring the acquisition of right-of-way but not resulting in the creation of new land parcels.	C	Notice and Opportunity for Hearing	
5.6	Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels.	C	Notice and Opportunity for Hearing	
5.7	Improvement of public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, where additional property or right-of-way is required but not resulting in the creation of new land parcels.	C	Planning Commission Hearing	

**Table 1. Use Table for Exclusive Farm Use (EFU) District**

	Use	Use Type	Review Procedure	Subject To
5.8	Transportation improvements on rural lands allowed by and subject to the requirements of OAR <u>660-012-0065</u> .	C	Notice and Opportunity for Hearing	
5.9	Personal use airports for airplanes and helicopter pads, including associated hangar, maintenance and service facilities.	C	Planning Commission Hearing	<u>18.16.015(12)</u>
6	Utility/Solid Waste Disposal Facilities			
6.1	Irrigation reservoirs, canals, delivery lines and those structures and accessory operational facilities, not including parks or other recreational structures and facilities, associated with a district as defined in ORS <u>540.505</u> .	A	P	
6.2	Land application of reclaimed water, agricultural or industrial process water or biosolids, or the on-site treatment of septage prior to the land application of biosolids.	STS	Notice and Opportunity for Hearing	<u>18.16.015(13)</u>
6.3	Utility facility service lines.	STS	Administrative	<u>18.16.015(14)</u>
6.4	Utility facilities necessary for public service, including associated transmission lines as defined in ORS <u>469.300</u> and wetland waste treatment systems but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height.	STS	Notice and Opportunity for Hearing	<u>18.16.015(15)</u>
6.5	Transmission towers over 200 feet in height.	C	Planning Commission Hearing	<u>18.124.110</u>
6.6	Commercial utility facilities for the purpose of generating power for public use by sale, not	C	Planning Commission Hearing	<u>18.16.060(1)</u>

**Table 1. Use Table for Exclusive Farm Use (EFU) District**

	Use	Use Type	Review Procedure	Subject To
	including wind power generation facilities or photovoltaic solar power generation facilities.			
6.7	Wind power generation facilities as commercial utility facilities for the purpose of generating power for public use by sale.	C	Planning Commission Hearing	<u>18.16.060(2)</u> 18.161
6.8	Photovoltaic solar power generation facilities as commercial utility facilities for the purpose of generating power for public use by sale.	C	Planning Commission Hearing	<u>18.16.060(3)</u> 18.161
6.9	Disposal site for solid waste approved by the governing body and for which the Oregon Department of Environmental Quality has granted a permit under ORS <u>459.245</u> , together with equipment, facilities or buildings necessary for its operation.	C	Planning Commission Hearing	<u>18.16.015(17)</u> 18.16.015(26)
6.10	Composting facilities on farms or for which a permit has been granted by the Department of Environmental Quality under ORS <u>459.245</u> and OAR <u>340-093-0050</u> and <u>340-096-0060</u> .	C	Planning Commission Hearing	<u>18.16.015(16)</u> 18.16.015(26)
7	Parks/Public/Quasi-Public Uses			
7.1	Firearms training facility in existence on September 9, 1995.	STS	Notice and Opportunity for Hearing	
7.2	Fire service facilities providing rural fire protection services.	STS	Notice and Opportunity for Hearing	
7.3	On-site filming and activities accessory to on-site filming for 45 days or less as provided for in ORS <u>215.306</u> .	STS	Administrative	

**Table 1. Use Table for Exclusive Farm Use (EFU) District**

	Use	Use Type	Review Procedure	Subject To
7.4	A site for the takeoff and landing of model aircraft.	STS	Notice and Opportunity for Hearing	<u>18.16.015(18)</u>
7.5	On-site filming and activities accessory to on-site filming for more than 45 days as provided for in ORS <u>215.306</u> .	C	Notice and Opportunity for Hearing	
7.6	Living history museum as defined in CCC <u>18.08.120</u> .	C	Planning Commission Hearing	<u>18.16.015(19)</u> <u>18.16.015(24)</u>
7.7	Community centers owned by a governmental agency or a nonprofit organization and operated primarily by and for residents of the local rural community.	C	Planning Commission Hearing	<u>18.16.015(20)</u> <u>18.16.015(24)</u>
7.8	Public parks and playgrounds.	C	Planning Commission Hearing	<u>18.16.015(21)</u> <u>18.16.015(24)</u>
7.9	Public parks or park uses in an adopted park master plan.	STS	Administrative	<u>18.16.015(24)</u>
7.10	Expansion of existing county fairgrounds and activities directly relating to county fairgrounds governed by county fair boards established pursuant to ORS <u>565.210</u> .	C	Notice and Opportunity for Hearing	
7.11	A county law enforcement facility that lawfully existed on August 20, 2002 and is used to provide rural law enforcement services primarily in rural areas, including parole and post-prison supervision, but not including a correctional facility as defined under ORS <u>162.135</u> as provided for in ORS <u>215.283(1)</u> .	X	Notice and Opportunity for Hearing	<u>18.16.020</u>

**Table 1. Use Table for Exclusive Farm Use (EFU) District**

	Use	Use Type	Review Procedure	Subject To
7.12	Operations for the extraction of water.	C	Planning Commission Hearing	
7.13	Churches and cemeteries in conjunction with churches.	STS	Notice and Opportunity for Hearing	<u>18.16.015(24)</u> <u>18.16.015(26)</u>
7.14	Public or private schools for kindergarten through grade 12, including all buildings essential to the operation of a school, primarily for residents of the rural area in which the school is located.	C	Planning Commission Hearing	<u>18.16.015(22)</u> <u>18.16.015(24)</u> <u>18.16.015(26)</u>
7.15	Private parks, playgrounds, hunting and fishing preserves, and campgrounds.	C	Planning Commission Hearing	<u>18.16.015(23)</u> <u>18.16.015(24)</u> <u>18.16.015(26)</u>
7.16	Golf courses.	C	Planning Commission Hearing	<u>18.16.015(24)</u> <u>18.16.015(26)</u> <u>18.16.015(27)</u>
8	Outdoor Gatherings			
8.1	An outdoor mass gathering of more than 3,000 persons that is expected to continue for more than 24 hours but less than 120 hours in any three-month period, as provided in <u>ORS 433.735</u> .	STS	Public Hearing with <i>Board of Commissioners Crook County Court</i>	5.04
8.2	Any outdoor gathering of more than 3,000 persons that is anticipated to continue for more than 120 hours in any three-month period is subject to review by a county planning commission under <u>ORS 433.763</u> .	STS	Planning Commission Hearing	
9	Destination Resort	C	Planning Commission Hearing	18.116

(Ord. 350 § 2 (Exh. A), 2025; Ord. 344 § 2 (Exh. A), 2024; Ord. 336 § 4 (Exh. C), 2023; Ord. 330 § 5 (Exh. D), 2022; Ord. 321 § 4, 2020; Ord. 317 § 1, 2020; Ord. 309 § 2 (Exh. C), 2019)

#### **18.44.090 Limitations of conditional uses.**

In addition to the standards and conditions that may be attached to the approval of conditional uses as provided by Chapter 18.160 CCC, the following limitations shall apply to conditional uses in an RR-1/RR-5 zone:

- (1) An application for a conditional use in an RR-1/RR-5 zone may be denied if, in the opinion of the planning commission, the proposed use is not related to or sufficiently dependent upon the recreational resource of the area.
- (2) An application for a conditional use in an RR-1/RR-5 zone may be denied if the applicant fails to demonstrate that a location in close proximity to the recreation resource to be served is essential to the public interest and to the full development of the recreation resource.
- (3) The planning commission may require establishment and maintenance of fire breaks, the use of fire-resistant materials in construction and landscaping, or may attach other similar conditions or limitations that will serve to reduce fire hazards or prevent the spread of fire to surrounding areas.
- (4) The planning commission may limit changes in the natural grade of land, or the alteration, removal or destruction of natural vegetation in order to prevent or minimize erosion or pollution.
- (5) Compliance with the comprehensive plan shall be required for the approval of any application for a conditional use in an RR-1/RR-5 zone.
- (6) An application for a mobile home pursuant to CCC 18.44.020(2) can only be approved by unanimous vote of the commission, or by the simple majority vote by the ~~board county court~~ on appeal in the event that 66-2/3 percent, or more, of the property owners within 250 feet of the property in question object in writing, before the close of the public hearing, to the granting of the conditional use. (Ord. 280 § 9 (Exh. I), 2015; Ord. 18 § 3.080(9), 2003)

#### **18.112.005 Purpose.**

The purpose of this zoning district is to ameliorate the consequences of the establishment of the Juniper Acres Partitioning in 1962 by permitting a level of residential development that would not ordinarily be permitted in an exclusive farm use zone given the large number of private owners of numerous legally created parcels, and to modulate the timing of the residential development. The Crook County court (*now the board*) had established a task force to investigate solutions to fire suppression, road construction and maintenance issues in the subdivision. These issues of public health and safety have not been addressed and the court's order stating that it is premature to issue additional building permits in the Juniper Acres subdivision remains in effect (Order 2007-80), excepting building permits may be issued for (1) an alteration, restoration, or replacement of a lawfully

established land use, (2) an accessory structure to an existing lawfully established land use, and (3) for a previously approved land use that has been determined by the county planning department to have been initiated (vested). Except as described above, the remaining sections of this chapter shall not apply until the ~~board court~~ determines that building permits can be issued. (Ord. 344 § 10 (Exh. I), 2024; Ord. 326 § 5 (Att. A), 2021; Ord. 18 § 3.230, 2003)

### **18.116.020 Applicability.**

(1) The provisions of this chapter shall apply solely to development which meets the standards set forth in CCC 18.116.040 or 18.116.050. Development which meets the standards in CCC 18.116.040 shall be referred to hereafter as a “destination resort,” and development which meets the standards in CCC 18.116.050 shall be referred to hereafter as a “small destination resort.” Where special standards or criteria are not specifically called out for small destination resorts, the standards for destination resorts shall apply. For a destination resort application, the standards and procedures of this chapter shall govern in cases where they conflict with the standards or procedures of the underlying zone. Other provisions of this title, made applicable by specific map designations such as the flood plain combining zone (FP), airport obstruction overlay zone, riparian protection zone, and sensitive bird habitat combining zone (SBH), or otherwise applicable under the terms of the county zoning ordinance, shall remain in full force and effect, except as otherwise specified herein.

(2) Destination resorts shall be allowed only on tracts mapped by the county as eligible for destination resort siting and designated as such in the comprehensive plan. The eligibility map (also known as the destination resort overlay) shall be based on reasonably available information, and shall be the sole basis for determining whether tracts of land are eligible for destination resort siting pursuant to ORS 197.435 to 197.467 (i.e., without taking an exception to Goals 3, 4, 11 or 14).

(3) Effective July 1, 2008, the existing eligibility map may be amended through a legislative comprehensive plan amendment process. The amendment process shall occur no more than once every 36 months. Amendments of the eligibility map are subject to the criteria set out in ORS 197.455, Statewide Planning Goal 8, the Crook County Comprehensive Plan, this policy, and other criteria as may be established through subsequent amendments to the Crook County Comprehensive Plan and/or Crook County Code. An eligibility map amendment can be applied for as follows:

(a) The ~~board Crook County court~~ may initiate, without payment of a fee, a legislative comprehensive plan amendment process at any time following adoption of Ordinance 206. The provisions of Chapter 18.168 CCC shall apply to the amendment process;

(b) After the initial legislative comprehensive plan amendment, an individual may apply for a legislative comprehensive plan amendment by submitting an application form and the required supporting materials as prescribed by the planning director requesting properties be added or removed from the eligibility map. The county will consider applications for legislative plan amendments no sooner than 36 months after the initial legislative comprehensive plan amendment. The planning director shall retain any applications received until the expiration of the 36-month period and shall then schedule

the matter for concurrent processing by the planning commission. The planning director shall establish the required application content and form and may adjust the application form as needed;

- (c) Submitting the filing fee for each application for a destination resort overlay map amendment as set by the *board county court*;
- (d) Multiple applications shall be consolidated for the legislative hearing process required for comprehensive plan amendments pursuant to Chapter 18.168 CCC; and
- (e) Prior to the first public hearing, the county shall require a recommendation from either or both a technical advisory committee consisting of local, state, and federal agencies, and/or an approved appointed citizen advisory committee which meets the requirements of the county's comprehensive plan and Goal 1 of the Statewide Planning Goals. (Ord. 206 § 1, 2008; Ord. 18 § 12.020, 2003)

#### **18.116.080 Application procedures and contents.**

(1) Before submitting a development plan for approval, an applicant proposing a destination resort shall conduct a preapplication conference with the planning department to obtain general information, guidelines, procedural requirements, advisory opinions, and technical assistance for the project concept.

(2) Following a preapplication conference, the applicant shall submit a development plan for review by the planning commission. Fifteen copies of the development plan shall be submitted to the planning department along with a filing fee set by the *board Creek County court* to defray costs incidental to the review process.

(3) The development plan shall contain the following elements:

(a) Illustrations and graphics to scale, identifying:

(i) The location and total number of acres to be developed as a destination resort;

(ii) The subject area and all adjacent tax lots, with existing zoning;

(iii) Types and general location of proposed development and uses, including residential and commercial uses;

(iv) A general depiction of the characteristics of the site, including:

(A) Goal 5 resources on the county's comprehensive plan inventory;

(B) Riparian vegetation within 100 feet of natural lakes, rivers, streams, and designated significant wetlands;

(C) Water areas, including streams, lakes, ponds and designated significant wetlands;

(D) Boundaries of the 100-year flood plain, if present on the site;

(E) Slopes exceeding 25 percent;

(F) Existing topography.

(v) Proposed methods of access to the development, identifying the main vehicular circulation system within the resort and an indication of whether streets will be public or private;

(vi) Major trail systems;

(vii) The approximate location and number of acres proposed as open space, buffer area or common area. Areas proposed to be designated as "open space," "buffer area" or "common area" should be conceptually illustrated and labeled as such;

(viii) List of proposed recreational amenities and approximate location.

(b) A conceptual water and sewer facilities master plan for the site, including a master plan study prepared by a professional engineer certified in the state of Oregon, describing:

(i) An estimate of water demands for the destination resort at maximum build-out;

(ii) Availability of water for estimated demands at the destination resort, including (1) identification of the proposed source; (2) identification of all available information on ground and surface waters relevant to the determination of adequacy of water supply for the destination resort; (3) a copy of any water right application or permit submitted to or issued by the Oregon Water Resources Department (OWRD), including a description of any mitigation measures proposed to satisfy OWRD standards or requirements;

(iii) A water conservation plan including an analysis of available measures, which are commonly used to reduce water consumption. This shall include a justification of the chosen water conservation plan. The water conservation plan shall analyze a wastewater disposal plan utilizing beneficial use of reclaimed water to the extent practicable. For the purposes of subsection (3)(b) of this section, beneficial uses may include, but are not limited to:

(A) Agricultural irrigation or irrigation of golf courses and greenways;

(B) Establishment of artificial wetlands for wildlife habitation;

(C) Groundwater recharge.

(c) A conceptual site drainage plan;

(d) A solid waste management plan;

(e) An open space management plan, including:

(i) An explanation of how the open space management plan will ensure that at least 50 percent of the resort is dedicated to open space at all times;

(ii) Proposed conservation easements to protect significant Goal 5 sites pursuant to CCC 18.116.040(8).

- (f) A description of measures intended to mitigate significant project impacts on fish and wildlife and other natural values present in the open space areas;
- (g) A traffic study which addresses: (1) impacts on affected county, city, and state road systems, and (2) transportation improvements necessary to mitigate any such impacts. The study shall be prepared by a licensed traffic engineer in coordination with the affected road authority (either the county department of public works or the Oregon Department of Transportation, or both);
- (h) A written statement addressing how the proposed destination resort satisfies the standards of CCC 18.116.040 or 18.116.050, and the approval criteria of CCC 18.116.100;
- (i) A description of any proposed development or design standards, together with an explanation of why the standards are adequate to minimize significant adverse impacts on adjacent land uses within 500 feet of the boundaries of the parcel on which the destination resort is to be developed;
- (j) A description of the proposed method of providing all utility systems, including the preliminary or schematic location and sizing of the utility systems;
- (k) A description of the proposed order and schedule for phasing (if any) of all development including an explanation of when facilities will be provided and how they will be secured, proportional to the level of development, if not completed prior to the closure of sale of individual lots or units;
- (l) A description of the proposed method for providing emergency medical facilities and services and public safety facilities and services, including fire and police protection. (Ord. 18 § 12.080, 2003)

#### **18.116.090 Development plan review procedure.**

- (1) Review of the development plan shall be in accordance with the provisions of the planning commission review procedure (Chapter 18.172 CCC).
- (2) The planning commission may attach any conditions (including requirements for improvement assurances) it deems necessary to the development plan approval when directly related to applicable standards and criteria and supported by substantial evidence in the whole record.
- (3) The planning commission shall issue a final order of its decision on the development plan. The planning commission's decision may be appealed to the ~~board county court~~ court. (Ord. 18 § 12.090, 2003)

#### **18.116.100 Approval criteria.**

The planning commission or ~~the board county court~~ shall approve a development plan for a destination resort if it determines that all of the following criteria are met:

- (1) The tract where the development is proposed is eligible for destination resort siting, as depicted on the acknowledged destination resort overlay map.
- (2) The development plan contains the elements required by CCC 18.116.080.

(3) The proposed development meets the standards established in CCC 18.116.040 or 18.116.050, qualifying as a destination resort or a small destination resort, respectively.

(4) The uses included in the destination resort are either permitted uses listed in CCC 18.116.060, or accessory uses listed in CCC 18.116.070 that are ancillary to the destination resort and consistent with the purposes of this chapter.

(5) The development will be reasonably compatible with surrounding land uses, particularly farming and forestry operations. The destination resort will not cause a significant change in farm or forest practices on surrounding lands or significantly increase the cost of accepted farm or forest practices.

(6) The development will not have a significant adverse impact on fish and wildlife, taking into account mitigation measures.

(7) The traffic study required by CCC 18.116.080(3)(g) illustrates that the proposed development will not significantly affect a transportation facility or will comply with subsection (7)(b) of this section.

(a) A resort development will significantly affect a transportation facility for purposes of this approval criterion if it would, at any point within a 20-year planning period:

- (i) Change the functional classification of the transportation facility;
- (ii) Result in levels of travel or access which are inconsistent with the functional classification of the transportation facility; or
- (iii) Reduce the performance standards of the transportation facility below the minimum acceptable level identified in the applicable transportation system plan (TSP).

(b) If the traffic study required by CCC 18.116.080(3)(g) illustrates that the proposed development will significantly affect a transportation facility, the applicant for the destination resort shall assure that the development will be consistent with the identified function, capacity, and level of service of the facility through one or more of the following methods:

- (i) Limiting the development to be consistent with the planned function, capacity and level of service of the transportation facility;
- (ii) Providing transportation facilities adequate to support the proposed development consistent with Chapter 660 OAR, Division 12; or
- (iii) Altering land use densities, design requirements or using other methods to reduce demand for automobile travel and to meet travel needs through other modes.

(c) Where the option of providing transportation facilities is chosen in accordance with subsection (7)(b)(ii) of this section, the applicant shall be required to provide the transportation facilities to the full standards of the affected authority as a condition of approval. Timing of such improvements shall be based upon the timing of the impacts created by the development, as determined by the traffic study or the recommendations of the affected road authority.

(8) The water and sewer facilities master plan required by CCC 18.116.080(3)(b) illustrates that proposed water and sewer facilities can reasonably serve the destination resort.

(9) The development complies with other applicable standards of the county zoning ordinance. (Ord. 336 § 9 (Exh. H), 2023; Ord. 18 § 12.100, 2003)

**18.132.010 Minimum standards for manufactured dwellings.**

(1) Generally.

(a) A manufactured dwelling permitted as a single-family dwelling on an individual lot shall be in compliance with the following standards and regulations as a minimum.

(b) A manufactured dwelling is defined as a residential trailer, mobile home, or manufactured home as listed in CCC 18.08.130.

(c) The manufactured dwelling shall meet the state and/or federal construction requirements in effect at the time of construction.

(2) Standards for Manufactured Dwelling Siting.

(a) The manufactured dwelling shall be installed according to Chapter 15.04 CCC.

(b) The manufactured dwelling shall have all wheels, axles, hitch mechanisms, and transient lights removed.

(c) The manufactured dwelling shall have continuous perimeter skirting of finished wood, vinyl, metal, masonry, concrete, or masonry block. Skirting will provide access in accordance with Chapter 15.04 CCC.

(d) All plumbing, electric and gas service connections shall be made according to the manufacturer's instructions and Chapter 15.04 CCC.

(e) The manufactured dwelling shall meet all Federal Emergency Management Agency (FEMA) standards if placed in a designated flood plain.

(f) Off-street parking shall meet the requirements of CCC 18.128.010(1)(a). Construction of the off-street parking facilities shall be completed within 90 days following placement of the unit upon the site.

(g) Before a manufactured dwelling is occupied it shall pass the building department's final building inspection and shall be connected to a sanitary sewage disposal system approved by the environmental health department or State Division of Environmental Quality.

(h) The manufactured dwelling shall be used solely for the purpose of a residential dwelling. Use of a manufactured dwelling for storage is prohibited.

- (i) Upon removal of the manufactured dwelling, the owner of the property shall remove the foundation and all accessory structures and additions to the manufactured dwelling and shall disconnect sewer, water and other utilities. A demolition/removal permit from the Crook County community development department will be required.
- (ii) This condition shall not apply in the event the owner applies to the community development department to have the manufactured dwelling replaced on the original foundation site by another approved dwelling unit within one year of the original unit's removal.
- (iii) In the event the owner fails to file an application with the community development department for a replacement dwelling and fails to accomplish said work within one year from the date on which the manufactured dwelling is moved from its foundation, the county may perform such work and place a lien against the property for the cost of such work. Said lien may be initiated by the ~~board county court~~.

(3) Manufactured Dwellings Accessory Structures.

- (a) Accessory structures, including porches, steps, awnings, cabanas, carports, or any other structure or addition that depends in part on the manufactured dwelling for support, or in any manner is immediately adjacent to or attached to the manufactured dwelling, are allowed subject to Chapter 15.04 CCC. Ramadas (over-home shelters against sun or rain) shall not be allowed on new applications.
- (b) Additions may be attached to a manufactured dwelling, providing that such additions are structurally compatible with the manufactured dwelling, comply with other applicable requirements, and Chapter 15.04 CCC.

- (c) Additions of habitable space shall not exceed 30 percent of the total living space of a manufactured dwelling.

(4) Placement Standards for Manufactured Dwellings.

- (a) Manufactured dwellings constructed no more than 15 years prior to the date of application are permitted as a dwelling where a dwelling is allowed.

Manufactured dwellings constructed more than 15 years prior to the date of application shall not be allowed for placement in Crook County except as allowed under subsection (4)(b) of this section or by exception by the Crook County community development director.

This provision applies to new site plan applications submitted after the date of the ordinance codified in this chapter (November 13, 2019).

- (b) All manufactured dwellings, which were manufactured in accordance with the laws in effect at the time of construction, are allowed in all permitted mobile home parks.

- (c) Manufactured dwellings are prohibited in any historic district or on any historic site.

(d) Manufactured dwellings are allowed as a replacement to an existing nonconforming dwelling destroyed by fire or other natural act, or as an upgrade of an existing manufactured dwelling in accordance with this chapter (see CCC 18.156.010). (Ord. 314 § 1 (Att. A), 2019; Ord. 280 § 16 (Exh. P), 2015; Ord. 18 § 4.100, 2003)

**18.136.010 Historic buildings and sites protection.**

(1) Alteration/Demolition Permits. A permit is required for alteration or demolition of any structure listed in the county's plan inventory of historic resources as a "significant" historic resource.

(a) Alteration means any addition to, removal of, or change in the exterior part of a structure, and shall include modification of the surface texture, material, or architectural detail of the exterior part of the structure, but shall not include paint color.

(b) Nothing in this subsection shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature on any property covered herein that does not involve a change in design, material, or external appearance thereof.

(c) Nor does this subsection prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building official determines that such emergency action is required for public safety due to an unsafe or dangerous condition.

(2) Review Procedure.

(a) Application. A property owner or his authorized agent may initiate a request for a permit for alteration or demolition of an historic structure by filing an application with both the appropriate building official and the county's designated planning official.

(b) Public Review Process. The county's designated planning official shall initiate a public review process on the subject permit request within 10 days of receipt thereof as follows:

(i) Provide individual written notice of such application to the following:

(A) Property owners within 250 feet.

(B) Planning commission members.

(C) County historical review committee and/or county historical society as such may be applicable.

(D) State Historic Preservation Office.

(E) Other identifiable potentially affected person or parties.

(ii) Such notice shall provide for a minimum of 10, but not more than 20 days for all persons or parties to respond relative to the subject application.

(iii) If no objection is received within said response period, the county's planning official may take action on the subject application for approval, approval with amendments or conditions, denial, or

referral to the county planning commission or county historical review committee as applicable for public hearing.

(iv) If one or more objections are received, referral for public hearing shall be mandatory.

(c) Decision. If not referred for public hearing, the county's planning official shall render a decision on an application within 10 days of closure of the public response period. A copy of such decision shall be mailed to the applicant, the owners of the affected property, the county planning commission, the State Historic Preservation Office, and other persons specifically requesting such notification. Said mailing shall be within five working days following the date of the decision.

(d) Planning Official Action.

(i) Alteration. In the case of an application for alteration of an historic structure, the planning official shall:

(A) Approve the request as submitted;

(B) Approve the request with modifications or conditions; or

(C) Deny the request;

(D) As may be applicable, the planning official shall refer the application to the county historical review committee or county historical society, or both, and to the State Historical Preservation Office for review and written recommendation prior to taking action thereon.

(ii) Demolition. In the case of an application for demolition of an historic structure, the planning official shall authorize either:

(A) Immediate issuance of the permit; or

(B) Delay issuance of the permit for a period up to 90 days. During this period, the planning official, in conjunction with the ~~board county court~~, the county historical committee, the county historical society and SHPO, shall attempt to determine if public or private acquisition and preservation is feasible or if other alternatives are possible which could be carried out to prevent demolition of the structure;

(C) The planning official shall authorize immediate issuance of a demolition permit if it is found that all of the following is evident:

1. Structure cannot be economically rehabilitated;

2. A program or project does not exist which may reasonably result in preservation of the structure;

3. Delay of the permit would result in unnecessary and substantial hardship to the applicant and/or property owner; and

4. Issuance will not act to the substantial detriment of the public interest and welfare considering the significance of the structure and the economic, cultural and energy consequences of demolition.

(iii) Criteria – Exterior Alteration. The county planning official shall approve an application for exterior alteration if the proposed alteration is determined to be harmonious and compatible with the appearance and character of the historical building and shall disapprove any application if found detrimental as being unsightly, grotesque, or adversely affecting the architectural significance, the integrity or historical appearance, the educational or historical value of the building. The following guidelines apply to exterior alterations to historical buildings:

(A) Retention of original construction so far as practicable, and the preservation of original exterior materials and details.

(B) Height. Additional stories may be added to historical buildings; provided, that:

1. Zoning height limitations are met.
2. Does not exceed that which was traditional for the style of the building.
3. Added height does not alter the traditional scale and proportions of the building style.
4. Added height is visually compatible with adjacent historic buildings.

(C) Bulk. Horizontal additions may be added to historical buildings; provided, that:

1. The bulk of the addition does not exceed that which was traditional for the building style.
2. The addition maintains the traditional scale and proportion of the building style.
3. The addition is visually compatible with adjacent historic buildings.
4. Visual Integrity of Structure. The lines of columns, piers, spandrels, and other primary structural elements shall be maintained so far as practicable.
5. Scale and Proportion. The scale and proportion of altered or added building elements, the relationships of voids to solids (windows to walls) shall be visually compatible with the traditional architectural character of the historic buildings in the area.
6. Materials, Color and Texture. The materials, colors and textures used in the alteration or addition shall be visually compatible with the traditional architectural character of the historic buildings of the area.
7. Signs, Lighting and Other Appurtenances. Signs, exterior lighting, and other appurtenances such as walls, fences, awnings and landscaping shall be visually compatible with the traditional architectural character of the historic buildings of the area. (Ord. 18 § 4.200, 2003)

#### **18.144.070 Enforcement procedures.**

(1) In addition to any other remedy available by law, the county may establish a violation of this chapter or of any condition imposed on a permit issued under this chapter in the following manner:

(a) Upon determining that a violation has occurred, the planning director shall issue a notice of violation and assessment of fine to the permittee. The notice of violation shall be sent to the permittee and to the owner of record of the affected property by certified mail, return receipt requested. The notice of violation shall explain the nature of the violation and the process for contesting the violation. The planning director shall consider the factors set out in subsection (1)(d) of this section in assessing a fine.

(b) Within 10 days of receipt of the notice of violation, the permittee may contest the violation by filing an answer with the planning department and requesting a hearing on the violation. Without requesting a hearing, a permittee may admit the violation and offer argument and evidence on mitigation of the proposed fine. In the event an answer is not filed within 10 days, the violation shall be established and a fine may be imposed. The fine shall not exceed the amount assessed in the notice of violation.

(c) A hearing on any contested notice of violation shall be held before the planning commission. The planning commission shall conduct the hearing in the manner provided for in ORS 215.402 to 215.438.

(d) The county has the burden of proof in establishing the existence of a violation. If the planning commission determines that a violation occurred, it shall impose a fine. The planning commission may order suspension of the mining activity if the suspension is warranted under ORS 215.296(7). The maximum amount of the fine shall be \$500.00 for each violation. In determining the amount of the fine, the planning commission shall consider:

- (i) The past history of the person incurring the penalty in taking all feasible steps or procedures necessary or appropriate to correct any violation;
- (ii) Any prior violations of ordinances or permits applicable to the site;
- (iii) The economic and financial conditions of the person incurring the penalty;
- (iv) The gravity and magnitude of the violation;
- (v) Whether the violation was repeated or continuous;
- (vi) Whether the cause of the violation was an unavoidable accident, negligence or an intentional act;
- (vii) The permittee's cooperativeness and efforts to correct the violation.

(e) Any party to the planning commission proceedings may appeal the decision of the planning commission to the ~~board county court~~ by filing a notice of appeal within 10 days of issuance of the final decision of the planning commission. The appeal shall be on a planning department form and shall state specifically how the planning commission failed to make a decision consistent with the required criteria. The decision of the ~~board county court~~ on the appeal shall be final.

(2) Any permit issued under this title may be revoked by the planning director if it has been established (by uncontested notices of violations or by decisions on contested violations or both) that the

permittee has committed, within any three-year period, more than two violations of a condition imposed by the permit for the protection of accepted farm or forest practices on surrounding lands or more than three violations of any other condition or if the permittee fails to pay a fine levied for violation of this chapter or conditions imposed on a mining permit within 15 days after the decision to levy the fine became final.

(3) Any permit issued under this title may be revoked by the planning commission after hearing if the planning commission finds that:

- (a) The permittee provided false or misleading material information, or omitted disclosure of a material fact, in the permit application or materials submitted in support of the application; or
- (b) The permittee is intentionally conducting mining operations in violation of federal, state or county laws or regulations applicable to mining operations which results in a substantial injury to persons or interests protected by the law or regulation. An intentional violation shall not exist if the permittee disputes the violation and continues the alleged unlawful conduct while litigating the existence of the purported violation.

(4) The planning commission shall conduct a revocation hearing using the procedures set out in ORS 197.763. The county shall bear the burden of proof in any such proceeding that sufficient grounds for revocation exist. An appeal of the planning commission action may be taken in the manner provided for in subsection (1)(e) of this section. (Ord. 18 § 11.070, 2003)

#### **18.148.030 Definitions.**

As used in this chapter:

- (1) "Facility" means any real or personal property, including appurtenances thereto and fixtures thereon, associated with a given use.
- (2) "Farming practice" means the cultivation, growing, harvesting, processing or selling of plants or animals of any kind, which lawfully may be grown, processed and sold, including, but not limited to, fish, livestock, poultry, grapes, Christmas trees and nursery stock.
- (3) "Forest practice" has the meaning given that term by ORS 527.620.
- (4) "Nonresource use" means any facility, activity or other use of land which does not constitute a resource use, including but not limited to residential use, and also including any aggregate mining use which is not conducted in accordance with a program complying with Goal 5.
- (5) "Resource use" means any current or future generally accepted aggregate mining, farming, ranching or forest practice or facility conducted in compliance with applicable Crook County ordinances.
- (6) "Generally accepted" means either:

- (a) A practice or facility which is conducted or used in compliance with applicable federal and state laws and county ordinances; or
- (b) If there is no applicable federal or state law, a practice or facility which an average person in Crook County who is regularly involved in the same type of resource use would reasonably expect to occur or exist in a truly rural setting. The Crook County *Board of Commissioners* ~~court~~ may, as it deems necessary, establish resource user peer review boards consisting of five persons each, three of whom regularly are involved in a resource use within the county, to advise the board as to generally accepted practices or facilities with respect to that resource use.

(7) "Resource use" does not include:

- (a) The willful growing of unlawful, infested, infected or diseased plants or animals.
- (b) Trespass which involves actual physical intrusion onto the property of another by a person or by a person's animals. (Ord. 76 § 3, 1993)

#### **18.160.050 Standards governing conditional uses.**

A conditional use shall comply with the standards of the zones in which it is located and with the standards and conditions set forth in this section.

(1) Airports, Aircraft Landing Fields, Aircraft Charter, Rental, Service and Maintenance Facilities Not Located in an Aircraft Approach Zone. The planning director or planning commission shall find that the location and site design of the proposed facility will not be hazardous to the safety and general welfare of surrounding properties, and that the location will not unnecessarily restrict existing and future development of surrounding lands as designated by the comprehensive plan.

(2) Automobile Wrecking Yard or Junkyard. In considering a conditional use application for an automobile wrecking yard or junkyard, the planning director or planning commission shall require that it be enclosed and screened from public view by a sight-obscuring fence not less than six feet in height. If applicable, the planning director or planning commission shall be assured that the proposal is in conformance with applicable state regulations.

(3) Cemeteries. The planning director or planning commission shall require evidence and shall find that the terrain and soil types of a proposed location are suitable for interment, and that the nature of the subsoil and drainage will not have a detrimental effect on ground water sources or domestic water supplies in the area of the proposed use.

(4) Church, Hospital, Nursing Home, Convalescent Home, Retirement Home.

- (a) Such uses may be authorized as a conditional use only after consideration of the following factors:
  - (i) Sufficient area provided for the building, required yards and off-street parking (related structures and uses such as a manse, parochial school or parish house are considered separate principal uses and additional lot area shall be required therefor).

- (ii) Location of the site relative to the service area.
- (iii) Probable growth and needs therefor.
- (iv) Site location relative to land uses in the vicinity.
- (v) Adequacy of access to and from principal streets together with the probable effect on the traffic volumes of abutting and nearby streets.

(b) Such uses or related buildings shall be at least 30 feet from a side or rear lot line.

(c) Such uses may be built to exceed the height limitations of the zone in which they are located to a maximum height of 50 feet if the total floor area of the building does not exceed the area of the parcel or lot and if the yard dimensions in each case are equal to at least two-thirds of the height of the principal structure.

(5) Clinics, Clubs, Lodges, Fraternal Organizations, Community Centers and Grange Halls, Golf Courses, Grounds and Buildings for Games or Sports, Country Clubs, Swimming, Boating, Tennis Clubs, and Similar Activities, Governmental Structures and Land Use, Parks, Playgrounds. In considering the above, the planning director or planning commission may authorize the conditional use after assurance that the following is to be provided:

- (a) Adequate access from principal streets.
- (b) Adequate off-street parking.
- (c) Adequate building and site design provisions to minimize noise and glare from the building and site.

(6) Dog Pounds and Kennels. The planning director or planning commission may allow dog pounds or kennels as a conditional use based upon:

- (a) Noise requiring sound proofing insulation of the structure.
- (b) Smell or odor.
- (c) Number of animals for the area and the distance from the nearest neighbor and structure.
- (d) Adequate facilities for the number of animals, square feet per animal including exercise area.
- (e) Access road and parking.

(f) Shall comply with any additional conditions of approval established by the approval authority under CCC 18.160.030.

(7) Home occupations, when permitted as a conditional use and conducted as an accessory use, shall be subject to the following limitations:

- (a) In all nonexclusive farm use zones and in the county's EFU 1 and 2 (exclusive farm use) zones on parcels 20 acres or less:

- (i) The home occupation is to be secondary to the main use of the property as a residence and shall be conducted only by the residents of such dwelling within the same dwelling or in an accessory building on the same property.
- (ii) Structural alterations shall be allowed to accommodate the home occupation when required by law or only after the plans for such alterations have been reviewed and approved by the planning director or planning commission. Such structural alterations shall not detract from the outward appearance of the building or change the appearance of the building from a dwelling or otherwise permitted accessory building.
- (iii) One nonilluminated sign not to exceed six square feet and bearing only the name and occupation of the resident shall be permitted.
- (iv) No materials or mechanical equipment shall be allowed which are detrimental to residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception or other factors.
- (v) No materials or commodities shall be delivered to or from the property, which are of such bulk or quantity as to require delivery by a commercial vehicle or trailer not including a licensed parcel service (such as, but not limited to, UPS, Systems 99 and FedEx) or the United States Mail. All parking of allowed delivery vehicles or customer vehicles shall be in a manner and frequency as to cause no disturbance or inconvenience to nearby residents. The proposed home occupation should allow for on-site parking.
- (vi) Home occupations shall not include freight depots, building materials business, ice or cold storage plants, machine shop or related activities, veterinary clinics, kennels, laboratories, storage of hazardous chemicals, any processes requiring the rendering of fats or oils, animal slaughtering, concrete or redi-mix manufacture or distribution plants, wrecking yards, quarries, gravel pits, subsurface or surface mining, commercial feed lot, stock yards, railroad facilities, lumber and other wood products manufacturing, agricultural product storage and processing plants, bulk petroleum products storage and distribution or any other manufacturing process which would violate subsection (7)(a)(v) of this section.
- (vii) Only one person may be employed other than members of the immediate family.
- (viii) The home occupation shall be limited to 30 percent of the dwelling or 400 square feet, whichever is less.
- (ix) For any use permitted by this section on a lot adjacent to or across the street from a residential use or lot in a residential zone, there shall not be any odor, dust, fumes, glare, flashing lights, noise, or other similar types of possible nuisances which are perceptible (without instruments) more than 200 feet in the direction of the affected residential use or lot in a residential zone.
- (x) Shall comply with any additional condition of approval established by the approval authority under CCC 18.160.030.

(xi) A bed and breakfast facility that is operated in association with a winery or cider business and is sited as a home occupation on the same tract as a winery or cider business established pursuant to CCC 18.16.050 is permitted to:

(A) Serve meals at the bed and breakfast facility or at the winery or cider business; and

(B) Prepare and serve up to two meals per day to the registered guests of the bed and breakfast facility.

(b) In the county's EFU 1 and 2 zones on parcels greater than 20 acres:

(i) The home occupation is to be secondary to the main use of the property as a residence and shall be conducted only by the residents of such dwelling within the same dwelling or in an accessory building on the same property.

(ii) Structural alterations shall be allowed to accommodate the home occupation when required by law or only after the plans for such alterations have been reviewed and approved by the planning commission. Such structural alterations shall not detract from the outward appearance of the building or change the appearance of the building from a dwelling or otherwise permitted accessory building.

(iii) One nonilluminated sign not to exceed six square feet and bearing only the name and occupation of the resident shall be permitted.

(iv) No materials or mechanical equipment shall be allowed which are detrimental to residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception or other factors.

(v) All parking of allowed delivery vehicles or customer vehicles shall be in a manner and frequency as to cause no disturbance or inconvenience to nearby residents. The proposed home occupation should allow for on-site parking.

(vi) No more than five full-time or part-time persons may be employed.

(vii) Shall not unreasonably interfere with residential uses permitted in the zone in which the property is located.

(viii) For any use permitted by this section on a lot adjacent to or across the street from a residential use or lot in a residential zone, there shall not be any odor, dust, fumes, glare, flashing lights, noise, or other similar types of possible nuisances which are perceptible (without instruments) more than 200 feet in the direction of the affected residential use or lot in a residential zone.

(ix) Shall comply with any additional conditions or approval established by the approval authority under CCC 18.160.030.

(x) A bed and breakfast facility that is operated in association with a winery or cider business and is sited as a home occupation on the same tract as a winery or cider business established pursuant to CCC 18.16.050 is permitted to:

- (A) Serve meals at the bed and breakfast facility or at the winery or cider business; and
- (B) Prepare and serve up to two meals per day to the registered guests of the bed and breakfast facility.

(c) In the county's EFU-3 zone, a home occupation shall:

- (i) Be operated by a resident or employee of a resident of the property on which the business is located.
- (ii) Employ on the site no more than five full-time or part-time persons at any given time.
- (iii) Be operated substantially in:
  - (A) The dwelling; or
  - (B) Other buildings normally associated with uses permitted in the zone in which the property is located, except that such other buildings may not be utilized as bed and breakfast facilities or rental units unless they are legal residences.
- (iv) Not unreasonably interfere with other uses permitted in the zone in which the property is located.
- (v) When a bed and breakfast facility is sited as a home occupation on the same tract as a winery or cidery established pursuant to CCC 18.16.050 and is operated in association with the winery:
  - (A) The bed and breakfast facility may prepare and serve two meals per day to the registered guests of the bed and breakfast facility; and
  - (B) The meals may be served at the bed and breakfast facility or at the winery or cidery.
- (vi) The home occupation shall be accessory to an existing, permanent dwelling on the same parcel.
- (vii) No materials or mechanical equipment shall be used which will be detrimental to the residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or other factors.
- (viii) All off-street parking must be provided on the subject parcel where the home occupation is operated.
- (ix) Employees must use an approved off-street parking area. (ii) Customers visiting the home occupation must use an approved off-street parking area. No more than [2-5] vehicles from customers/visitors of the home occupation can be present at any given time on the subject parcel.
- (x) Retail sales shall be limited or accessory to a service.
- (xi) One nonilluminated sign not to exceed six square feet and bearing only the name and occupation of the resident shall be permitted.

(xii) No materials or commodities shall be delivered to or from the property, which are of such bulk or quantity as to require delivery by a commercial vehicle or trailer not including a licensed parcel service (such as, but not limited to, UPS, Systems 99 and FedEx) or the United States Mail. All parking of allowed delivery vehicles or customer vehicles shall be in a manner and frequency as to cause no disturbance or inconvenience to nearby residents.

(xiii) Prohibited Home Occupations.

(A) Retail sales or professional services, other than by appointment only.

(B) Auto or vehicle oriented activities (repair, painting, detailing, wrecking, transportation services, or similar activities).

(8) Landfill, Solid Waste Disposal Site. The planning director or planning commission may authorize a landfill or other solid waste disposal site as a conditional use, subject to the following standards:

(a) The proposed site shall not create a fire hazard, litter, insect or rodent nuisance, or air or water pollution in the area.

(b) The proposed site shall be located in or as near as possible to the area being served.

(c) The proposed site shall be located at least one-fourth mile from any existing dwelling, home or public road (except the access road).

(d) The proposed site shall be provided with a maintained access road (all weather).

(9) Mining, Quarrying or Other Extraction Activity.

(a) Plans and specifications submitted to the planning director or planning commission for approval must contain sufficient information to allow the planning director or planning commission to consider and set standards pertaining to the following:

(i) The most appropriate use of the land.

(ii) Setback from the property line.

(iii) The protection of pedestrians and vehicles through the use of fencing and screening.

(iv) The protection of fish and wildlife habitat and ecological systems through control of potential air and water pollutants.

(v) The prevention of the collection and the stagnation of water of all stages of the operation.

(vi) The rehabilitation of the land upon termination of the operation.

(b) Surface mining equipment and necessary access roads shall be constructed, maintained and operated in such a manner as to eliminate, as far as is practicable, noise, vibration or dust which may be injurious or annoying to persons or other uses in the vicinity.

(c) The comments and recommendations of all appropriate natural resource agencies of the state and federal government shall be sought.

(d) A rock crusher, washer or sorter shall not be located closer than 500 feet from a residential or commercial use.

(10) Commercial Use or Accessory Use Not Wholly Enclosed Within a Building, Retail Establishment, Office, Service Commercial Establishment, Financial Institution or Personal or Business Service Establishment on a Lot Abutting or Across the Street from a Lot in a Residential Zone. In any zone, a commercial use or accessory use not wholly enclosed within a building or a retail establishment, office, service commercial establishment, financial institution, or personal or business service establishment on a lot abutting or across the street from a lot in a residential zone may be permitted as a conditional use subject to the following standards:

(a) A sight-obscuring fence of evergreen hedge may be required by the planning director or planning commission when, in the director's or its judgment, such a fence or hedge or combination thereof is necessary to preserve the values of nearby properties or to protect the aesthetic character of the neighborhood or vicinity.

(b) In addition to the requirements of the applicable zone, the planning director or planning commission may further regulate the placement and design of signs and lights in order to preserve the values of nearby properties; to protect them from glare, noise or other distractions; or to protect the aesthetic character of the neighborhood or vicinity.

(c) In order to avoid unnecessary traffic congestion and hazards, the planning director or planning commission may limit access to the property.

(11) Commercial Amusement Establishment. A commercial amusement establishment may be authorized after consideration of the following factors:

(a) Adequacy of access from principal streets together with the probable effect of traffic volumes of abutting and nearby streets.

(b) Adequacy of off-street parking.

(c) Adequacy of building and site design provisions to maintain a reasonable minimum of noise and glare from the building and site.

(12) Mobile Home Park. A mobile home park shall be built to state standards in effect at the time of construction, the following provisions, and any additional conditions set forth in the planning director or planning commission's approval prior to occupancy:

(a) Evidence shall be provided that the park will be eligible for a certificate of sanitation as required by state law.

- (b) The space provided for each mobile home shall be provided with piped potable water and electrical and sewerage connections.
- (c) The number of spaces for mobile homes shall not exceed 12 for each acre of the total area in the mobile home park; except that the planning director or planning commission may vary this density as follows:
  - (i) If dedicated open space equals 50 percent or more of the total area of the park, a maximum 10 percent increase in units per acre may be granted.
  - (ii) If in addition to subsection (12)(c)(i) of this section a maintained playground area with approved equipment, such as goal posts, swings, slides, etc., is provided, the maximum increase in units per acre may be increased an additional five percent.
  - (iii) If in addition to subsections (12)(c)(i) and (ii) of this section an approved recreation/community building is provided, an additional 10 percent increase of units/acre may be allowed (maximum total increase possible equals 25 percent).
- (d) A mobile home shall occupy not more than 40 percent of the contiguous space provided for the exclusive use of the occupants of the mobile homes and exclusive of space provided for the common use of tenants, such as roadways, general use structures, parking spaces, walkways, and area for recreation and landscaping.
- (e) No mobile home in the park shall be located closer than 15 feet from another mobile home or from a general use building in the park. No mobile home accessory building or other building or structure on a mobile home space shall be closer than 10 feet from a mobile home accessory building or other building or structure on another mobile home space. No mobile home or other building or structure shall be within 25 feet of a public street property boundary or 10 feet of another property boundary.
- (f) A mobile home permitted in the park shall meet the following standards as determined by an inspection by the building official:
  - (i) It shall have a state insignia indicating compliance with all rules of any relevant agency in effect at the time of manufacture and including compliance for reconstruction or equipment installation made after manufacture.
  - (ii) Notwithstanding deterioration, which may have occurred due to misuse, neglect, accident or other cause, the mobile home shall meet the state standards for mobile home construction evidenced by the insignia.
  - (iii) It shall contain not less than 225 square feet of space as determined by measurement of the exterior of the unit exclusive of any trailer hitch device.
  - (iv) It shall contain a water closet, lavatory, shower or tub, and a sink in a kitchen or other food preparation space.

- (g) A mobile home permitted in the park shall be provided with a continuous skirting, and if a singlewide unit, shall be tied down with devices that meet state standards for tie-down devices.
- (h) The land which is used for park purposes shall be surrounded, except at entry and exit places, by a sight-obscuring fence or hedge not less than six feet in height. The fence or hedge shall be maintained in a neat appearance.
- (i) If the park provides spaces for 50 or more mobile home units, each vehicular way in the park shall be named and marked with signs, which are similar in appearance to those used to identify public streets. A map of the named vehicular ways shall be provided to the fire department.
- (j) If a mobile home space or permanent structure in a park within the urban growth boundary is more than 500 feet from a public fire hydrant, the park shall have water supply mains designed to serve fire hydrants and hydrants shall be provided within 500 feet of such space or structure. Each hydrant within the park shall be located on a vehicular way and shall conform in design and capacity to the public hydrants in the city.
- (k) Open Space. A minimum of at least 2,500 square feet plus 100 square feet per mobile home space shall be provided for a recreational play area group or community activities. (No play area is required if the individual mobile home spaces contain in excess of 4,000 square feet.) The planning director or planning commission may require this area to be protected from streets, parking areas or the like, by a fence or the equivalent. Unless otherwise approved, no required open space area shall contain less than 2,500 square feet. Recreation areas shall be improved with grass, plantings, surfacings or buildings suitable for recreational use. No recreation facility created within a mobile home park wholly to satisfy the requirements of this section shall be open to, or offered in itself to, the general public.
- (l) Parking Space Requirement. A parking space shall be provided for each mobile home space on the site. In addition, guest parking spaces shall also be provided in every mobile home park within 200 feet of the mobile home spaces served and at a ratio of one parking space for each two mobile home spaces. Parking spaces shall have durable and dustless surfaces adequately maintained for all weather use and shall be properly drained.
- (m) All mobile home parks over 10 acres in size shall be located so as to have access on a street designated as a collector street.
- (n) All trailer parks containing a total site area of 20 acres or more shall provide a secondary access to the trailer park. Such secondary access shall enter the public street system at least 150 feet from the primary access.
- (o) Lighting shall be installed along the access ways of the trailer park and the recreation area with lights of 100 watts or better not over 100 feet apart. Wires for service to light poles and trailer spaces shall be underground.
- (p) Roadways within the park shall be improved with an all weather dustless surface and shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or less than 20 feet in

width if parking is not permitted on the edge of the roadway and an adequate designated area is provided and improved for guest parking and tenant recreational vehicles (such area shall be designed and improved to provide not less than one parking space per each two spaces in the park).

(q) No mobile home park shall be created on a site less than one acre.

(13) Multifamily Dwelling Complex. A multifamily dwelling complex shall comply with the following provisions, and any additional conditions set forth in the planning director or planning commission's approval, and shall be constructed pursuant thereto prior to occupancy:

(a) The number of units permitted by the applicable zone per gross square footage of a site may be increased as follows:

(i) If dedicated open space, which is developed and landscaped, equals 50 percent or more of the total area of the site, a maximum 10 percent increase in the number of units may be granted.

(ii) If in addition to subsection (13)(a)(i) of this section a maintained playground area with approved equipment, such as goal posts, swings, slides, etc., is provided, the number of units permitted may be increased five percent.

(iii) If in addition to subsections (13)(a)(i) and (ii) of this section an approved recreation community building is provided, an additional 10 percent increase of units may be granted. (Maximum total increase possible is 25 percent.)

(b) There shall be no outdoor storage of furniture, tools, equipment, building materials or supplies belonging to the occupants or management of the complex.

(c) If such a complex or any unit thereof is more than 500 feet from a public fire hydrant, such shall be provided at appropriate locations on a vehicular way and shall conform in design and capacity to the public hydrants in the city.

(d) A minimum of at least 2,500 square feet plus 100 square feet per dwelling unit shall be provided for a recreation play area, group or community activities. Such area shall be improved with grass, plantings, surfacings, equipment or buildings suitable for recreational use. The planning director or planning commission may require this area to be protected from streets, parking areas, or the like, by a fence or the equivalent. (No play area is required if more than 70 percent of the area is preserved as open space and is sufficiently developed and landscaped.)

(e) All such complexes with more than 20 dwelling units shall be located so as to have access on a street designated as a collector unless otherwise approved by the planning director or planning commission.

(f) All such complexes shall provide at least two accesses.

(g) All roadways and parking areas shall be paved, and roadways shall not be less than 20 feet in width, except as approved by the planning director or planning commission.

(h) A sight-obscuring fence or evergreen hedge may be required by the planning director or planning commission when, in the director's or its judgment, such screening is necessary to preserve the values of nearby properties, protect the aesthetic character of the neighborhood or vicinity, and to provide security for occupants of the subject complex.

(i) All accessory structures associated with such a complex shall be set back 50 feet from the property line of an abutting single-family residential lot or use.

(14) Recreation Vehicle Park. A recreation vehicle park shall be built to state standards in effect at the time of construction, with the following provisions and any additional conditions set forth in the planning director or planning commission's approval prior to occupancy:

(a) The space provided for each recreation vehicle shall be not less than 700 square feet exclusive of any space used for common areas, such as roadways, general use structures, walkways, parking spaces for vehicles other than recreation vehicles and landscaped areas.

(b) Roadways shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or less than 20 feet in width if parking is not permitted on the edge of the roadway, shall be paved with asphalt, concrete or similar impervious surface and designed to permit easy access to each recreation vehicle space.

(c) A space provided for a recreation vehicle shall be covered with crushed gravel or paved with asphalt, concrete, or similar material and be designed to provide runoff of surface water. The part of the space which is not occupied by the recreation vehicle, not intended as an accessway to the recreation vehicle or part of an outdoor patio, need not be paved or covered with gravel provided the area is landscaped or otherwise treated to prevent dust or mud.

(d) A recreation vehicle space shall be provided with piped potable water and sewage disposal service. A recreation vehicle staying in the park shall be connected to the water and sewage service provided by the park if the vehicle has equipment needing such service.

(e) A recreation vehicle space shall be provided with electrical service.

(f) Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations for the use of guests of the park and located in such number and be of such capacity that there is no uncovered accumulation of trash at any time.

(g) Repealed by Ord. 297.

(h) The total number of parking spaces in the park, exclusive of parking provided for the exclusive use of the manager or employees of the park, shall be equal to one space per recreation vehicle space. Parking spaces shall be covered with crushed gravel or paved with asphalt, concrete or similar material.

(i) The park shall provide toilets, lavatories and showers for each sex in the following ratios: for each 15 recreation vehicle spaces or any fraction thereof: one toilet, one urinal, one lavatory and one shower for men; and two toilets, one lavatory and one shower for women. The toilets and showers shall afford

privacy and the showers shall be provided with private dressing rooms. Facilities for each sex shall be located in separate buildings, or if in the same building, shall be separated by a soundproof wall.

(j) The park shall provide one utility building or room containing one clothes washing machine, one clothes drying machine and 15 square feet of space for clothes drying lines for each 10 recreation vehicle spaces or any fraction thereof, unless such facilities are available within a distance of three miles and are adequate pursuant to these standards.

(k) Building spaces required by subsections (14)(i) and (j) of this section shall be lighted at all times of night and day, shall be ventilated, shall be provided with heating facilities which shall maintain a room temperature of 68 degrees Fahrenheit, shall have floors of waterproof material, shall have sanitary ceiling, floor and wall surfaces and shall be provided with adequate floor drains to permit easy cleaning.

(l) Except for the access roadway into the park, shall be screened on all sides by a sight-obscuring hedge or fence not less than six feet in height, unless otherwise approved by the planning director or planning commission.

(m) The park shall be maintained in a neat appearance at all times. Except for vehicles, there shall be no outside storage of materials or equipment belonging to the park or to any guest of the park.

(n) Evidence shall be provided that the park will be eligible for a certificate of sanitation as required by state law.

(15) Radio, Television Tower, Utility Station or Substation.

(a) In a residential zone, all equipment storage on the site may be required to be within an enclosed building.

(b) The use may be required to be fenced and provided with landscaping.

(c) The minimum lot size for a public utility facility may be waived on finding that the waiver will not result in noise or other detrimental effect to adjacent property.

(d) Transmission towers, poles, overhead wires, pumping stations, and similar gear shall be so located, designed and installed as to minimize their conflict with scenic values.

(16) Schools.

(a) Nursery schools shall have at least 100 square feet of outdoor play area per child. A sight-obscuring fence at least four feet but not more than six feet high shall separate the play area from abutting lots.

(b) Elementary schools shall provide a basic site area of five acres plus one additional acre for each 100 pupils of predicted ultimate enrollment.

(c) Secondary schools shall provide a basic site area of 10 acres plus one additional acre for each 100 pupils of predicted ultimate enrollment.

(17) Transmission Towers. An application for a wireless telecommunications facility will be approved upon findings that:

- (a) The facility will not be located on land that at the time of application has irrigation water rights available;
- (b) The applicant has considered other sites in its search area that would have less visual impact as viewed from nearby residences than the site proposed and has determined that any less intrusive sites are either unavailable or do not provide the communications coverage necessary. To meet this criterion, the applicant must demonstrate that there has been a good faith effort to colocate his or her antennas on existing monopoles in the area served. The applicant can demonstrate this by submitting a statement from a qualified engineer that indicates the necessary service cannot be provided by colocation within the area to be served. County reserves the right to have a qualified engineer of its own choosing review and endorse the findings of applicant's engineer. In such cases, the concurrence of county's engineer shall be necessary to establish the required findings. The term "search area" refers to a geographic area within which the applicant seeks to establish a facility;
- (c) The facility, including support structures, is sited using trees, vegetation, and topography to the maximum extent practicable to screen the facility from view of nearby residences;
- (d) No antenna arrays will be allowed to be installed to exceed the height of the tower or monopole. Towers or monopoles shall not be sited in locations where there is no vegetative (including native high desert sagebrush or juniper stands), structural or topographic screening available;
- (e) In all cases, the applicant shall site the facility in a manner to minimize its impact on scenic views and shall site the facility using trees, vegetation, and topography in order to screen it to the maximum extent practicable from view from protected roadways. Towers or monopoles shall not be sited in locations where there is no vegetative (including native high desert sagebrush or juniper stands), structural or topographic screening available. All ground-based equipment, including any equipment shelters or cabinets and security fencing, shall be screened from view from residences on abutting properties and from properties on the opposite side of a public road. The applicant can accomplish this by screening the perimeter of a lease area with plant materials appropriate for the location. The lessee shall be required as a condition of an approval to continuously maintain all introduced and preexisting landscape material;
- (f) Telecommunication towers or monopoles shall be finished with a nonreflective surface in color which will blend with the surroundings and minimize visual impact, as approved by the planning director or planning commission;
- (g) Any required aviation lighting is shielded from surrounding buildings to the maximum extent allowed by FAA and/or ODOT – Aeronautics regulations;
- (h) The form of lease for the site does not prevent the possibility of colocation of additional carriers on the same facility;

- (i) Any tower or monopole over 50 feet in height shall be designed in a manner that it can carry the antennas of at least one additional wireless carrier. This criterion may be satisfied by submitting the statement of a licensed structural engineer licensed in Oregon that the monopole or tower has been designed with sufficient strength to carry such an additional antenna array and by elevation drawings of the proposed tower or monopole that identify an area designed to provide the required spacing between antenna arrays of different carriers;
- (j) Any approval of a wireless telecommunications facility shall include a condition that if the facility is left unused or is abandoned by all wireless providers located on the facility for more than one year the facility shall be removed by the permittee;
- (k) An application for a conditional use permit for only a support structure such as a tower or monopole may only be approved with the condition that the county will not issue any building permits for the support structure or any ground-based equipment buildings until the applicant provides the planning department with a copy of a signed lease agreement between the owner of the support structure and a personal wireless service provider;
- (l) The planning director or planning commission, or in the event of an appeal, the ~~board county court~~ may attach additional conditions of approval;
- (m) The applicant shall provide an agreement and security, in accordance with CCC 17.40.080 and 17.40.090, sufficient to pay for the removal of the tower;
- (n) The planning director or planning commission may retain a technical consultant(s) for the purpose of evaluating the application;
- (o) The telecommunication tower shall be to the maximum extent designed to resemble natural features (e.g., trees and vegetation);
- (p) A telecommunication tower shall be not located or designed in such a manner as to significantly impact scenic values;
- (q) The approval of a wireless telecommunication facility shall not include any covenant, promise, or agreement that prohibits or restricts any person or entity from engaging in direct or indirect competition with providers of cellular service, specialized mobile radio (SMR) service, personal communication service (PCS) service, paging service, or any other form of telecommunication service provided to the public.

(18) Eating and Drinking Establishments. The planning director or planning commission may authorize an eating and drinking establishment as a conditional use based upon the following criteria:

- (a) Hours of operation may be regulated based on an establishment's proximity to residential neighborhoods or schools, the concentration of establishments in an area serving alcoholic beverages or for other reasons that may arise based on the location of the establishment.

(b) Modification of the conditional use permit may be required whenever the use is intensified or is expanded in square footage.

(c) Alcoholic beverage service in approved outdoor seating areas may be permitted as allowed by the OLCC. The separation shall clearly suggest that alcohol is not allowed outside the seating area. Outdoor seating areas adjacent to residential uses may be limited or restricted by the planning director or planning commission. The additional criteria will also apply to outdoor seating areas:

- (i) Size Limitations. Outdoor seating areas shall not exceed the indoor seating area or seating capacity of the restaurant or tavern.
- (ii) Parking Required. Parking in compliance with CCC 18.128.010(6)(e) shall be provided for all outdoor seating areas.
- (iii) Music. No outdoor music or entertainment shall be provided after 11:00 p.m., or such earlier time as the planning director or planning commission may establish.
- (iv) Trash. All trash located within the outdoor dining area, on the restaurant or tavern property, and adjacent streets, sidewalks, and properties shall be picked up and properly disposed of immediately after closing.

(d) License approval by OLCC.

(e) Adequate access from principal streets.

(f) Adequate off-street parking.

(g) Adequate building and site design provisions to minimize noise and glare from the building and site.

(19) Commercial Power Generating Facilities. A commercial power generating facility that is a conditional use in the applicable zone is governed by the general criteria and conditions in CCC 18.160.020 and 18.160.030 and the provisions of Chapter 18.161 CCC.

(20) Noncommercial Energy Systems. A noncommercial energy system that is a conditional use in the applicable zone is governed by the general conditional use criteria and conditions in CCC 18.160.020 and 18.160.030 and the provisions of Chapter 18.162 CCC. (Ord. 317 §§ 3 – 5, 2020; Ord. 309 § 2 (Exh. C), 2019; Ord. 297 § 2, 2016; Ord. 296 § 11 (Exh. I), 2016; Ord. 245 § 1, 2011; Ord. 236 § 3 (Exh. C), 2010; Ord. 229 § 1 (Exh. A), 2010; Ord. 222 § 1 (Exh. A), 2010; Ord. 201 § 1, 2008; Ord. 18 Amd. 61 §§ 4, 5, 6, 2003; Ord. 18 § 6.050, 2003)

### **18.168.010 Legislative hearings.**

(1) When the *board court* or an agency of the *board court* is required by state statute or this title to conduct a hearing on legislative matters, it shall hold the hearing in accordance with the applicable procedures of this chapter.

(2) "Legislative matters" generally involve a broad public policy decision that applies to other than an individual property owner. These include, without limitation, amendments to the text of the comprehensive plan, zoning ordinance, or the subdivision ordinance and changes to the comprehensive plan map and/or zoning maps not directly affecting individual property owners. (Ord. 236 § 4 (Exh. D), 2010; Ord. 18 § 8.010, 2003)

#### **18.168.020 Authorization to initiate amendments.**

The application for a hearing on any legislative matter may be initiated by any of the following:

- (1) Property owners by written application on forms provided by the director and upon payment of the required fee;
- (2) Planning commission on its own motion; or
- (3) The ~~board County court~~ on its own motion and order. (Ord. 236 § 4 (Exh. D), 2010; Ord. 18 § 8.020, 2003)

#### **18.168.050 Number and manner of hearings.**

- (1) Subject to subsection (4) of this section, the planning commission shall conduct no less than one public hearing on the proposed legislative matter.
- (2) The planning commission shall, within 20 working days after the last hearing, issue a written recommendation to the ~~board court~~ for approval, approval as modified, or disapproval. The written recommendation shall also contain a statement of findings of fact and conclusion, which supports the recommendation.
- (3) The ~~board county court~~, after receiving the written recommendation from the planning commission, shall schedule and conduct a public hearing on the proposed legislative matter. The public hearing may be conducted as described in CCC 18.172.081.
- (4) If an ordinance is initiated by the governing body, it shall, unless waived by a majority vote of the ~~board county court~~, prior to enactment, request a report and recommendation regarding the ordinance from the planning commission. The planning commission shall submit the report and recommendation by the date and time stated in the request. Such date and time shall be reasonable. (Ord. 236 § 4 (Exh. D), 2010; Ord. 18 § 8.050, 2003)

#### **18.172.005 Definitions.**

For the purpose of this chapter, unless the context requires otherwise, the following words and phrases mean:

- (1) Acceptance. Received and considered by the director to contain sufficient information and materials to begin processing in accordance with the procedures of this chapter.

(2) Appearance. Submission of testimony or evidence in the proceeding, either oral or written. A person's name appearing on a petition filed as a general statement of support or opposition to an application without additional substantive content does not constitute an appearance. A petition or letter containing substantive content directed at the applicable approval criteria and that explains why the signers support or oppose an application shall be considered an appearance for each signer of the petition.

(3) Appellant. A person who submits to the department a timely appeal of a decision issued by the county.

(4) Applicant. A person who applies to the department for a decision under this chapter. An applicant must be an owner of the property, or someone authorized in writing by the property owner to make application.

(5) Approval Authority. A person or a group of persons, given authority by Crook County Code to review and make decisions upon certain applications in accordance with the procedures of this chapter. The approval authority may either be the director, the planning commission, hearings officer, or Crook County *Board of Commissioners* ~~court~~ as specified for application types by this chapter or otherwise specified in this chapter.

(6) Argument. The assertions and analysis regarding the satisfaction or violation of legal standards or policy believed relevant by a party to a decision. Argument does not include facts.

(7) De Novo. A hearing by the approval authority as if the action had not previously been heard and as if no decision had been rendered, except that all testimony, evidence and other material from the record of the previous proceeding will be considered a part of the review on the record.

(8) Department. The Crook County community development department.

(9) Director. The Crook County community development director or the director's designated representative.

(10) End of Business. The end of the business day is 4:00 p.m. Pacific Time.

(11) Evidence. The facts, documents, data, or other information offered to demonstrate compliance or noncompliance with the standards believed by the proponent to be relevant to the decision.

(12) Hearing Authority. The *board county* ~~court~~, planning commission, or a hearings officer appointed by the *board county* ~~court~~ under CCC 18.172.010(2).

(13) Land Use Decision. A final decision or determination made by a Crook County approval authority that concerns the adoption, amendment, or application of the statewide planning goals, a comprehensive plan provision, a land use regulation, or a new land use regulation where the decision requires the interpretation or exercise of policy or legal judgment.

(14) Land Use Regulation. Any Crook County zoning ordinance, land division ordinance adopted under ORS 92.044 to 92.046, or similar general ordinance establishing standards for implementing the Crook County comprehensive plan.

(15) Legislative. An action or decision involving the creation, adoption, or amendment of a law, rule, or a map when a large amount of properties are involved, as opposed to the application of an existing law or rule to a particular use or property.

(16) Owner. A person on the title to real property as shown on the latest assessment records in the office of the Crook County tax assessor. "Owner" also includes a person whose name does not appear in the latest tax assessment records, but who presents to the county a recorded copy of a deed or contract of sale signed by the owner of record as shown in the Crook County tax assessor's records.

(17) Party. With respect to actions under this chapter, the following persons or entities are defined as parties:

(a) The applicant;

(b) Any owner of the subject property that is the subject of the decision under consideration in accordance with this chapter; and

(c) A person who makes an appearance before the approval authority or hearing authority.

(18) Permit. A discretionary approval of a proposed development of land under chapter 215 ORS or county legislation or regulation adopted in accordance with chapter 215 ORS.

(19) Planning Commission. The planning commission of Crook County, Oregon.

(20) Quasi-Judicial. A land use action or decision that requires discretion or judgment in applying the standards or criteria of this code to an application for approval of a development or land use proposal.  
(Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020)

### **18.172.010 Quasi-judicial hearing authority.**

(1) The ~~board county court~~ hereby designates that the hearing authority to conduct hearings in a quasi-judicial capacity in order to make land use decisions is the planning commission.

(2) Whenever the ~~board county court~~ determines it necessary, the ~~board court~~ may appoint a hearings officer to have the same authority and powers as the planning commission.

(3) The ~~board county court~~ may appoint agents to issue permits and to otherwise assist the director in the processing of applications.

(4) "Quasi-judicial" zone changes or plan amendments generally refer to a plan amendment or zone change directly affecting individual property owners and involve the application of existing policy to a specific factual setting. (The distinction between legislative and quasi-judicial actions must ultimately

be made on a case-by-case basis with reference to case law on the subject.) (Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020; Ord. 18 § 9.010, 2003)

### **18.172.050 Filing fees.**

All fees described in this section shall hereafter be set annually as determined by the *board county court*.

(1) All fees for permits, variances, zone map amendments, comprehensive plan amendments, zone text amendments, appeals, and any other necessary review or permits pursuant to this title shall be set annually as determined by the *board county court*.

(2) Acceptance and filing of an application is not considered complete until all applicable fee(s) are paid to the county.

(3) Refunds.

(a) If the applicant withdraws a land use application prior to the mailing of the notice on the matter, the applicant may apply to the department for a refund of a fee paid for that action.

(b) If the applicant withdraws a land use application before the seventh working day prior to the commencement of the first hearing on the matter or prior to the action of the director, the applicant may apply to the department for a partial refund of a fee paid for that action.

(c) No refunds or partial refunds shall be granted by the director if the applicant withdraws a land use application on or after the seventh working day prior to the commencement of the first public hearing on the matter or after action of the director.

(d) The director shall within five working days of receiving an application for a refund or a partial refund make a determination whether to grant the refund or partial refund. If the director makes a determination to grant a refund or a partial refund, the director shall make the appropriate refund or partial refund of that fee to the applicant within 30 days.

(e) The applicant may file with the *board county court* an appeal of a determination by the director to deny a refund or a partial refund of a land use application fee. The *board county court* may grant a refund or a partial refund of a land use application fee upon good cause shown by the applicant.

(f) For purposes of this subsection, "partial refund" shall mean the filing fee less notice and reasonable staff costs.

(4) Fees charged for processing permits shall be no more than the actual or average cost of providing that service. (Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020; Ord. 236 § 5 (Exh. E), 2010; Ord. 155 § 1, 2005; Ord. 18 § 9.050, 2003)

### **18.172.070 Notice of public hearing.**

(1) A hearing shall be held only after notice to the applicant and any other person required by law to be given notice.

(2) Notice of the hearing to approve any quasi-judicial land use matter shall be provided:

(a) To the applicant; and

(b) To the owners of record of property on the most recent tax assessment roll of property located:

(i) Within 100 feet of the property which is the subject of the notice where the subject property is wholly or in part within an urban growth boundary;

(ii) Within 250 feet of the property which is the subject of the notice where the subject property is outside an urban growth boundary and not within a farm or forest zone; or

(iii) Within 750 feet of the property which is the subject of the notice where the subject property is within a farm or forest zone.

(3) Notice shall also be given to the following persons or agencies:

(a) Any person, agency, or organization that may be designated by this title;

(b) Any other person, agency, or organization that may be designated by the ~~board county court~~ or its agencies;

(c) An owner of a “public use airport” as defined by state law;

(d) The tenants of a mobile home or manufactured dwelling park when the application is for rezoning all or part of such park;

(e) Transportation agencies whose facilities are impacted by the proposed action or jurisdictions affected by the transportation impacts of future development resulting from the proposal.

(4) Notice of any quasi-judicial matter shall be mailed at least:

(a) Twenty calendar days before the evidentiary hearing; or

(b) If two or more hearings are allowed, 10 calendar days before the first evidentiary hearing.

(5) The notice shall:

(a) Explain the nature of the application and the proposed use or uses which could be authorized;

(b) List the applicable criteria from this title and the comprehensive plan that apply to the application at issue;

(c) Set forth the street address or other easily understood geographical reference to the subject property;

(d) State the date, time and location of the hearing;

- (e) State that the failure to raise an issue in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue;
- (f) Include the name of the director or assigned representative to contact and the telephone number where additional information may be obtained;
- (g) State that a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;
- (h) State that a copy of the staff report will be available for inspection at no cost at least seven calendar days prior to the hearing and will be provided at reasonable cost; and
- (i) Include a general explanation of the requirements for submission of testimony and the procedures for conduct of hearings.

(6) The failure of a property owner, airport owner or tenant of a mobile home or manufactured dwelling park to receive notice shall not invalidate such proceedings if the director, commission or ~~board court~~ can demonstrate by affidavit that such notice was given.

(7) For the purpose of personal notification, the records of the county assessor's office shall be used.

(8) These notice requirements by mail shall not restrict the giving of notice by other means, including posting, newspaper publication, radio, television, electronic mail or the county website.

(9) Notice may be posted in a conspicuous manner in any of the following three locations:

- (a) Crook County Courthouse;
- (b) City of Prineville City Hall; and
- (c) The United States Post Office located in Prineville, Oregon. (Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020; Ord. 303 § 1 (Exh. C), 2017; Ord. 236 § 5 (Exh. E), 2010; Ord. 18 § 9.070, 2003)

#### **18.172.080 Members of the planning commission.**

- (1) Members of the Planning Commission.
  - (a) The planning commission shall consist of seven members appointed by the ~~board county court~~ for four-year terms, or until their respective successors are appointed and qualified.
  - (b) Any vacancy on the planning commission shall be appointed by the ~~board county court~~ for the unexpired term.
  - (c) Members of the planning commission shall serve without compensation. However, the director may authorize mileage reimbursement at the standard county rate for planning commission members who must travel from outlying areas of the county to attend planning commission meetings.

(d) Members of the planning commission shall be residents of the various geographic areas of the county. The various geographic areas are depicted in the map of citizen planning areas in the Crook County comprehensive plan. The ~~board county court~~ may deviate from these areas to the extent practicable needed to obtain a full seven-member planning commission from the applicant pool available. An objection to an applicant by the majority of the ~~board county court~~ may be the basis for deviating from the geographic areas in the citizen planning areas.

(e) No more than two members shall be engaged principally in buying, selling or developing real estate for profit as individuals or be members of any partnership, or officers or employees of any corporation, that is engaged principally in buying, selling or developing real estate for profit.

(f) No more than two voting members shall be engaged in the same kind of business, trade or profession.

(g) A member may have his or her term of appointment terminated by the ~~board county court~~ if a change in occupation results in more than two members being engaged in the same kind of business, trade or profession.

(h) A member's term of appointment shall be terminated by the ~~board county court~~, after a determination that the member has unexcused absences from 20 percent or more of the scheduled commission meetings or if they exhibit personal or business conduct which raises questions concerning their bias or objectivity in fulfilling the duties of a commissioner.

(i) During the temporary absence or disability of a member of the planning commission, the chair shall select a commissioner pro tem to serve during the absence or disability of the absent member. At the chair's request, a commissioner pro tem shall be selected from a list of one or more commissioners pro tem and be appointed by the ~~board county court~~.

(2) Chairperson and Vice-Chairperson. The planning commission shall elect a chairperson and a vice-chairperson. The election shall be held annually at the first regularly scheduled meeting in January of each year, or at a later regularly scheduled meeting if necessary.

(3) The department shall keep an accurate record of all commission proceedings.

(4) Procedures.

(a) The planning commission shall meet at least once a month, at such time and place as may be fixed by the planning commission or the department.

(b) A member of the planning commission shall not participate in any proceeding or action in which any of the following has a direct or substantial financial interest: the member or his or her spouse, sibling, child, parent, parent-in-law, partner, or any business in which he or she has a financial interest, or by which he or she is employed or has been employed within the previous two years, or any business with which he or she is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the meeting of the commission where the action is being taken.

(c) A quorum of the planning commission shall be a majority of the planning commission members. A majority of the quorum voting in favor of a motion shall be sufficient to adopt that motion.

(5) Recommendation to *Board of Commissioners County Court*. All recommendations and suggestions made to the *board county court* by the planning commission shall be in writing.

(6) Advisory Committees.

(a) The planning commission will serve as the county's citizen involvement committee for land use issues. For the purpose of obtaining citizen participation in, and to assist in coordinating, land use planning for all lands situated within the county, the planning commission may establish advisory committees on land use planning for each geographic area considered to be a reasonable land use planning unit. Each such committee shall be composed of residents of the area concerned.

(b) The planning commission may also establish advisory committees on specific planning issues such as economics, housing, transportation, solid waste, natural resource management, open space, and recreation.

(c) The planning commission shall consult with each advisory committee established under subsections (6)(a) and (b) of this section in the preparation, adoption, revision, and implementation of a comprehensive plan and other plans for the county. The commission shall furnish each such committee with technical and other assistance.

(7) Finances. The planning commission may employ consultants to advise on county problems, and pay for their services, and for such other expenses as the commission may lawfully incur, including the necessary disbursements incurred by its members in the performances of their duties as members of the commission, out of funds at the disposal of the commission as authorized by the *board county court*.

(8) Powers. The planning commission shall have all of the powers which are now or hereafter granted to it by the ordinances of this county or by the general laws of the state of Oregon. The commission shall make recommendations regarding subdivisions of land and land use to the *board county court*, to public officials, and to individuals, and may make recommendations regarding location of thoroughfares, public buildings, parks, and other public facilities, and regarding any other matter related to the planning and development of the county. The commission may make studies, hold hearings, and prepare reports and recommendations on its own initiative or at the request of the *board county court*.

(9) Expenditures. The planning commission shall have no authority to make expenditures on behalf of the county, or to obligate the county for the payment of any sums of money, except as herein provided, and then only after the *board county court* shall have first authorized such expenditures by appropriate resolution, which resolution shall provide administrative method by which such funds shall be drawn and expended. (Ord. 330 § 10 (Exh. I), 2022; Ord. 321 § 4, 2020; Ord. 317 § 6, 2020; Ord. 298 § 1 (Exh. A), 2016; Ord. 266 § 2, 2013; Ord. 236 § 5 (Exh. E), 2010; Ord. 212 § 2, 2009; Ord. 18 § 9.080, 2003)

### **18.172.081 Public hearings and order of proceedings.**

(1) Staff Report. At least seven days prior to a public hearing, the director will provide a staff report to the hearing authority and parties to the application, and make it available to the public upon request. If the report is not provided by such time, the hearing will be held as scheduled, but any party may at the hearing or in writing prior to the hearing request a continuance of the hearing to a date certain that is at least seven days after the date the staff report is provided. The granting of a continuance under these circumstances will be at the discretion of the hearing authority.

(2) Personal Conduct.

- (a) No person may be disorderly, abusive, or disruptive of the orderly conduct of the hearing.
- (b) No person may testify without first receiving recognition from the hearing authority and stating their full name and address.
- (c) No person may present irrelevant, immaterial, or unduly repetitious testimony or evidence.
- (d) Audience demonstrations such as applause, cheering, and display of signs, or other conduct disruptive of the hearing are not permitted. Any such conduct may be cause for immediate suspension of the hearing or removal of the offender from the hearing.

(3) Limitations on Oral Presentations. The hearing authority may set reasonable time limits on oral testimony.

(4) Appear. Any interested person may appear either orally before the close of a public hearing or in writing before the close of the written record, except that for an on-the-record hearing, persons who may appear are limited to those described at CCC 18.172.110(6). Any person who has appeared in the manner prescribed in CCC 18.172.110(6) will be considered a party to the proceeding.

(5) Disclosure of Ex Parte Contacts.

(a) Any member of a hearing authority for a quasi-judicial application must reasonably attempt to avoid ex parte contact. As used in this section, ex parte contact is communication directly or indirectly with any party or their representative outside of the hearing in connection with any issue involved in a pending hearing except upon notice and opportunity for all parties to participate. Should a hearing authority member engage in ex parte contact, that member must:

- (i) Publicly announce for the record at the hearing the substance, circumstances, and parties to such communication;
- (ii) Announce that other parties are entitled to rebut the substance of the ex parte communication during the hearing; and
- (iii) State whether they are capable of rendering a fair and impartial decision.

(b) If the hearing authority or member thereof is unable to render a fair and impartial decision, or recommendation in the case of the planning commission, they must recuse themselves from the proceedings.

(c) Communication between the director and the hearing authority or a member thereof is not considered an ex parte contact.

(6) Disclosure of Personal Knowledge. If any member of a hearing authority uses personal knowledge acquired outside of the hearing process in rendering a decision, they must state the substance of the knowledge on the record.

(7) Site Visit. For the purposes of this section, a site visit by any member of a hearing authority will be deemed to be personal knowledge. If a site visit has been conducted, the hearing authority member must disclose their observations gained from the site visit.

(8) Challenge for Bias, Prejudgment, or Personal Interest. Prior to or at the commencement of a hearing, any party may challenge the qualification of any member of the hearing authority for bias, prejudgment, or personal interest. The challenge must be made on the record and be documented with specific reasons supported by facts. Should qualifications be challenged, that member must either recuse themselves from the proceedings or make a statement on the record that they can make a fair and impartial decision and will hear and rule on the matter.

(9) Potential Conflicts of Interest. No member of the hearing authority may participate in a hearing or a decision upon an application when the effect of the decision would be to the private pecuniary benefit or detriment of the member or the member's relative or any business in which the member or a relative of the member is associated unless the pecuniary benefit arises out of:

- (a) An interest or membership in a particular business, industry occupation or other class required by law as a prerequisite to the holding by the member of the office or position;
- (b) The decision, or recommendation in the case of the planning commission, would affect to the same degree a class consisting of an industry, occupation or other group in which the member or the member's relative or business with which the member or the member's relative is associated, is a member or is engaged.

(10) Qualification of a Member Absent at a Prior Hearing. If a member of the hearing authority was absent from a prior public hearing on the same matter which is under consideration, that member will be qualified to vote on the matter if the member has reviewed the record of the matter in its entirety and announces prior to participation that this has been done. If the member does not review the record in its entirety, that member must not vote and must abstain from the proceedings.

(11) Hearing Authority's Jurisdiction. In the conduct of a public hearing, the hearing authority will have the jurisdiction to:

- (a) Regulate the course, sequence and decorum of the hearing.

- (b) Decide procedural requirements or similar matters consistent with this chapter.
- (c) Rule on offers of proof and relevancy of evidence and testimony and exclude repetitious, immaterial, or cumulative evidence.
- (d) Impose reasonable limitations on the number of witnesses heard and set reasonable time limits for oral presentation and rebuttal testimony.
- (e) Take such other action appropriate for conduct of the hearing.
- (f) Grant, deny, or, in appropriate cases, attach such conditions to the matter being heard to the extent allowed by applicable law and that may be necessary to comply with the applicable approval criteria or, in appropriate cases, formulate a recommendation for the *board court*.
- (g) Continue the hearing to a date certain as provided at subsection (16) of this section.
- (h) Allow the applicant to withdraw and cancel the application. Subsequent to the cancellation of the application, if the applicant wishes to proceed with the same or different proposal requiring a land use application, a new application may be submitted and the new application must be processed in compliance with all the provisions of this chapter.

(12) Hearing Procedures. At the commencement of a hearing, the hearing authority must state to those in attendance the following information and instructions:

- (a) Date of the hearing;
- (b) Department file number;
- (c) Nature, purpose, and type of the hearing;
- (d) When applicable, the parties that may participate in the hearing and/or issues to which the hearing is limited;
- (e) Identification of the address and assessor's map and tax lot number of, or other easily understood geographical reference to, the subject property, if applicable;
- (f) Order of the proceedings, including reasonable time limits on oral presentations by parties;
- (g) For a quasi-judicial application, a statement disclosing any pre-hearing ex parte contacts;
- (h) A statement disclosing any personal knowledge, bias, pre-judgment, or personal interest on the part of the hearing authority;
- (i) Call for any challenges to the hearing authority's qualifications to hear the matter. Any such challenges must be stated at the commencement of the hearing, and the hearing authority must decide whether they can proceed with the hearing as provided in subsection (9) of this section;
- (j) List of the applicable approval standards and criteria for the application;

- (k) Statement that testimony, arguments, and evidence must be directed toward applicable approval standards and criteria, or other standards and criteria in the Crook County land use regulations or comprehensive plan that the person testifying believes to apply to the decision;
- (l) Statement that failure to raise an issue accompanied by statements or evidence with sufficient detail to give the hearing authority and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue;
- (m) Statement that the failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the hearing authority to respond to the issue precludes an action for damages in circuit court;
- (n) Statement that prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments, or testimony regarding the application. The hearing authority must grant the request by either continuing the public hearing or leaving the record open for additional written evidence, arguments, or testimony in accordance with subsection (16) of this section; and
- (o) Statement that the decision of the approval authority may be appealed in accordance with CCC 18.172.110.

(13) Order of Proceeding. In the conduct of a public hearing other than an on-the-record hearing, the following order of procedure will generally be followed. However, the hearing authority may modify the order of proceeding.

- (a) The director will present the staff report;
- (b) Allow agency comments;
- (c) The applicant will be heard first;
- (d) Allow persons in favor of the proposal to be heard;
- (e) Allow persons neutral to the proposal to be heard;
- (f) Allow persons opposed to the proposal to be heard;
- (g) Allow applicant opportunity to respond or address any presented material;
- (h) Allow the director to present any further comments or information in response to the testimony and evidence;
- (i) Allow applicant to waive or maintain their seven-day final argument;
- (j) Conclude or continue the public hearing;
- (k) Present motion for deliberations or set time and date certain.

(14) Questions. The hearing authority at any point during the hearing may ask questions of the director or parties.

Questions by parties, interested persons, or the director may be allowed by the hearing authority at their discretion.

Questions must be directed to the hearing authority; questions posed directly to the director or any party are not allowed.

The hearing authority may allow questions to be answered by the director or a party if a question pertains to them. They will be given a reasonable amount of time to respond solely to the question.

(15) Presenting and Receiving Evidence. No oral testimony will be accepted after the close of the hearing. Written testimony may be received after the close of the hearing only in accordance with subsections (16) and (18) of this section.

(16) Continuances and Leaving the Record Open.

(a) Grounds.

(i) Prior to the date set for an initial hearing, an applicant shall receive a continuance upon any request. If a continuance request is made after the published or mailed notice has been provided by the county, the hearing authority shall take evidence at that scheduled hearing date from any party wishing to testify at that time after notifying those present of the continuance.

(ii) Any party is entitled to a continuance of the initial evidentiary hearing or to have the record left open in such a proceeding in the following instances:

(A) Where additional documents or evidence are submitted by any party; or

(B) Upon a party's request made prior to the close of the hearing for time to present additional evidence or testimony.

For the purposes of subsection (16)(a)(ii)(A) of this section, "additional documents or evidence" shall mean documents or evidence containing new facts or analysis that are submitted after notice of the hearing.

(iii) The grant of a continuance or record extension in any other circumstance shall be at the discretion of the hearing authority.

(b) Except for continuance requests made under subsection (16)(a)(i) of this section, the choice between granting a continuance or leaving the record open shall be at the discretion of the hearing authority. After a choice has been made between leaving the record open and granting a continuance, the hearing shall be governed thereafter by the provisions that relate to the path chosen.

(c) Continuances.

- (i) If the hearing authority grants a continuance of the initial hearing, the hearing shall be continued to a date, time, and place certain at least seven days from the date of the initial hearing.
- (ii) An opportunity shall be provided at the continued hearing for persons to rebut new evidence and testimony received at the continued hearing.
- (iii) If new written evidence is submitted at the continued initial hearing, any person may request prior to the conclusion of the continued hearing that the record be left open for at least seven days to allow submittal of additional written evidence or testimony. Such additional written evidence or testimony shall be limited to evidence or testimony that rebuts the new written evidence or testimony.
- (iv) If the hearing is other than initial hearing, any continuances are at the discretion of the hearing authority.

(d) Leaving the Record Open.

- (i) If at the conclusion of the initial hearing the hearings body leaves the record open for additional written evidence or testimony, the record shall be left open for at least 14 additional days, allowing at least the first seven days for submittal of new written evidence or testimony and at least seven additional days for response to the evidence received while the record was held open. Written evidence or testimony submitted during the period the record is held open shall be limited to evidence or testimony that rebuts previously submitted evidence or testimony.
- (e) A continuance or leaving the record open that is granted under this section shall be subject to the 150-day time limit unless the continuance or extension is requested or otherwise agreed to by the applicant. When the record is left open or a continuance is granted after a request by an applicant, the time period during which the 150-day clock is suspended shall include the time period made available to the applicant and any time period given to parties to respond to the applicant's submittal.

(17) Rescheduling. In the event that a noticed public hearing must be rescheduled due to an emergency situation, the rescheduling of the meeting will constitute sufficient notice of a public hearing provided the following minimum procedures are observed:

- (a) Notice is posted on the door of the building in which the hearing is scheduled advising of the cancellation and the date, time, and place for the rescheduled meeting or that new notice will be sent indicating that new date, time, and place.
- (b) Reasonable attempts are made prior to the scheduled hearing to announce the cancellation and rescheduling by direct communication to applicants and known interested parties and through available news media to the general public.

(18) Reopening the Record. When the hearing authority reopens the record to admit new evidence, arguments, or testimony, the hearing authority must allow people who previously participated in the hearing to request the hearing record be reopened, as necessary, to present evidence concerning the newly presented facts. Upon announcement by the hearing authority of their intention to take notice

of such facts in its deliberations, any person may raise new issues which relate to the new evidence, arguments, testimony, or standards and criteria which apply to the matter at issue.

**(19) Conclusion of Hearing.**

(a) After the close of the hearing record, the hearing authority may either make a decision and state findings which may incorporate findings proposed by any party or the director, or take the matter under advisement for a decision to be made at a later date.

(b) The hearing authority may request proposed findings and conclusions from any party at the hearing. The hearing authority, before adopting findings and conclusions, may circulate them in draft form to parties for written comment.

(c) The decision and findings must be completed in writing and signed by the hearing authority within 30 days of the closing of the record for the last hearing. A longer period of time may be taken to complete the findings and decision if the applicant provides written consent to an extension to any applicable timelines in which the county must process the application for an amount of time that is equal to the amount of additional time it takes to prepare the findings.

**(20) Record of the Hearing.** The hearing authority will consider only facts and arguments in the hearing record; except that it may consider laws and legal rulings not in the hearing record (e.g., local, state, or federal regulations; previous department decisions; or case law).

(a) The hearing record will include all of the following information:

(i) All oral and written evidence submitted to the hearing authority;

(ii) All materials submitted by the director to the hearing authority regarding the application;

(iii) A recording of the hearing;

(iv) The final written decision; and

(v) Copies of all notices given as required by this chapter and correspondence regarding the application that the director mailed or received.

(b) All exhibits presented will be kept as part of the record and marked to show the identity of the person offering the exhibit. Exhibits will be numbered in the order presented and will be dated.

**(21) Decision and Findings Mailing.** Upon a written decision adopting findings being signed by the approval authority, the director will mail/email to the applicant and all parties a copy of the decision and findings, or, if the decision and findings exceed five pages, the director will mail/email notice of the decision. (Ord. 330 § 10 (Exh. I), 2022; Ord. 323 § 6 (Att. A), 2021; Ord. 317 § 6, 2020; Ord. 236 § 5 (Exh. E), 2010; Ord. 18 § 9.081, 2003)

**18.172.110 Appeals.**

- (1) Every land use decision relating to the provisions of this title made by the director, planning commission, or hearing officer is subject to review when appealed within 12 calendar days of the date the decision was mailed in accordance with state statutes and the following provisions.
- (2) The filing of an appeal in accordance with the provisions of this section initiates the appeal process and stays the order of the decision appealed. The process shall include appropriate public notice, a public hearing, and the preparation of findings by that authority which either affirms, amends, or reverses the decision appealed.
- (3) All hearings of appeal from an administrative determination shall be de novo.
- (4) All hearings of appeal from a planning commission final decision shall be based on the record made before the planning commission.
- (5) A final decision not to adopt a legislative matter is not appealable.
- (6) Appeals may be filed only by the following parties:
  - (a) The applicant or the authorized agent of the applicant; or
  - (b) Any person or county official testifying at the public hearing or who provided written comments may appeal a decision.
- (7) The appellate body may review a lower determination or decision upon its own motion by issuing a written order to that effect on the lower body within 10 working days of the date the determination or decision becomes final. The appellate body must cause notice to be given to the parties involved within three working days of the appellate body's order to review.
- (8) Appellate Body.
  - (a) The appellate body for appeals from administrative determinations of the director shall be the planning commission.
  - (b) The appellate body for appeals from final decisions of the planning commission shall be the *Board of Commissioners* ~~county court~~, unless the *board* ~~county~~ ~~court~~ orders the appeal be sent directly to the Oregon Land Use Board of Appeals as the final decision of the county.
  - (c) Appeals from decisions of the *board* ~~county~~ ~~court~~ shall be in conformance with the applicable ORS provisions.
- (9) Filing Requirements.
  - (a) Appeals shall be complete and the appellate body shall have jurisdiction to hear the matter appealed if all the following occur:
    - (i) The appeal shall be in writing on the form prescribed by the director and shall contain:
      - (A) Name and address of the appellant(s);

(B) Reference to the application title and case number, if any.

(ii) A statement of the nature of the decision:

(A) A statement of the specific grounds for the appeal, setting forth the error(s) and the basis of the error(s) sought to be reviewed; and

(B) A statement as to the appellant's standing to appeal as an affected party.

(iii) Proper filing fee in accordance with CCC 18.172.050.

(iv) The written notice of appeal and proper filing fee must be received at the office of the Crook County community development department within 12 calendar days of the decision, no later than 4:00 p.m. on the twelfth day.

(10) Notice and Hearing of the Appeal.

(a) If the director determines that the facts stated in the notice of appeal meet the requirement for a hearing, a time and date shall be set for such hearing.

(b) If the appeal is dismissed, the reasons will be provided in writing how the application has not met the requirements for an appeal. Upon dismissal, the appealed decision is final.

(c) If the appellate body is the *board county court*, the *board county court* may order the appeal sent directly to the Land Use Board of Appeals as the final decision of the county without an appeal hearing.

(d) For an appeal of a planning commission decision to the *board county court*, at least 10 calendar days prior to the appeal hearing, the hearing authority shall give notice of time, place and the particular nature of the appeal. Notice shall be published in the newspaper and be sent by mail to the appellant(s), to the applicant (if different) and those persons who testified at the subject hearing where a hearing was held and affected parties in accordance with this section.

(e) For an appeal of an administrative decision to the planning commission, the notice requirements of CCC 18.172.070 shall apply.

(11) Transcript. The appellant shall provide a copy of the transcript of the relevant portions of the planning commission proceedings appealed from to the department seven calendar days before the hearing date set by the *board county court*. The *board county court*, in its sole discretion, may waive the requirement that the appellant provide a transcript for the appeal hearing. A request to waive the transcript requirement shall be made in writing to the community development department no later than 14 days after filing appeal is filed. Nothing herein prevents the *board county court* from waiving the transcript requirement on its own motion.

(12) Scope and Standard of Review of Appeal.

(a) On the Record Review. The appeal is not a new hearing; it is a review of the decision below. Subject to the exception in subsection (12)(a)(vi) of this section, the review of the final decision shall be confined to the record of the proceedings below, which shall include, if applicable:

- (i) All materials, pleadings, memoranda, stipulations and motions submitted by any party to the proceeding and received by the planning commission as evidence.
- (ii) All materials submitted by Crook County staff with respect to the application.
- (iii) The transcript of the relevant portions of the planning commission hearing.
- (iv) The written final decision of the planning commission and the petition of appeal.
- (v) Written argument (without introduction of new or additional evidence) may be submitted prior to the close of the appeal hearing by the applicant, appellant, and other parties of record. At the appellate body's discretion, they can elect to allow oral argument at the appeal hearing.
- (vi) The appellate body may, at its option, admit additional testimony and other evidence from a party of record to supplement the record of prior proceedings. The record may be supplemented by order of the appellate body or upon written motion by a party. The written motion shall set forth with particularity the basis for such request and the nature of the evidence sought to be introduced. Prior to supplementing the record, the appellate body shall provide an opportunity for all parties to be heard on the matter. The appellate body may grant the motion upon a finding that the supplement is necessary to take into consideration the inconvenience of locating the evidence at the time of initial hearing, with such inconvenience not being the result of negligence or dilatory act by the moving party.

(b) Standard of Review on Appeal. The burden of proof in a hearing shall be as allocated by applicable law. The burden shall remain with the applicant to show that relevant criteria were met for an application throughout the local appeal process. For an appeal on the record, an appellant shall have the burden to articulate reasons why the initial decision is in error.

(13) Appellate Decisions. Following hearing the appeal, the appellate body may affirm, overrule, or modify the decision and shall set forth findings showing compliance with applicable standards and criteria. The appellate body may also remand the decision with instructions to the planning commission, hearing officer or director who made the original decision to consider additional facts, issues or criteria not previously addressed.

(14) A decision made on remand is a new decision and may be appealed as described in subsections (1) through (13) of this section. (Ord. 336 § 8 (Exh. G), 2023; Ord. 330 § 10 (Exh. I), 2022; Ord. 321 § 4, 2020; Ord. 317 § 6, 2020; Ord. 236 § 5 (Exh. E), 2010; Ord. 231 § 1 (Exh. A), 2010; Ord. 18 § 9.110, 2003)

#### **18.172.120 Remand by the *Board of Commissioners county court*.**

When a decision is remanded by the appellate body pursuant to CCC 18.172.110(13), the following procedures shall apply:

- (1) Notice of the hearing shall be provided in accordance with CCC 18.172.110(10)(d).
- (2) Participants at the remand hearing shall be limited to Crook County staff, the applicant and the appellant(s) from the prior appeal. The hearings body may elect, in its discretion, to expand those who may participate in the remand hearing upon its own motion.
- (3) The remand hearing shall be limited solely to the issues identified in the remand order from the appellate body.
- (4) The remand hearing shall be limited to new evidence and testimony regarding the issues in subsection (3) of this section. (Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020)

**18.172.130 Remand by the Land Use Board of Appeals.**

When a final decision of the *board county court* or other land use decision is remanded by the Land Use Board of Appeals:

- (1) A remand hearing shall be held when:
  - (a) Requested by the applicant or appellant in writing, and upon payment of the applicable fee, if any, in accordance with ORS 215.435.
  - (b) The *board county court* on its own motion initiates a remand hearing.
- (2) Remand Procedures.
  - (a) Notice of a remand hearing shall be as provided by CCC 18.172.110(10)(d).
  - (b) The remand hearing shall be limited to staff, the applicant and appellants from the prior LUBA appeal. However, the *board county court* may expand those who may participate in the remand hearing upon the *board's county court's* own motion.
  - (c) The remand hearing shall be limited solely to issues remanded in the final decision of the Land Use Board of Appeals unless the *board county court* expands the issues on remand upon the *board's county court's* own motion.
  - (d) The remand hearing shall be limited to new evidence and testimony regarding the issues in subsection (2)(c) of this section. (Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020; Ord. 236 § 5 (Exh. E), 2010)



## Exhibit B

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541-447-3211  
[plan@crookcountyor.gov](mailto:plan@crookcountyor.gov)

### PLANNING COMMISSION RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS PROPOSED ZONING CODE AMENDMENTS

**December 31, 2025**

**Ordinance 357**

**Planning file number: 217-25-000323-PLNG**

**Applicant:** Crook County Community Development Department

**Recommendation:** After conducting a duly noticed public hearing on December 10, 2025, and considering the staff report, oral and written testimony, and the evidence in the record, the Crook County Planning Commission voted Unanimously to recommend that the Board of County Commissioners adopt the proposed legislative amendments to the Crook County Code.

**Background:** The Planning Commission held multiple work sessions and held a public hearing to discuss the proposed changes. Staff were directed to prepare a recommendation of the proposed text amendments as discussed to present to the Board of County Commissioners.

#### Timeline

<b>Work Session</b>	March 12, 2025
<b>Work Session</b>	August 27, 2025
<b>Work Session</b>	October 29, 2025
<b>PAPA DLCD Notice</b>	August 15, 2025
<b>Website</b>	November 13, 2025
<b>Newspaper</b>	November 18, 2025
<b>Public Hearing PC</b>	December 10, 2025
<b>Public Hearings BOCC</b>	January 7 and 21, 2026

#### Discussions

The Planning Commission specifically discussed multiple items. There was significant discussion regarding the proposed changes in CCC 18.132.010 and why 2017 was selected as a cut-off date, energy standards, and testing. For multiple reasons, I am going to recommend the revision to CCC 18.132.010 be withdrawn from this ordinance. There was discussion regarding the change to CCC 17.24 regarding boundary line adjustments and requiring updated legal descriptions. Such a

requirement is already part of the County's process. There was discussion regarding the new definition of "kitchen" and its application. Staff explained that the definition of "kitchen" is a subpart to the new definition of "designed for occupancy" and the focus is on if the area is designed for preparation of food, which is informed by the elements in the definition and the structure as a whole. The intent of both new definitions is to provide flexibility and clarity to applicants while ensuring the accessory structure remains dependent on the main dwelling for some aspect of occupancy so as to stay in compliance with state law.

## **I. FINDINGS**

### ***Oregon Revised Statutes***

#### ***Chapter 197 Comprehensive Land Use Planning***

##### ***197.610 Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development; rules.***

*(1) Before a local government adopts a change, including additions and deletions, to an acknowledged comprehensive plan or a land use regulation, the local government shall submit the proposed change to the Director of the Department of Land Conservation and Development. The Land Conservation and Development Commission shall specify, by rule, the deadline for submitting proposed changes, but in all cases the proposed change must be submitted at least 20 days before the local government holds the first evidentiary hearing on adoption of the proposed change. The commission may not require a local government to submit the proposed change more than 35 days before the first evidentiary hearing.*

**FINDING:** The County submitted notice of the proposed code amendments to Department of Land Conservation and Development (DLCD) via the online Post-Acknowledgment Plan Amendment (PAPA) portal on August 15, 2025. The first evidentiary hearing before the Planning Commission took place on December 10, 2025. Because the notice was submitted 117 days prior to the first evidentiary hearing, the County has exceeded the minimum statutory requirement of 35 days. Therefore, the proposal is in compliance with ORS 197.610(1) and the notification rules established by the Land Conservation and Development Commission.

*(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review, the local government shall submit the proposed changes as soon as practicable, but may submit the proposed changes after the applicable deadline.*

**FINDING:** The county has not determined that emergency circumstances require an expedited review, and the applicable deadlines will be met. The criterion does not apply.

*(3) Submission of the proposed change must include all of the following materials:*

- (a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan;*
- (b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the map that is created or altered;*
- (c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the proposed change;*
- (d) The date set for the first evidentiary hearing;*
- (e) The form of notice or a draft of the notice to be provided under ORS 197.763, if applicable; and*
- (f) Any staff report on the proposed change or information describing when the staff report will be available, and how a copy of the staff report can be obtained.*

**FINDING:** The submission to DLCD included a brief narrative summarizing the proposed changes, work session materials, the date for the first evidentiary hearing, and a draft public notice including information regarding the availability of a final staff report.

- (4) The director shall cause notice of the proposed change to the acknowledged comprehensive plan or the land use regulation to be provided to:*
  - (a) Persons that have requested notice of changes to the acknowledged comprehensive plan of the particular local government, using electronic mail, electronic bulletin board, electronic mailing list server or similar electronic method; and*
  - (b) Persons that are generally interested in changes to acknowledged comprehensive plans, by posting notices periodically on a public website using the Internet or a similar electronic method.*

**FINDING:** The proposed legislative amendments followed a robust public involvement process consistent with the County's acknowledged Comprehensive Plan and Citizen Involvement Program.

The Planning Commission held three work sessions (March 12, August 27, and October 29, 2025) to discuss the proposed changes in an open public forum.

Notice of the proposal was posted to the County website on November 13, 2025, and a notice was published in the local newspaper on November 18, 2025, providing the public with information on how to participate and testify.

The Planning Commission held a formal evidentiary hearing on December 10, 2025. These actions ensured that citizens had multiple opportunities to review the draft language, ask questions, and provide testimony before a final decision was made.

(5) When a local government determines that the land use statutes, statewide land use planning goals and administrative rules of the commission that implement either the statutes or the goals do not apply to a proposed change to the acknowledged comprehensive plan and the land use regulations, submission of the proposed change under this section is not required.

**FINDING:** The proposed amendments include changes to land use regulations within Title 18, including provisions related to Exclusive Farm Use and Flood Damage Prevention. These changes implicate Statewide Planning Goals (Goals 3 and 7). Therefore, the County determined that the exception under ORS 197.610(5) does not apply, and notice was therefore submitted to DLCD as described in the previous finding.

The proposed code changes are shown in Attachment A to the draft ordinance.

Respectfully,

John Eisler  
Crook County Community Development Department

Michael Warren II, Chair  
Crook County Planning Commission